



## ETO CONSORTIUM NEWSLETTER October 2013

*October-31-2013*

### [Release of “Twelve reasons to strengthen extraterritorial human rights obligations”](#)

The booklet called “Twelve reasons to strengthen extraterritorial human rights obligations” is available in English, Spanish and French published by the ETO Consortium. The author is Rolf Künemann, Human Rights Director of FIAN International. On 18 pages, the author formulates twelve main arguments that have been filtered out of the discussions inside and outside the ETO Consortium.

The twelve points highlighted in the booklet show why strong ETOs are necessary to ensure the primacy of human rights when addressing today’s global challenges. Universality, international cooperation, the rights of future generations, the “race to the bottom”, global social policies, the regulation of TNCs, and the accountability of IGOs are some of the topics treated.

*Access the booklet from our online Library at [www.etoconsortium.org](http://www.etoconsortium.org).*

*October-15-2013*

### [UN experts regret absence of ETOs in new global treaty to control mercury](#)

The United Nations Special Rapporteur on human rights and toxic waste, Marc Pallemmaerts, and the UN Independent Expert on human rights and the environment, John Knox, welcomed last Friday’s signing by 140 States and territories of the first international treaty to control mercury in Minamata City, Japan.

The treaty seeks to reduce the negative health and environmental impacts of mercury – a highly toxic substance found in a large array of everyday products – by cutting down on its use and improving storage and waste management.

The UN experts expressed their regret at the treaty’s silence on the extraterritorial obligations of States and recommended that States be guided by the Maastricht Principles in addressing the challenges resulting from trans-boundary pollution.

*Access the full press release [here](#).*

*October-08-2013*

### [Right to Food and Nutrition Watch 2013 sheds light on the ETO dimensions of the Right to Food](#)

The sixth edition of the Right to Food and Nutrition Watch was launched today in Rome. In a series of interrelated articles, authors from different regions of the world critically examine national and international policies that cause hunger and malnutrition in a food-abundant world, and suggest alternative scenarios for policy making grounded in human rights. A key consideration, stressed throughout the publication, is the meaningful participation of groups and individuals in the drafting of policies that affect their lives.

Various articles of the Watch make reference to the ETO dimensions of the right to adequate food and nutrition. Chapter 7, for example, provides case studies from Africa that emphasise the need for strengthening ETOs in the context of land grabbing. The first article takes us to Mozambique, where government and donor promotion of private sector investment in large-scale tree plantations has resulted in six foreign companies acquiring 550,000 hectares of land in the province of Niassa alone. The population who had previously used this land and its native vegetation for family farming has, as a consequence, lost access to the basic resources needed to realize its right to adequate food. At the same time, the private investors have not kept their promise of providing employment as an alternative means of subsistence.

Another article under the same chapter gives reason for serious concern about South Sudan. Even before the country gained official independence, nine percent of the country's territory had already been brought under the control of foreign companies (a figure which is constantly rising). The livelihoods of 90 percent of the South-Sudanese people depend directly on access to land. As the young State has not yet ratified a number of key international human rights instruments, it is all the more important to hold investing States accountable for human rights violations resulting from corporate investment in land.

*Access these and other articles in the Right to Food and Nutrition Watch from our online Library at [www.etoconsortium.org](http://www.etoconsortium.org).*

*September-27-2013*

### [UN Experts call on governments to take into account Maastricht Principles](#)

On the occasion of the second anniversary of the Maastricht Principles, which were adopted on 28 September 2011, UN experts released a joint statement stressing the importance of the Principles in today's interdependent world and urging governments to take them into account in all national and international decision making.

*Access the full press release from our online Library at [www.etoconsortium.org](http://www.etoconsortium.org).*

*September-23-2013*

[Social movements and CSOs welcome initiative by group of States for a legally binding instrument to regulate TNCs](#)

During the 24th permanent session of the UN Human Rights Council on September 13, the permanent representative of Ecuador to the UN, Luis Gallegos, on behalf of a group of States, presented a declaration calling for the adoption of a legally binding instrument within the UN for regulating TNCs and holding them accountable for human rights abuses.

The initiative was welcomed by CSOs and social movements, which issued a joint statement in its support.

*Access the declaration and CSO statement from our online Library at [www.etoconsortium.org](http://www.etoconsortium.org).*

*August-30-2013*

[Special Rapporteur report on extractive industries and indigenous peoples falls short of recognizing ETOs](#)

On August 6, 2013 the Special Rapporteur on the rights of indigenous peoples, James Anaya, released his annual thematic report on extractive industries and the rights of indigenous peoples. In the report, which will be presented to the Human Rights Council in September 2013, the Special Rapporteur examines and makes recommendations with regard to different models of natural resource exploitation, the principle of free, prior and informed consent, and the obligations and responsibilities of States and corporations.

In paragraphs 47 and 48 the Special Rapporteur makes reference to the extraterritorial regulation of extractive industries to protect the rights of indigenous peoples. While he recognizes the need for States to regulate the extraterritorial activities of companies domiciled in their territory, he does not consider this to be an obligation under international law. Making reference to the UN Guiding Principles on Business and Human Rights, he instead takes the view that States have “strong policy reasons”, including reputational and moral ones, to put into place such regulation.

Indigenous peoples, civil society organisations, governments and private sector are invited to enter into dialogue with the Special Rapporteur on his report and recommendations. This can be done through an online seminar to be held on the Special Rapporteur’s website and in Geneva, where Anaya will present his report to the UN Human Rights Council.

*Access the complete report in English or Spanish from our online Library at [www.etoconsortium.org](http://www.etoconsortium.org).*

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