



**DISMANTLE
CORPORATE
POWER
AND STOP IMPUNITY!**

International Peoples Treaty

“Defending peoples’ rights from corporate power”

We, the social movements, networks and organisations from the *Global Campaign to Dismantle Corporate Power and Stop Impunity*, are building an **international treaty** that will affirm an alternative vision from the people on law and justice. We, the people, are the protagonists, political actors and originators of the laws and norms of a political, economic and legal system that will end the current framework of extraordinary privileges and impunity enjoyed by transnational corporations.

Why a treaty?

The **International Peoples Treaty** is above all a political document that emerges from the need to fight against the regime of extraordinary privileges and impunity of transnational corporations. The existence of this regime justifies the need for binding legal norms in order to stop corporate abuses and impunity. Even though “Treaty,” according to its strict legal definition, is a term that refers to a document signed by States, our vision is that we, besides states can make law: we defend the notion of an international law “from below.” Therefore, we use the word “Treaty” in a way that is radically different from the current legal norm.

What is the purpose of the Peoples Treaty (PT)?

The PT’s main purpose is to **defend the rights of, and empower the peoples, especially those affected by the crimes and violations of transnational corporations**. As such, the process to build the document is as important as the document itself. During the PT’s elaboration process (especially the consultations and assemblies), the peoples affected in various ways by the actions of transnational corporations:

- 1) will constitute the PT’s main driving force. We will express our demand for binding codes for corporations and an alternative legal and economic system through the PT;
- 2) will strengthen ties between us as we identify how the violations we endure are not isolated events, but rather the expression of the systemic injustice of capitalism and the systematic nature of the crimes and violations committed by transnational corporations.

We affirm that through this Treaty, we will address the people, States, public opinion and international institutions in order to **present our proposal for an alternative legal and economic system that is radically different from the corporate regime**. As such, especially considering its legal dimension with its solid and clear legal proposals, the Treaty will also serve as a reference for on-going popular pressure on States and their institutions and international organisations to implement binding norms for transnational corporations and a new legal and economic regime that fully respects the peoples' rights.

What will the structure of the Peoples Treaty look like?

- **Introduction.** The PT will begin with an introduction in which we analyse the architecture of extraordinary privileges and impunity that has allowed transnational corporations to commit systematic human rights violations and crimes, while we reaffirm the importance of an alternative vision on law and justice that comes from the people.
- **Preamble.** The preamble is where we will affirm the principles that communicate the political meaning of our vision of the world.
- **Legal proposal.** This is the ensemble of legal ideas that we consider necessary in order to guarantee the protection of the rights of the peoples and nature.
- **Alternatives.** As a complement to the presentation of legal alternatives, this section presents a series of proposals from social struggles for rights from all over the planet. These proposals express the will to build another world – one that is different from the current system shaped by the economic, political and cultural power of transnational corporations.

Who Are We?

The **Global Campaign to Dismantle Corporate Power and End Impunity** was launched in June 2012 at the Rio+20 People's Summit. The launch was preceded by a broad consultation process with movements, networks and organisations from around the world that are fighting against the corporate regime that has captured development models and the architecture of extraordinary privileges and impunity that allow this regime to perpetuate itself. At the time, a *Call for Action* was also issued with the goal of giving the central role to communities who are resisting the systematic violations and crimes of transnational corporations. These crimes and violations justify the **need for a Peoples Treaty**.

The Call for Action has been signed by over 150 movements and organisations from all regions, who are now collectively moving the Peoples Treaty process forward. >

Call to International Action

For the Economic, Political, Cultural and Environmental Sovereignty of Our Peoples

End the Impunity of Transnational Corporations

Now! The time has come to unite the hundreds of struggles, campaigns, networks, movements and organizations that are combating the different ways transnational corporations are appropriating our destinies, natural heritage and rights, dismantling public services, destroying the commons and endangering food sovereignty in every corner of the planet.

