

CIDSE GENERAL ORAL STATEMENT

24 October, 2022

Dear Mr Chair Rapporteur,

On behalf of CIDSE, ALBOAN, Broederlijk Delen, DKA, CAFOD, CCFD–Terre Solidaire, Trócaire, Fastenaktion, Entraide & Fraternité, SECAM, SIEMBRA, we congratulate you on your election. We appreciate your efforts in moving this process forward and urge States, especially those in the Friends of the Chair group, to support you in your mandate.

Mr Chair,

Corporate abuse has become an accepted consequence of economic activity together with the violence this entails on our human family and common home. In the last year alone, 200 human rights and environmental defenders were killed while protecting their land, rivers, forests and the lives of their loved ones. This year, in January, the Spanish company Repsol caused an oil spill over more than forty kilometres along the coast of Lima, Peru, contaminating marine life and ecosystems and the rights of thousands of fisher-folks to safe, clean and sustainable environment.

These negotiations are more urgent than ever. States have a moral and legal obligation to tackle corporate impunity, and put the protection of human life and of creation back at the centre of decisions-making.

In accordance with the report adopted at the end of the last session, any compromise text should be a result of the work of the Friends of the Chair, in consultation with civil society. We do not believe the Informal proposal contains the answers those seeking justice are looking for. The removal of crucial provisions on access to justice and applicable law is a strike to those who have been demanding transnational accountability.

We urge States to participate in the negotiations based on the third revised draft, the amendments put forward by States, and civil society's contributions to last year's work.

To ensure justice, it is crucial to reinforce provisions on applicable law and choice of jurisdiction in a manner ensuring that victims can access the highest standards of protection, and the best route to justice and reparation.

The role of human rights defenders, women, peasants, children and indigenous peoples, must be recognised in the text, and their freedom and integrity must be protected.

The right to Free Prior and Informed Consent of indigenous communities and the right of peasants to participate must be recognised, and communities must always be guaranteed an avenue to deny their consent in order to protect themselves and their territory.

Finally, we are disappointed that the European Union has yet again failed to obtain a mandate to negotiate. In the absence of that mandate, we urge the EU to step up engagement this year. We hope that they engage in these negotiations to defend those core principles and values which they are also currently legislating for through a regional instrument. We hope we will see the EU again next year with a strong mandate to negotiate at the ninth session.

We wish all those participating a fruitful session.