

**Public Statement of
Civil Society, Social Movements, trade unions and Indigenous Peoples
on the Procedural Decision**

**“Enhancing the support capacities to advance the process of the open-ended
intergovernmental working group on transnational corporations and other
business enterprises with respect to human rights (OEIGWG), established by
Human Rights Council resolution 26/9”**

Human Rights Council 56th – Geneva – 25.06.2024

We, the organizations, movements, trade unions, and Indigenous Peoples members of the Treaty Alliance, the Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity, the Feminists for the Binding Treaty, the ESCR-Net and the Young Friends of the Treaty, remind the Member States of the Human Rights Council of the systematic violence that communities affected by abuses and violations of transnational companies (TNCs) and other businesses enterprises (OBEs) along the value chains are suffering every day. Most of these abuses and violations continue with impunity and predominantly benefits transnational corporations and other businesses operating along the global value chains. These actors concentrate power and exploit the absence of a globally binding regulation that would create an international level playing field prioritizing people and the planet over profit.

Civil society, social movements, trade unions, Indigenous Peoples, and affected communities have been expressing their concern about the slow pace at which the negotiation is advancing and the weakening of the content of the draft Legally Binding Instrument (LBI). It is urgent and indispensable that Member States adopt all necessary measures to expeditiously advance the negotiations to adopt a robust LBI that puts an end to the current corporate impunity, ensures access to justice, effective prevention, and corporate liability, including remedy for the damage suffered by communities.

To achieve this aim, we consider that the procedural resolution currently negotiated could be an important tool to put new resources in the process, as long as in alignment with Resolution 26/9. We urge all Member States to ensure that the procedural resolution speeds up and strengthens the negotiations, including through inclusive, significant and additional intersessional, interregional, and thematic consultations each year, to be held in Geneva, involving civil society, social movements, trade unions, Indigenous Peoples, and affected communities, with the assistance of human rights experts working according to the needs and proposals of affected communities and who are free from conflicts of interests.

To ensure that affected communities and their advocates worldwide can effectively participate in the process, it is key that the informal and formal negotiations take place in a hybrid format and that the sessions of the IGWG are webcasted. In addition, conditions need to be created so that communities and their advocates can effectively present their contributions online. Furthermore, all documents serving as basis for the negotiations should be translated at least in the 6 official UN languages and shared before sessions.

Today, we urge all Member States of the Human Rights Council to show their political will to advance international human rights law in a way that stops corporate-related

injustices and impunity and advances corporate accountability, prevention, and access to justice for the communities affected by corporate abuses and violations. This is an integral part of States' international obligation to create an enabling environment for the realization of the human rights of the present and future generations.