

AMNESTY INTERNATIONAL

Public Statement

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UN: Oral statement on the working methods and activities of transnational corporations

**54th Session of the Sub-Commission on the Promotion and Protection of Human Rights
Item 4: Sessional working group on the working methods and activities of transnational corporations**

AMNESTY INTERNATIONAL ORAL STATEMENT

Delivered by Melinda Ching on 1 August 2002

-CHECK AGAINST DELIVERY-

Chairperson,

Amnesty International takes the floor today to unequivocally support the process of developing the "Human Rights Principles and Responsibilities for Transnational Corporations and Other Business Enterprises" (E/CN.4/Sub.2/2002/XX, E/CN.4/Sub.2/2002/WG.2/WP.1). Over the last decade, as the international economic environment has become more conducive to foreign direct investment and liberalization of international trade of goods and services, civil society organizations, including Amnesty International, have noted with concern the absence of a regulatory framework that could encompass non-state actors, particularly economic actors. The absence of such a framework is regarded by some to be at the heart of international protests targeting economic actors and market-led globalization.

As states have deregulated their economies and privatized functions traditionally performed by the state to non-state actors, including private sector companies (transnational, multinational or domestic), a lacuna has emerged. Even though states have the primary responsibility to promote and protect human rights, transnational corporations and other business enterprises, as organs of society, are also responsible for promoting and securing the human rights set forth in the Universal Declaration of Human Rights. Transnational corporations and other business enterprises are further obliged to respect generally recognized principles and norms in UN treaties and other international instruments, such as the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, and emerging guidelines, like the OECD Guidelines for Multinational Enterprises that apply to companies within the framework of OECD membership.

Nevertheless, there remains a gap at the global level. It is this very gap that the Principles and Responsibilities being developed seek to fill. They have been drafted so as to apply to all transnational corporations and other business enterprises. This new human rights standard is very comprehensive in covering human rights, labour, environmental, consumer, bribery, and other concerns. More important, they are based on recognized international standards. The process at the Sub-Commission leading to the development of these principles has been transparent, inclusive and the consultation has been broad. And by including corporations in all forms, the principles are fair, in not singling out any particular form of business entity for special scrutiny. Amnesty International's experience in dialogue with non-state actors has shown that responsibility for human rights protection extends to all actors, state and non-state, domestic and international.

Amnesty International welcomes the "Human Rights Principles and Responsibilities for Transnational Corporations and Other Business Enterprises", as approved by the Working Group in February 2002, and urges the Sub-Commission to unequivocally support the principles and recommend them to the Commission on Human Rights for adoption at the 59th session.

Thank you Chairperson.

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