



Statement by His Excellency Archbishop Ivan Jurkovič
Permanent Observer of the Holy See to the UN and Other International Organizations in Geneva
at the 6th Open-ended Intergovernmental Working Group on Transnational Corporations and Other
Business Enterprises with Respect to Human Rights
General debate

Geneva, 26 October 2020

Mr. Chair,

The Delegation of the Holy See takes note of the second revised draft of the proposed Legally Binding Instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises. The Holy See believes that it represents positive progress in the process and considers it a valid basis for negotiations. It is noteworthy that the draft is consistent with the UN Guiding Principles on Business and Human Rights (UNGPs), especially concerning the importance of due diligence in the protection of human rights in all profit business enterprises, including their activities and business relationships, along global value chain. Considered as a whole, the text of the negotiated instrument should still be improved.

Mr. Chair,

Since our last formal session, less than one year ago, the world is has witnessed a crisis which is changing our way of life, calling into question our economic, healthcare and social systems, and exposing our human fragility. Since the legally binding instrument under negotiation aims to create an international system that strives to be truly sustainable, inclusive and equitable at all levels, we consider this negotiation a tool for “a concrete opportunity for conversion, for transformation, for rethinking our way of life and our economic and social systems, which are widening the gap between rich and poor based on an unjust distribution of resources”¹.

Political decisions, corporate social responsibility and criteria that govern investments, must all be guided by the pursuit of the long-term common good and intergenerational solidarity. The current crisis has shown how the human family is interconnected. We are learning the incumbent necessity of co-responsibility for the wellbeing of one another. However, we are also witnessing how, too often, the private interests of multinational companies prevail. Often, we fail to care for and manage our common home responsibly, with the best interests of all our brothers and sisters in mind.

Mr. Chair,

¹ Pope Francis, Address to the United Nations General Assembly, 25 September 2020.

An exclusively profit-driven system must not remain unchecked. The throwaway culture it tends to generate needs to be challenged, now more than ever. Our care for the environment must take into account the wellbeing of future generations. “The prevailing consideration, never to be forgotten, is that we are all members of the one human family. The moral obligation to care for one another flows from this fact, as does the correlative principle of placing the human person, rather than the mere pursuit of power or profit, at the very centre of public policy”². During this week of discussions and negotiation, we are called to search for equitable solutions to the challenges we face. This current crisis is an opportunity, and this legal instrument a tool, to move beyond short-term technological or economic gains and to give full consideration to the ethical dimension in seeking resolutions to present problems, working on initiatives for a more sustainable future.

Thank you, Mr. Chair.

² Pope Francis, Message to the Executive Chairman of the “World Economic Forum”, Davos, 21-24 January 2020.