

Enforcing human rights globally - “Scope”

Thank you Mr. Chairman.

I deliver this statement on behalf of CCFD-Terre Solidaire, CIDSE

In Article 3.3, the draft LBI states that

*“This LBI shall cover all internationally recognized human rights and fundamental freedoms emanating from the Universal Declaration of Human Rights, any core international human rights treaty and fundamental ILO convention **to which a state is a party**, and customary international law”.*

This article needs clarification to ensure business enterprises, and in particular transnational corporations and other business enterprises, respect human rights across their activities and business relationships.

Recalling commentary 7 of the UNGPs regarding international humanitarian law,

Recalling commentary 12 of the UNGPs regarding the need to respect the International Bill of Human Rights, consisting in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling ILO 1998 Declaration on Fundamental Principles and Rights at Work, which is binding on all ILO members despite their ratification status,

Recalling commentary 11 of the UNGPs, which stresses that “the responsibility to respect human rights is a global standard of expected conduct for all business enterprises [...] that exists over and above compliance with national laws and regulations protecting human rights”,

We recommend to revise article 3.3 as follows:

“This LBI shall cover all internationally recognized human rights and fundamental freedoms emanating from the International Bill of Human Rights (consisting in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights), any international human rights treaty, the ILO Declaration on Fundamental Principles and Rights at work, international humanitarian law, international criminal law and customary international law. This shall be without prejudice of additional States’ international human rights obligations”