

May 20, 2022

The Honorable Antony Blinken  
Secretary of State U.S.  
Department of State  
2201 C Street NW Washington, D.C. 20520

**Re: U.S. and Allied Civil Society and Indigenous Peoples Organizations Call On Biden Administration to Support G7 Position and Join the UN Process to Establish a Treaty on Business and Human Rights**

Dear Secretary Blinken,

We, U.S.-based and allied civil society and Indigenous Peoples organizations advocating for support of a UN treaty on business and human rights, call on the State Department to engage constructively in the existing UN open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights (the 'IGWG').

**In particular, at the upcoming G7 Ministerial Meeting in Wolfsburg, Germany on May 23-24, we call on the State Department to support the G7 position to engage constructively and substantively in the IGWG process**, and in so doing incorporate the positions presented by representatives of affected communities, and their allied civil society organizations. Furthermore, we call on the State Department to ensure that the U.S. Government position, as captured in written and oral communications, is in no way influenced by business organizations that would stand to benefit from a weak or restricted UN treaty.

In a briefing paper recently released as part of the 'High-Level Conference', the German government, in its capacity as the current G7 President, noted the present optimism surrounding the IGWG negotiations:

Given this momentum, **the G7 presidency 2022 wants to explore the chances for a legally binding instrument at the international level.** Mandatory measures could be beneficial to avoid the risk of legal fragmentation, to improve access to justice and give incentives to adopt and enforce corporate due diligence measures. In addition, binding measures in [the] context of business and human rights are an appropriate strategy to deal with authoritarian states and their enterprises who are operating in G7 countries. In moving forward, it will be important to acknowledge and build on the work done in the "treaty process" in Geneva since 2015. There have been strong calls for greater involvement by Western governments in that process. And now, a number of these governments are the ones leading the adoption of mandatory measures. That creates an opportunity to think afresh about how to build the greatest possible consensus

around an approach that is both aligned with the UNGPs and which can genuinely contribute to better outcomes for people.<sup>1</sup>

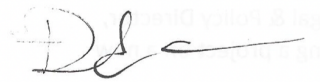
This is an opportunity for the Biden Administration to take action in line with its promise to rekindle the U.S.' historic alliances with other G7 countries. Beyond the numerous benefits outlined in the German government's briefing paper, as civil society, we are particularly invested in the capacity of the IGWG to support the priorities of affected communities and human rights defenders, particularly Indigenous Peoples, Black and brown people, people with disabilities, children, low-wage workers and economically marginalized people, migrants, trans- and gender non-conforming people. G7 countries have an obligation to center the rights of the most marginalized members of our society who are taking the greatest risk to protect the integrity of our communities, ecosystems and natural resources.

Please feel free to contact us ([nbenyoussef@ccrjustice.org](mailto:nbenyoussef@ccrjustice.org) / [david@icar.ngo](mailto:david@icar.ngo)) and our colleagues Dominic Renfrey ([drenfrey@ccrjustice.org](mailto:drenfrey@ccrjustice.org)) and Nicole Vander Meulen ([nicole@icar.ngo](mailto:nicole@icar.ngo)) to discuss this further.

Sincerely,



Nadia Ben-Youssef  
Advocacy Director  
Center for Constitutional Rights



David McKean  
Interim Executive Director  
International Corporate Accountability Roundtable

*Supported by:*

Advocacy for Principled Action in Government

AFL-CIO

Al-Haq

Amazon Watch

Corporate Accountability Lab

Global Citizen

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<sup>1</sup> German Ministry of Labor and Social Affairs, *High-level conference: "Sustainable value chains – Success factors for an internationally accepted binding standard"*, May 6, Briefing Paper Panel I, Berlin 21 April 2022.

Global Labor Justice - International Labor Rights Forum

Hawai'i Institute for Human Rights

Human Rights Watch

International Federation for Human Rights

International Indian Treaty Council

Liberia Youth Initiative for Peace and Sustainable Development, INC

Ranking Digital Rights