



ICBHR
Irish Coalition
for **Business &**
Human Rights

Sorcha Tunney: Coordinator of the Coalition for Business and Human Rights.

Chair - members of the Committee. On behalf of the Irish Coalition for Business and Human Rights, I would like to thank the Committee for the opportunity to present on this important issue.

Firstly, I want to say a few words about the Coalition and then I will briefly outline why the Coalition is calling for a legally binding business and human rights legislation.

The Coalition for Business and Human Rights is a new Coalition. Our members¹ consist of union representatives, development organisations, human rights defenders, legal, women's rights, and environmental organisations. Some of our members are Oxfam Ireland, Frontline Defenders, the National Women's Council, and the Irish Congress for Trade Unions. Joining us here today is Trócaire, and Christian Aid Ireland. Our members also include leading academic experts in the areas of human rights, law, and business.

The Coalition is focused on progressing corporate accountability and Irish leadership in promoting business and human rights, both at home and abroad. We advocate to achieve:

- Ireland's support for the development of a UN binding treaty on business and human rights, with a gender and human rights defender perspective

¹ [1] Members of the Coalition include Trócaire, Trinity Centre for Social Innovation, Comhlámh, Front Line Defenders, Fairtrade Ireland, Global Legal Action Network, Centre for Business and Society of University College Dublin, Oxfam Ireland, Latin American Solidarity Centre, Christian Aid Ireland, Irish Congress of Trade Unions, Friends of the Earth Ireland, National Women's Council of Ireland, Proudly Made in Africa and Rachel Widdis, School of Law, Trinity ActionAid Ireland, TerraJusta and Save Our Sperrins. The Irish Coalition on Business and Human Rights is a representative network of the European Coalition for Corporate Justice (ECCJ)

- Mandatory, gender responsive human rights and environmental due diligence legislation in Ireland and the EU

So, why do we need a binding UN treaty, and mandatory due diligence laws in Ireland?

Companies have an enormous impact on people's lives and the communities in which they operate. Sometimes the impact is positive – jobs are created, new technology improves lives and investment in the community translates into real benefits for those who live there.

But sometimes the impact is negative. We have witnessed countless instances when corporations exploit weak and poorly enforced domestic regulation with devastating effects on people, communities, and the environment.

In April 2010, a spill from British Petroleum's Deepwater Horizon rig released millions of gallons of crude oil into the Gulf of Mexico. The resulting oil slick was visible from space, covering an area of 65,000 square kilometres, almost the size as the Republic of Ireland.

In the Niger delta, after decades of exploitation, oil pollution clean-up costs are estimated at US\$520 million. If started today, the restoration of the local environment would take 25 years to complete.

It may take years or even decades to even get agreement on a court's jurisdiction over a case. For example, in a case involving claims of exposure to asbestos by workers in South Africa taken against a UK parent company, approximately 1,000 of the 7,500 claimants had died before it was settled that a UK court would hear the case.

The activities of corporations have contributed to climate breakdown, biodiversity collapse, the erosion of workers' and trade union rights, forced and child labour, growing poverty, reprisals, and the killings of environmental and human rights defenders.

There are few effective mechanisms to prevent corporate human rights abuses or to hold companies to account and no global regulation in this area, despite the transnational nature of much business. The development of legally binding regulation at the UN level to regulate transnational corporations and other business enterprises is in process but has not been supported by the European Union. To date the response at the international level has been to develop guiding principles allowing companies to voluntarily implement these guidelines.

However, there is growing global consensus that the voluntary approach has not worked. The lack of legally binding and enforceable standards for corporations with respect to human rights and the environment have allowed corporations to continue to disregard appalling human rights abuses and environmental harm. Last year, 2020, was the most dangerous year on record for human rights defenders, 227 were killed campaigning on land and environmental issues.

Women are being failed massively, they are over-represented in precarious work with poor working conditions and are vulnerable to exploitation and sexual abuse. Furthermore, indigenous women defenders are vulnerable to eviction and dispossession to make way for large-scale development projects.

Developing a UN binding treaty or mandatory due diligence laws is not anti-business², many of the leading global brands and investors have called for corporate accountability legislation. Legislation will create a level playing field where all companies are obligated to invest in improving their human rights performance in a systematic manner, rather than being left to chance. We will continue - with Oxfam Ireland to work with businesses in Ireland and Europe to support effective legislation and binding due diligence measures.

Strong laws are needed requiring all companies to identify, prevent, and address their human rights and environmental risks across their entire business operations.

The Coalition has produced two reports to support the development of such laws, the first [Towards a Transformative Treaty](#) which clearly detail how Ireland can make progress towards a UN binding treaty and our new report [Make it your Business](#) which details how Ireland can ensure businesses respect human rights and the environment through the development of domestic legislation.

There are high levels of public support for corporate accountability legislation, polling conducted recently by IPSOS, on behalf of the Coalition found that 81 percent of Irish people want an Irish company that is acting unethically in a low-income country to be subject to legally binding regulations in Ireland.

Ireland is a global leader in protecting human rights. Now it is crucial that Ireland plays a role in preventing human rights and environmental abuse by some corporations.

Thank you for listening and now, I would like to introduce human rights lawyer, Rosa Maria who will share with us her experience in Colombia.

² [List of large businesses, associations & investors with public statements & endorsements in support of mandatory due diligence regulation](#) Some of the world's largest companies in the garment (Adidas, H&M, Inditex, Primark), telecommunications (Ericsson, Telia Company), transport (Hapag-Lloyd), food (Mondeléz, Nestlé, Unilever), coffee (Paulig, Tchibo) and cocoa industries (Tony's Chocolonely, Ferrero, Barry Callebaut AG, Mars, Ritter Sport), and large business associations (European Brands Association, FoodDrinkEurope, Amfori, European Cocoa Association) have publicly expressed their support for a harmonized mHRDD framework at EU level, some of them explicitly calling for civil liability for harm.