



No Steps Back: Catholic Organisations Denounce US Attempt to Derail the Negotiations for a UN Treaty on transnational corporations

Brussels, 25 October 2021

The 7th Session of the Open-Ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights is taking place in Geneva from 25 to 29 October 2021.

While CIDSE and its member organisations welcome the active presence, for the first time, of the US in the negotiation room, we express our deep concern in hearing the remarks advanced today by the United States' Mission to the UN Human Rights Council in Geneva. In their oral statement, the US voiced their opposition to a UN legally binding instrument (LBI) to regulate the activities of business enterprises in international human rights law and asked States participating in the process to 'take a step back'. US delegates argue the current revised third draft of the LBI to be too demanding, and would rather fall back on non-binding, voluntary commitments.

Yet, voluntary measures have failed to protect people and the environment¹. Communities, workers, and human-rights defenders have been demanding binding rules for corporations since well before the establishment of the Open-ended Intergovernmental Working Group on transnational corporations and human rights. In fact, non-binding instruments such as the United Nations Guiding Principles on Business and Human Rights and the OECD guidelines for responsible business conduct have been in place for more than a decade.

2020 was the most lethal year for environmental and human rights defenders². Our planet continues to undergo dramatic climate change, in large part caused by corporate activities. Peasants and indigenous communities continue to be subjected to the loss of land, livelihoods, cultural and spiritual traditions brought about by large agro-industrial and extractive projects. While most corporations are responsible for such dramatic impact on our human family and common home, the effects are felt the most by governments and peoples in the Global South. In the words of the Holy See Permanent Observer in Geneva: "*Developing and Least Developed Countries suffer the consequences of an asymmetry in the international system, whereby the rights of business companies are backed up by hard laws and strong enforcement mechanisms, while their obligations are backed up only by soft laws, like voluntary guidelines.*"³

¹ European Commission, Study on due diligence requirements through the supply chain.

² [The industries causing the climate crisis and attacks against defenders | Global Witness.](#)

³ His Excellence Ivan Jurkovic, Statement at the Open-ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights, 17 October 2018.

Inspired by the words of Pope Francis, we reiterate our denunciation of a “profit-based economic model that does not hesitate to exploit, discard and even kill human beings”⁴ and our call “to think of ourselves more and more as a single-family dwelling in a common home”, a way of seeing the world that, as confirmed by today’s US statement “does not interest those economic powers that demand quick profits.”⁵

We call on the US government to engage constructively in negotiations. Today’s intervention of the US is a clear attempt to derail and warp the process for a UN legally binding instrument, which will only serve to protect and preserve corporate impunity and to preserve global inequality.

CIDSE and its member organisations stand in solidarity with citizens, indigenous people, communities, social movements, democratic representatives, and all those of good-will who believe in a better world based on care for each other and our common home, rather than on the pursuit of profit. We will not step back, and we will continue working with like-minded organisations to ensure an end to corporate impunity and justice for those affected by it.

⁴ Pope Francis, *Fratelli Tutti*, 22.

⁵ *Ibidem*, 17.