

## **Human Rights Council**

### **26<sup>th</sup> Session**

#### **Ireland – Explanation of Vote**

##### **Elaboration of international legally binding instrument on TNCs and Other Business Enterprises with respect to human rights**

Thank you, Mr President.

Ireland aligns with the Explanation of Vote delivered on behalf of the European Union and makes the following additional comments.

Ireland is strongly committed to the UN Guiding Principles on business and human rights and to supporting the work of the UN Working Group on human rights and transnational corporations and other enterprises. In the three short years since the unanimous endorsement of the UN Guiding Principles by the Human Rights Council, much has been achieved. However there is a lot more to do.

Ireland is not opposed to looking at the options for progress, including how best to address barriers to access to judicial and non-judicial remedies, but we believe that this should be discussed responsibly and in the appropriate forum. An Inter-Governmental Working Group is not equipped to deal effectively with this hugely complex task of considering the gaps and challenges currently faced by victims of human rights violations by businesses when trying to access remedies. There was a more appropriate way to move this issue forward which would advance the interests which we all share, namely prevention of business-related human rights abuses and protection of victims.

Ireland deeply regrets that Ecuador and South Africa did not show more flexibility in the negotiations, to consider other such options that would address these concerns, including proposals to use more appropriate fora such as the International Law Commission, which would have the technical expertise to examine this issue in conjunction with States, or an Inter-Governmental Expert Group.

Mr President,

Accordingly, Ireland will be voting NO on draft resolution L.22 on the basis that the issues arising cannot be effectively addressed through an Inter-Governmental Working Group; and that at this critical junction, such a process would jeopardise the ongoing and important practical efforts to implement the UN Guiding Principles. Ireland calls on fellow Member States of the Human Rights Council to also vote NO for these reasons.

Thank you, Mr President.