



ÖGB – Johann-Böhm-Platz 1, 1020 Vienna
AK – Prinz Eugen-Straße 20-22, 1040 Vienna

Vienna, 22. May 2019

Binding UN agreement on business and human rights (own-initiative opinion) REX/518-EESC-2019

BAK (Austrian Federal Chamber of Labour) Transparency Register Registration Number:
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ÖGB (Austrian Trade Union Federation) Transparency Register Registration Number:
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Dear Mrs President,
Dear Mr President,
Dear Mr Rapporteur,

It has come to our attention that the European Economic and Social Committee is working on an own-initiative opinion on a UN agreement on business and human rights.

The Austrian Trade Union Federation (ÖGB) and the Austrian Federal Chamber of Labour (BAK) are part of a broad alliance of more than 200 European organisations, trade unions and social movements that have launched the petition “Rights for People, Rules for Corporations – Stop ISDS!” (<https://stopisds.org/>).

Trade and investment agreements facilitate companies’ access to markets and raw materials and protect investors’ interests with enforceable rights. The protection of human rights in a business context, on the other hand, lacks binding legal force and is based on voluntary standards only.

The UN Human Rights Council has adopted a resolution in 2014 in order to elaborate an international agreement on business and human rights (the “UN-Treaty-process”). The agreement aims at preventing human rights violations in a business context as well as at strengthening the rights of victims.

In 2018 a first draft (“zero draft”) of the agreement has been presented. The EU has so far reserved its position on the draft. From our point of view, it is of utmost importance that governments and the EU Commission take a clear stance in supporting the agreement and actively participate in the negotiations. The European Parliament has passed 12 resolutions so far in support of a UN agreement on business and human rights. Now it’s time for the EU Member States and the EU Commission to follow suit.

We appeal to the European Economic and Social Committee to support a UN agreement on business and human rights. Your support would be an important bridge between the EU's decision-making bodies and EU citizens. It would send an

important signal and could help to reduce poverty and inequality as well as to promote labour and human rights, environmental standards, climate change commitments and social dialogue.

We ask the European Economic and Social Committee to take a clear and strong position in favour of a UN agreement on business and human rights. We also ask you to approach EU Member States and the EU Commission calling on them to actively promote the agreement.

From our point of view the UN agreement on business and human rights should

- require states to introduce due diligence obligations on corporations in order to prevent human rights violations;
- guarantee the right to fair, effective and prompt access to justice and remedies for victims of human rights violations;
- regulate cross-border cooperation between states in case of (alleged) human rights violations in order to guarantee that corporations will be held to account;
- stipulate that human rights take precedence over obligations under trade and investment agreements;
- establish an independent expert committee to receive country reports on the implementation status of the agreement and to examine individual cases;
- create an international mechanism to monitor compliance with the agreement;
- include a strong international enforcement mechanism, with the possibility of bringing individual complaints to an international board.

Kind regards,



Wolfgang Katzian
President



Renate Anderl
President