

Statement of Justice and Peace Europe on the occasion of Human Rights Day (10 December)

Multinational companies and Human Rights

Towards an international legally binding instrument

Multinational companies have acquired in recent years considerable economic and also political power, which implies an increased responsibility. This means not only the civic obligations to pay taxes where profits are earned it also includes full respect for the entire human rights body in all its activities. It may be appropriate to address this latter responsibility in a binding text at the level of the United Nations. On the occasion of the Human Rights Day 2017 Justice and Peace Europe wishes to attract the attention of its member commissions and an interested public to the negotiations of an international working group within the Human Rights Council of the United Nations, whose task it is « to elaborate an international legally binding instrument to regulate in international human rights laws, the activities of transnational corporations and other enterprises ».

The working group was mandated by a resolution of the Human Rights Council in June 2014. A first session of the working group was convened in July 2015. A third session of the working group last October in Geneva was attended by a hundred member states of the United Nations. The Holy See was represented by an observer, as was the European Union. Civil society organisations – many of them with a Christian background - gathered in the « Treaty Alliance » have played an important role since the beginning of the whole process

The elaboration of a binding instrument will complement and go beyond the UN Guiding Principles on Business and Human Rights from 2011. It shall reaffirm that all companies must respect human rights with a special focus on gaps linked to transnational activities, reinforce the protection of human rights defenders. It may also include special provisions on activities of multinational companies in conflict-affected areas.

Furthermore, the whole process concords with the recommendation of the Committee of Ministers of the Council of Europe from March 2016 to member States on human rights and business, which should contribute to an effective implementation of the UN Guiding Principles on Business and Human Rights at the European level. The preparation of this recommendation was strongly supported by Justice and Peace Europe through its delegate at the Council of Europe. Justice and Peace Europe was also involved in the elaboration of the recommendation “Business and Human Rights”, which the conference of International NGOs at the Council of Europe adopted in June 2017.

Pope Benedict XVI stated in his encyclical letter *Caritas in Veritate* that “among those who sometimes fail to respect the human rights of workers are large multinational companies as well as local producers” (Civ 22) and in the encyclical letter *Laudato Si* Pope Francis specifically addressed multinationals in the mining sector: “There is also the damage caused by the export of solid waste and toxic liquids to developing countries in ways they could never do at home in the country in which they raise their capital. We note that often the businesses which operate this way are multinationals” (No. 51).

At the occasion of the Human Rights Day 2017 Justice and Peace Europe therefore wishes to express its hope that an international binding treaty may contribute to diminish and effectively abolish forms of abuse and disrespect for human rights in all sectors of activities of multinational companies. It strongly supports the ongoing negotiations in Geneva and wishes its full success.

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The Executive Committee of Justice and Peace Europe

The Conference of European Justice and Peace Commissions (Justice and Peace Europe) is a European network of 31 national Justice and Peace Commissions, working for the promotion of justice, peace, respect for human dignity and the care of creation. It contributes to raising awareness of the Catholic social doctrine in the European societies and the European institutions.

The Executive Committee of Justice and Peace Europe is composed of 9 elected members. Its President is Mgr. Jean-Claude Hollerich, Archbishop of Luxembourg.

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