

Permanent Mission of India
Geneva

**26th session of the Human Rights Council
(10-27 June 2014)**

**Consideration of Draft Resolution A/HRC/26/L.22/Rev 1. Elaboration of
an international legally binding instrument on transnational
corporations and other business enterprises with respect to human
rights**

Explanation of Vote by India

Mr. President,

The issue of transnational corporations and other business enterprises is an important area where the international community must work together to not only encourage businesses to respect human rights but also hold them accountable for violations arising out of their business operations. The Working Group on transnational corporations and other business enterprises, during its three year mandate, has in the form of guidance to states and businesses shed light on the glaring gaps in protection through expanding our understanding of the guiding principles on business and human rights. However, these guiding principles have their own limitations and had little impact for the victims whose human rights have been violated by business operations of transnational corporations.

2. We do not regard the two resolutions on business and human rights as mutually exclusive. In fact in our view, they are complementary. We believe that the Resolution before us seeks to open an opportunity for States to discuss in a focused manner the issue of transnational corporations. As we promote the

integration of the world economy and capital flows across borders, it is important that we plug possible protection gaps that may arise due to business operations of transnational corporations.

3. When states are unable to enforce national laws with respect to the gross violations committed by businesses and hold them accountable due to the sheer size and clout of the transnational corporations, the international community must come together to seek justice for the victims of the violations committed by the Transnational corporations. We believe that we need to further the dialogue on these aspects and the resolution gives us an acceptable roadmap for the Council to move forward in this direction. We will, therefore, vote in favour of the resolution.