Neoliberal globalization has opened the doors for the savage exploitation of the world by the big economic powers. They have gradually taken over our lives and the planet by creating a blanket of impunity through the dismantling and systematic violation of laws and the signing of international trade and investment agreements, which award investors more rights than citizens. As a result, peoples' rights have been systematically violated, the Earth and its resources destroyed, pillaged and contaminated, and resistance criminalized, while corporations continue committing economic and ecological crimes with total impunity. Driven by their imperative of maximizing profit, TNCs seek to pit workers from different regions against one another in what is a race to the bottom for the world's working people.

The governance and policies of the multilateral institutions (IMF, WB, and the WTO) have long served corporate interests, while the institutions of the UN and the EU have been increasingly captured by TNCs. This is reflected in the policies shaped to satisfy the interests of capital and in these institutions' systematic refusal to impose limits on corporations.

In most countries, governments are at the service of corporate interests and against us, the majority of peoples. Setting aside democratic principles, they usurp institutions and, with the complicity of national elites, succeed in altering laws and policies that allow them to continue plundering the wealth of nations and maintain their predatory relation to nature. In the face of mounting criticism of their operations, TNCs' have designed tools like Corporate Social Responsibility to clean up their image, while allowing them to continue to increase their profits. Furthermore, they control major media agencies, which play a key role in ensuring the continuity of corporate hegemony.

Acting with brutality in the rich countries from which they originate, but especially in countries of the Global South - and increasingly in "emerging" countries like Brazil, India, China and Russia - major corporations are appropriating more and more of our wealth and rights. Their growing economic monopoly, political power and control over the justice system destroy our right to a decent life and dominate our peoples' and nations' cultural habits and consumption patterns.

Transnationals have commodified life and continue to seize our territories, forests and water and transform social and human relations. Health and education, for example, are now considered privileges of those who have money, and are no longer seen as the rights of all people. With the crisis in the U.S. and various European countries, the banks have expropriated thousands of people's houses. In Europe, they have imposed austerity measures, which are a replica of the structural adjustment programs implemented years ago in countries in the South to deal with the so-called "external debt". Today, we are seeing unprecedented attacks on public services, labour rights and social programs, while governments use public funds to save the market's excesses and the financial institutions.

Transnational corporations operate globally, moving from one country to another, while applying the same recipe to generate profit at any cost. It is we, the 99%, who bear the costs. Yet, resistance is growing throughout the world. Every day, there are more communities, movements and peoples struggling against transnationals - often confronting specific companies or sectors and that have won important victories. Even so, we have not succeeded in halting the advance of corporations, as when defeated in one place, they adjust their strategies and move to another, where they confront any obstacle that rises on their path.

Therefore, to confront corporate power and the system that protects and benefits TNCs, it is urgent and necessary to give a systematic response. We must unite our experiences and our struggles, learn collectively from our victories and our failures and share our analysis and strategies for putting an end to the impunity of transnationals. The concrete struggles of our communities against a transnational corporation could be even more victorious if we are able to unite them with the efforts of other people in other countries, regions or continents.

Sharing our experience in developing ways of life that are distinct from the culture of transnational production imposed by capitalism, that now wants to disguise itself as "green", is fundamental for building an alternative society in which we, the people, are the protagonists. We are committed to reclaiming sovereignty over the commons, over natural resources, territories and public services and strengthening our struggles for food sovereignty and for ecological and environmental justice.

We, the undersigned, hereby invite you to join us in collectively building this process of mobilization towards a global campaign against the power of corporations and their crimes against humanity. Dismantling the transnationals' system of power demands coordinated action at the global level: engaging in struggles in various spheres, combining mobilizations on the streets and in territories with popular education and actions in parliaments, media and international forums and organisations.

By creating a powerful movement of solidarity and action against TNCs, their apologists and promoters, we will begin to build a world free from corporate power and greed.

Dismantle Corporate Power!

End the Impunity of Transnational Corporations!

