



SYMPOSIUM OF EPISCOPAL CONFERENCES OF AFRICA AND MADAGASCAR

SECAM-JPDC STATEMENT ON THE UN BINDING TREATY OCTOBER 2023¹

The Symposium of Episcopal Conferences of Africa and Madagascar (SECAM) is an Association of Catholic Bishops Conferences of Africa and Madagascar (composed of 8 regions) whose mission is to network and speak with one voice on matters pertaining to the Church in Africa. This public policy statement by the Justice, Peace and Development Commission (JPDC) is the result of an ongoing dialogue with African civil society and grassroots organisations, women's and farmers' movements and other faith-based groups gathered in the spirit of “synodality” in a platform called Our Land is Our Life. We share the struggle for land and climate justice with our communities who are exposed to the climate crisis and the land grabbing that goes hand in hand with water grabbing, increasing water and soil pollution, loss of biodiversity, and the irreparable destruction of their environment. We stand in solidarity with the regions of Cabo Delgado in Mozambique, and all communities and territories affected by armed conflicts and resource wars in the Niger Delta in Nigeria. Communities share the experience that as they claim their rights to land and livelihoods, they are being persecuted, leading to more violent conflicts, despair, and instability. The recent recognition by the UN of the human right to a clean, healthy, and sustainable environment is a powerful new tool to address the human rights impacts of climate change, biodiversity loss and pollution and ensure rights-based environmental action.

Recommendations on the UN Binding Treaty

The international community can help to adopt strong, binding rules for companies at the international level, and to support the UN binding treaty on transnational corporations and human rights. This comes in support of existing advocacy efforts at the national level to implement and enforce progressive laws.

States, parliamentarians, and civil society organisations from Europe should proactively support the process towards a strong and effective UN Binding Treaty to regulate the activities of transnational corporations regarding human rights.

This important initiative is being pushed by committed States from the global South and social movements from across the globe. The process aims to stop the impunity of transnational corporations, who are often able and allowed to violate human rights and destroy the environment and evade accountability, using complex global value chains and legal loopholes to their advantage.

To guarantee the full protection of human rights the future treaty must cover all activities along the value chains of Transnational Companies, including the subsidiaries, contractors, subcontractors, and of course the mother companies.

Strong provisions on access to justice and the centrality of the voices of people affected by the activities of TNCs must be at the centre of the process of negotiation and implementation of the treaty.

Accountability must also be applied upwards, so that investors, shareholders, holdings, economic conglomerates, banks, and pension funds that finance TNCs can be held responsible for human rights violations committed by the TNCs they financially support. Under any circumstance, investors and financiers must not support projects that result in forceful land expropriation, intimidation of human rights defenders and community members, environmental degradation or violence and militarization.

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