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We are all experiencing deep interconnected systemic crises that threaten life on earth. These climate and biodiversity crises are the result of a system that privileges the profit of transnational corporations and disregards peoples' rights and the environment.

Transnational corporations continue to trample unabated over the planet, monopolizing lands, territories and waters, displacing peoples, destroying livelihoods and violating human rights.

Environmental and human rights defenders stand on the frontline of this offensive. They endure systematic attacks of intimidation, silencing and even murder – a criminal strategy used by corporations to impose their own power and secure their profit. Women, in particular indigenous women and peasants, suffer the brunt of violence in the hands of transnational corporations.

Transnational corporations' destructive activities are imposed on the world against the will of those who have historically defended the environment. Now they are adding insult to injury by insisting that the commodification and privatization of nature is a solution to the very crises they have caused with their exploitative model. The real solution is system change – creating societies based on peoples' sovereignty and environmental, social, economic and gender justice. System change means addressing the issue of transnational corporations and their flagrant trampling of human rights and the environment.

We cannot, therefore, overemphasize the historical importance of the UN treaty on transnational corporations with respect to human rights (1), in negotiation in Geneva from 14-19 October 2019. We have to achieve a legally binding international instrument that will enable us, once and for all, to put an end to the impunity of transnational corporations and ensure access to justice for all those affected.

Over the last few years, as part of the Global Campaign to Dismantle Corporate Power together with social movements and affected peoples, we have built a Treaty proposal, which is summarized in the following seven demands. These are essential if the new instrument is to be truly effective for the peoples:

Demand #1: Scope of the UN Binding Treaty on Transnational corporations

This treaty must focus specifically on transnational corporations, and their global value chains, which are currently beyond any national or International law.

Demand #2: Primacy of Human Rights over trade and investment

This treaty must establish the hierarchical superiority of human rights over trade and investment agreements, ensuring that human rights and States' sovereignty come before investors' rights.

Demand #3: Direct Obligations for Transnational Corporations

This treaty must directly and legally obligate transnational corporations, not just States, to comply with International Human Rights Law, International Environmental Law and international labour standards.

Demand #4: Transnationals' responsibility for human rights violations throughout their value chains

This treaty must cover transnational corporations (the parent companies, their subsidiaries and affiliates), as well as their supply chain (contractors, contractees, subcontractors, suppliers), the investors that provide its capital, and any other entity under their control.

Demand #5: An International Court for Transnationals

National courts are most often unable to hold transnational corporations accountable for their human rights violations, even when there are rulings against them. Therefore in addition to strengthening the jurisdiction of national courts, strong implementation mechanisms, including an international court, are essential to ensure that the obligations set out by the Treaty are enforced. This court must be capable of receiving, investigating, judging and enforcing its decisions.

Demand #6: Rights of Affected Communities

This Treaty must recognize the moral and legitimate authority of peoples affected by the activities of transnational corporations. The Treaty must establish the right to reparation, information, justice and guarantees of non repetition of any human rights violations, and their right to say NO to any projects that might affect them.

Demand #7: Protection from Corporate Capture

The Treaty must prevent the influence of transnational corporations during its preparation, negotiation and implementation. The treaty cannot allow transnational corporations to continue to write their own rules.

> We need to come together, as civil society, social movements, affected peoples and states to ensure we have a strong and effective binding treaty. We all need to support local and international resistance, engage in popular mobilization, engage states across the world, strive for policy change and upscale the real solutions, the solutions of the people.

How can you get involved?

Check out our toolkit, with everything you need to know about the UN binding treaty process

Follow us on social media:
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(1) The Full title of the Treaty according to Resolution 26/9: "An international legally binding instrument on transnational corporations and other business enterprises with respect to human rights" where ""Other business enterprises" denotes all business enterprises that have a transnational character in their operational activities, and does not apply to local businesses registered in terms of relevant domestic law"

Image: Victor Barro

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