



CONSULTATION ON THE PROGRAMME OF WORK
For the 12th session of the Open-Ended Intergovernmental Working Group
on Transnational Corporations and Other Business Enterprises
with Respect to Human Rights (OEIGWG)

STATEMENT BY CIDSE AND ITS MEMBER ORGANISATIONS¹
31 August 2026

CIDSE and its member organisations welcome the opportunity to contribute to the consultation on the [Programme of Work for the 12th session](#) of the Open-ended Intergovernmental Working Group (OEIGWG) on Transnational Corporations and Other Business Enterprises with respect to Human Rights.

As organisations working with communities and victims affected by corporate-related human rights and environmental abuses, we place great importance on ensuring that the next stage of the process leads to a meaningful, effective and implementable Legally Binding Instrument (LBI). In this regard, we are concerned that insufficient time is being allocated to discussing the way forward, despite the importance of this discussion for the future of the process. After more than a decade of negotiations, the next stage must prioritise developing a text that effectively strengthens access to justice and accountability and prevents corporate abuses, rather than simply accelerating the process towards adopting a final text.

Against this background, we would like to highlight the following considerations for the Programme of Work:

1. CLARIFY THE TIMELINE FOR THE PREPARATION AND CIRCULATION OF A NEW DRAFT

The Programme of Work should delineate a clear timeline for the preparation of the subsequent draft of the LBI, including the anticipated date for distribution to States, organization of civil society, organization of indigenous people, affected communities, trade unions, and other relevant stakeholders. Adequate time must be allocated between the dissemination of a new draft and the 13th session to facilitate a thorough and meaningful review by all parties involved. A new draft should not be presented at the session without sufficient opportunity for delegations and stakeholders to analyse its legal and substantive implications and formulate well-informed positions.

¹ [CIDSE](#) is an international family of Catholic social justice organisations working together for global justice.

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In particular, if the aim is to establish a final text by October 2027, it is highly recommended that a draft be prepared and circulated several months in advance. Such an approach would enable ample time for legal review, consultations with affected communities and civil society, and resolution of any remaining issues prior to finalisation.

2. PROVIDE CLARITY ON THE METHODOLOGY BEYOND THE 12TH SESSION

The Programme of Work should also clarify how negotiations will proceed after the 12th session. The methodology employed over the past decade, specifically, an article-by-article review of successive drafts, has not led to a successful outcome. Although meticulous examination of provisions remains necessary, persisting with the same approach poses the risk of prolonging the process without adequately resolving the substantive and structural issues that persist. Accordingly, we urge States and the Chair-Rapporteur to contemplate a methodology that is more effective in addressing outstanding political and legal questions, whilst ensuring transparency and meaningful participation of civil society, affected communities, Indigenous Peoples, trade unions, and other pertinent stakeholders.

Any proposed new methodology should be communicated transparently in advance, outlining its objectives, sequence, and opportunities for stakeholder engagement.

3. PRIORITISE QUALITY, CONSULTATION AND MEANINGFUL PARTICIPATION OVER A DEADLINE

CIDSE and its member organisations recognise the importance of establishing a clear path towards the conclusion of the negotiations. However, the objective of reaching a final text should not come at the expense of adequate consultation, legal scrutiny and meaningful participation.

4. ENSURE CONTINUITY IN THE PARTICIPATION OF LEGAL EXPERTS

The participation of the legal experts has been key in the past years and should be secured throughout the next phase of the process. The complexity of the outstanding legal and technical questions requires sustained access to appropriate legal expertise, including during the preparation and review of the new draft and in the intersessional period.

Legal experts should have sufficient time and opportunities to analyse proposed provisions, identify inconsistencies and provide advice on questions of international human rights law, jurisdiction, access to justice and other relevant areas.

Their participation should not be limited to a single stage of the negotiations but should form an integral part of the process leading towards the final text.

CONCLUSION

CIDSE and its member organisations encourage the Chair-Rapporteur and States to ensure that the next phase is guided by a clear timeline, meaningful participation from civil society, affected communities, Indigenous Peoples and human rights defenders, and a methodology capable of overcoming the limitations of the previous approach. The credibility of this process will ultimately depend not on how quickly it concludes, but on whether it delivers a strong, coherent and effective Legally Binding Instrument that strengthens corporate accountability and access to justice and remedy for those affected by business-related human rights and environmental abuses.