

**Delegation from Ecuador
17th Session of the Human Rights Council
Resolution on Human Rights and Transnational Corporations
Geneva, 16 June 2011**

Ecuador will not stand in the way of consensus on the resolution, out of consideration for the five initial cosponsors and, above all, because we are convinced that the United Nations should continue to work on the issue of establishing binding international standards on the activities of transnational corporations, a position stressed by our delegation throughout the consultation and negotiation process but that was not incorporated into the final text.

We believe that the draft resolution does not address the key issue giving rise to this special mandate, which is the creation of a binding international human rights legal framework on transnationals and human rights. And we do not share the “gradualist” approach that unjustifiably prolongs the debate and defers addressing this fundamental element that underlies the entire issue.

The draft resolution focuses solely on the dissemination of the Guiding Principles proposed by Mr. Ruggie and strays from the core human rights principles set out in the United Nations “Protect, Respect, and Remedy” Framework on which they are based and for which they are but an implementing tool.

The Guiding Principles on businesses and human rights that this draft resolution would endorse lack several basic elements: first, accountability for human rights violations by transnational corporations; and second, a complaints mechanism independent of the companies themselves, to which those affected by transnational corporation abuses could turn. In this regard we want to make it very clear that this responsibility should not be left up to the choice or good will of businesses, which would thus be both judge and jury.

The Guiding Principles are not and do not aspire to be binding standards; they are just a guide, a starting point, as Mr. Ruggie defines them, and thus are not mandatory. For this reason we must continue to seek binding international standards. This is the least that we owe to the thousands of victims of abuse by transnational corporations—more than a few of them in my own country—for whom Ecuador will continue to work tirelessly in order to protect their rights.

Thank you.