

## [States: Ensure participation and protection for activists in business and human rights treaty discussions](#)

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A UN process to develop binding norms on business and human rights should provide protection and participation rights for human rights activists, a coalition of over 20 NGOs says in a new report.



(Geneva) - A forthcoming UN process to develop binding norms in the field of business and human rights should provide protection and space to contribute for human rights activists, a [broad coalition of civil society groups](#) say in a major new report.

The report, submitted to the [first session](#) of the 'Intergovernmental Working Group on transnational corporations and other business enterprises with respect to human rights', makes concrete recommendations to the Chair of the Working Group and States to put human rights defenders at the centre of the process of elaboration, and the substantive content, of a treaty on business and human rights.

'It is critical that human rights defender are transparently informed about, and effectively consulted on the program and content of each session of the Working Group,' the submission says.

Currently, less than one week before the commencement of the Working Group's first session, next to no information is available to civil society on how the discussion will be structured, or which States will actually participate in the discussion.

'The clear call from human rights defenders from around the world is that governments must ensure that the process towards an international treaty on business and human rights is transparent, informed by consultative processes at the national level, and does not take place in a bubble in Geneva, far from the realities on the ground', said Michael Ineichen, Program Manager at the International Service for Human Rights, which coordinated the submission.

'Moreover, there needs to be a clear signal from States, businesses, and the United Nations that activists can feel safe to express their opinions and views on the treaty, and will be protected in doing so,' Mr Ineichen said.

The submission - made on behalf of more than 20 international, regional and national level NGOs - also calls for the treaty process to be complementary to on-going efforts in the area of business and human rights, including the implementation of the [Guiding Principles](#), and urges that it take place in a constructive atmosphere. The debates around the creation of the treaty process, at the Human Rights Council in June 2014, where characterised by a sharp political divide between the proponents of the treaty - led by Ecuador and South Africa - and States opposed to additional binding regulations at the international level, including the EU, the US and other European countries.

'We recognise that both home- and host-States of businesses have critical, if differentiated, obligations to protect and promote human rights, and protect human rights defenders,' the submission says. 'Therefore, good faith efforts are needed by all States to ensure the success of the Working Group process, and its ability to enhance protection for rights-holders around the world.'

In terms of content for the future treaty, the documents highlights five key areas of focus, namely:

- the need for the treaty to ensure victims of human rights violations are not discriminated against on the basis of the type of business involved in the violation;
- a comprehensive focus on the all human rights, taking into account their universal and indivisible nature;
- the need to provide for appropriate monitoring and review mechanisms to ensure both State and corporate compliance;
- the imperative of providing effective access to justice for victims; and
- steps to ensure a safe and enabling environment for human rights defenders to carry out their critical work

in the area of business and human rights, including by reaffirming the obligations of State and business in that regard.

Download the submission [here](#).

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