



*Working together towards the elaboration of an international legally binding instrument on transnational corporations and other business enterprises, with respect to human rights*

*Moving forward the celebration of the Third Session of the OEIGWG, Res. A/HRC/RES/26/9*

*Parallel session*

*28 November*

*08:15-09:45*

*Organized by the Permanent Missions of Ecuador*

**Background:**

The United Nations has adopted several Resolutions on Business and Human Rights over more than 10 years, looking for effective mechanisms towards preventing and redressing human rights violations and abuses from transnational corporations, while ensuring the accountability for victims of such damages.

In this regard, as historic step forward, the Human Rights Council in its 26<sup>o</sup> Ordinary Session adopted Resolution A/HRC/RES/26/9 “Elaboration of an International Legally Binding Instrument on Transnational Corporations and other Business Enterprises with respect to Human Rights”, in the framework of its 26<sup>o</sup> Regular Session, on June 26th, 2014.

Pursuant to the referred mandate from the HRC, the first two sessions of the Open-ended Intergovernmental Working Group, in charge of implementing the referred Resolution were held among States, Non-Governmental Organizations, International Organizations and UN Divisions, the first one from July 06 to 10, 2015, and the second one from October 24 to 28, 2016. The sessions were held with the support provided by some recognized experts from all the regions, with the aim of conducting constructive deliberations on the content, scope, nature and form of the future international instrument. The third session was held October from 23 to 27, 2017, with aim of starting

with substantive negotiations on the basis of the document of elements on the draft legally binding instrument, following up the mandate of Resolution 26/9.

In order to promote a constructive, inclusive and transparent process, H.E. María Fernanda Espinosa, current Minister of Foreign Affairs of Ecuador and former Chair of the OEIGWG, as well as, Ambassador Guillaume Long, Permanent Representative of Ecuador to the United Nations in Geneva, and current Chair of the OEIGWG held around three-hundred activities, including bilateral and multilateral consultations, not only in Geneva, but also in different places around the world, with States and other relevant stakeholders.

Taking into account those consultations and other activities,, which proved to be crucial for the three successful sessions of the OEIGWG, other activities, such as side events, have been also planned for the current intersessional period, with a view to promote dialogue among the involved actors and a better understanding on the way forward of this process.

**Objective of the session:** Brief from different perspectives on the progresses and challenges of the process towards the “Elaboration of an International Legally Binding Instrument on Transnational Corporations and other Business Enterprises with respect to Human Rights”, after the celebration of the Third Session of its Open Ended Intergovernmental Working Group.

**Format of the session:** Open to States and other relevant stakeholders, and will be held in English. It will consist of presentations by invited panelists, followed by an interactive dialogue and conclusions.

**Speakers:**

- ***Ncumisa Pamella NOTUTELA***, Deputy Permanent Representative of South Africa to the United Nations in Geneva.
- ***Luis Espinosa Salas***, Minister of the Permanent Mission of Ecuador to the United Nations in Geneva, Chairmanship’s team of the OEIGWG Res.26/9
- ***Kinda Mohamedieh***, South Centre
- ***Richard Meeran***, Partner, Leigh Day
- ***David Bilchitz***, Prof at University of Johannesburg, South African Institute for Advanced Constitutional, Public, Human Rights and International Law (SAIFAC)