

Friends of the Earth International, Corporate Europe Observatory, La Via Campesina, Jubilee South/Americas, Peace and Justice in Latin America/SERPAJ-AL, Polaris Institute, The Council of Canadians, The Transnational Institute, Third World Network, World March of Women

Ending corporate capture of the United Nations

Joint Civil Society Statement

We, the undersigned organisations, believe that the United Nations (UN) is currently the most democratic and appropriate global institution for international negotiations. We therefore support further strengthening of multilateral institutions and processes within the UN framework, making them more democratic and responsive to the needs of people.

However, we have strong concerns about the growing influence of major corporations and business lobby groups within the UN: over their influence on the positions of national governments in multilateral negotiations, their dominance in certain UN discussion spaces and in certain UN bodies. Increasingly we see UN policies that do not necessarily serve the public interest, but rather support the commercial interests of certain companies or business sectors. The upcoming Earth Summit in Rio in June 2012 should be seized as the opportunity to stop this trend, terminate dubious partnerships between the UN and businesses, and end the privileged access that has been granted to the corporate sector and consequently the excessive influence it is able to wield over important multilateral processes and decisions.

The preamble of the Charter of the UN starts with the words ***“We the peoples of the United Nations”***. Today however, corporate interests are increasingly prioritised over peoples’ interests in some UN processes and institutions. As the positions of key UN member states are captured by major corporate interests, businesses have gained enormous influence over UN decisions. Business has been granted the status of a *“major group”* under Agenda 21, despite the fact that it should not be treated as part of civil society because of its essentially different nature. Likewise, as corporations hold far greater resources to influence negotiations than civil society, they often outnumber civil society delegations. Corporate lobbying within UN negotiations has managed to block effective solutions for problems related to climate change, food production, the violation of human rights, water supply, health issues, poverty and deforestation. The enormous influence of corporate lobbyists and the related power imbalances in some negotiation spaces - such as the UNFCCC - undermines democracy and all too frequently results in the postponement, weakening or blocking of urgently needed progress in international social and environmental justice issues.

Lobbying for market-based systems - for air, biodiversity, water, land or other common goods - as solutions to the current environmental crisis, illustrates the promotion of false solutions. Such solutions serve business interests - to profit from crises that affect millions of people - without tackling the core of the problem, while further concentrating the control of corporations over land, resources, and peoples’ lives.

Many UN agencies, including UNICEF, UNDP, WHO and UNESCO, have engaged in partnerships with major transnational companies (TNCs). UNEP has established partnerships with ExxonMobil, Rio Tinto, Anglo American and Shell, all of which are involved in human rights violations and the destruction of

biodiversity. Other examples include: Coca Cola and UNDP on water resource protection, and BASF and Coca Cola with UN-HABITAT on sustainable urbanisation. Such partnerships not only damage the credibility of the UN, they also undermine its ability and willingness to respond to and regulate the business sector where it is involved in social, environmental and human rights violations. Moreover, the UN Global Compact promotes “*responsible corporate citizenship*” without obliging companies to adhere to internationally accepted standards. It allows notable human rights violators to participate and gives the false impression that the UN and TNCs share the same goals. Thus it allows for “*bluewash*”¹ and merely helps businesses to boost their image and profits, instead of promoting binding obligations that would contribute to changing companies’ performance.

In the lead up to the “Rio+20” Earth Summit, the UN is partnering with the International Chamber of Commerce (ICC) and the World Business Council for Sustainable Development (WBCSD) in Business Action for Sustainable Development². The Zero Draft declaration for Rio+20 reinforces the role of business as a promoter of the so-called green economy, but completely fails to address the role of business in creating the financial, climate, food and other crises. This should not come as a surprise, given the strong involvement of high profile corporate representatives, such as Deutsche Bank, in developing the concept of the “green economy”.

The undersigned groups believe that the UN should prioritise steps that serve the public interest, and address the ongoing multiple crises, over the creation of policies that result in new market opportunities and profits for the business sector.

We therefore demand the following:

- The UN and its member states should restate that their over-riding prerogative is to **serve the public interest**. It should overhaul its decision making processes to ensure that civil society has a more prominent role and that industry’s influence is limited.
- The UN and member states must **resist corporate pressure to give business a privileged position** in UN negotiations:
 - Governments must stop setting up new discussion bodies and high-level groups (and dissolve existing ones) that grant businesses a privileged status within official negotiations, such as the “Mexican dialogues” set up in relation to the 2010 climate negotiations in Cancun.
 - The UN and its member states should take determined action to strengthen transparency around lobbying and ensure that no business groups are given privileged access over UN policy-making. The Civil Society mechanism of the UN Committee on World Food Security could be taken as a model of how direct participation of CSOs can be improved.
 - Business representatives should not be part of national delegations involved in UN negotiations.
 - The role of the “business and industry” major group should be limited. As the business sector holds significantly larger resources than any other sector, there should be a cap on its

¹ The term “Bluewash” emerged following the launch of the Global Compact. It refers to partnerships between the UN and companies, in reaction to companies using the blue flag of the UN to boost their image without fundamentally changing damaging practices.

² http://www.unglobalcompact.org/NewsAndEvents/rio_2012/business_action_for_sustainable_development.html

participation: business should not have more representatives than any of the other major groups in multilateral negotiation processes.

- The UN **must disclose all existing relations and links with the private sector**.
- A **code of conduct for UN officials, including a “cooling off” period** during which officials cannot start working for lobby groups or lobbying advisory firms, should be introduced.
- The UN should **not engage in any further partnerships** with corporations and trade associations and should **review all such existing partnerships**³.
- The UN, in serving the public interest, should monitor the impacts of corporations on people and the environment and **establish a legally binding framework of obligations that can hold companies accountable** to environmental, human rights and labour rights law. This should include an obligation for companies to report on their social and environmental impacts.

These are the basic requirements necessary to ensure that the UN lives up to its founding mission of being a forum for peoples' representation and the protection of their universal rights and interests. We call upon governments to take up these concerns as a way to build a space that responds to peoples' needs, and one which is able to produce initiatives that favour the public interest and adequately address the multiple crises facing the world today.

³ For an overview of partnerships, see http://www.un.org/partnerships/Docs/Partnership_Initiatives.pdf

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