SIGNATORIES

INTERNATIONAL

Bench Marks Foundation
Bi-regional Europe-Latin America y the Caribbean
Enlazando Alternativas Network
Blue Planet Project
CADTM International
Corporate Accountability International
Food & Water Watch
Friends of the Earth International
Institute for Policy Studies, Global Economy Project
International Articulation of those
Affected by Vale
La Vía Campesina
Network for Justice on Global Investment
OIDHACO
Transnational Institute - TNI
World Forum for Alternatives
World March of Women
World Rainforest Movement

REGIONAL

African Uranium Alliance, Africa
Amigos de la Tierra América Latina
y el Caribe - ATALC
CADTM - AYNA, Americas
Campaña Justicia Climática, Americas
Coordinadora Andina de Organizaciones Indígenas -
CAOI, Andean region
Corporate Europe Observatory (CEO)
Economic Justice Network of FOCCISA,
South Africa
Focus on the Global South,
India/Thailand/Philippines
Food & Water Watch Europe
Hemispheric Social Alliance, Americas
Jubileo Sur Americas
Plataforma Interamericana de Derechos Humanos -
PIDDDH, Americas
Red Latinoamericana sobre Deuda, Desarrollo y
Derechos - LATINDADD, Americas
Red Vida
Third World Network Africa
Transnational Migrant Platform - Europe
Young Friends of the Earth Europe

NATIONAL

ACSUR - Las Segovias, Spain
Action from Ireland - AFRI
Alianza Mexicana por la Autodeterminación
de los Pueblos - AMAP
All India Forum of Forest Movement
- AIFFM, India
Alliance of Progressive Labour, Philippines
Alternative Information Development Center
- AIDC, South Africa

Arlac, Belgium
ATTAC Argentina
ATTAC Austria
ATTAC France
ATTAC Spain
ATTAC Switzerland
ATTAC Vlaanderen
Beyond Copenhagen, India
Biowatch South Africa
Both ENDS, The Netherlands
Campaña Explotación a Precio de Saldo, Spain
Censat Agua Viva - Amigos de la Tierra Colombia
Centro de Documentación en Derechos Humanos
"Segundo Montes Mozo S.J." (CSMM), Ecuador
Centro de Investigación y Documentación Chile-
América Latina - FDCL, Germany
Centro de Investigaciones e Información en Desarrollo
(CIID), Guatemala
Centro de Investigaciones Transnacionales
en Guatemala
CIVICUS, South Africa
COECO Ceiba - Friends of the Earth Costa Rica
Co.lectiu RETS, Spain
Colectivo de Abogados José Alvear Restrepo
- CCAJAR, Colombia
Colectivo de Mujeres Hondureñas
- CODEMUH, Honduras
Colibri, Germany
Comision Interclesimal de Justicia y Paz, Colombia
Commission for Filipino Migrant Workers
- International Office
Comité pour le respect des droits humains "Daniel
Gillard"
Common Frontiers, Canada
Coordinación por los Derechos de los Pueblos
Indígenas (CODPI), Spain
Council of Canadians, Canada
Cristianos de Base, Spain
CSAAWU South Africa
Democracy Center, Bolivia
EcoDoc Africa
Ecologistas en Acción-Ekologistak Martxan
- Ecologistes en Acció, Spain
¿Economía Verde? ¡Futuro Imposible! - Alianza por una
alternativa ecológica, social y urgente al capitalismo,
Spain
Enginyeria sense Fronteres, Catalonia
Entrepueblos, Spain
Environmental Monitoring Group, South Africa
Federació de Associacions Veïnals de Mataró (FAVM),
Catalunya
FASE, Brazil
France Amérique Latine - FAL, France
Fresh Eyes- People to People Travel
Friends of the Earth, Finland
Friends of the Earth, Scotland

Friends of the Landless, Finland
 Fundación Solon, Bolivia
 Fundación de Investigaciones Sociales y políticas - FISYP, Argentina
 Global Change Factory, Germany
 Global Economy Project
 Grassroots Global Justice, USA
 Grassroots International, USA
 Groundwork, Friends of the Earth South Africa
 Grupo Sur - Belgium
 The Haitian Platform to Advocate Alternative Development -PAPDA - Haiti
 Hegoa, Instituto de Estudios sobre el Desarrollo y la Cooperación Internacional del País Vasco, Basque Country
 India FDI Watch, India
 Indian Social Action Forum - INSAF, India
 Indonesia for Global Justice, Indonesia
 Ingeniería Sin Fronteras, Asturias
 Ingeniería Sin Fronteras, Spain
 Innovations for Change, Nigeria
 Instituto de Ciencias Alejandro Lipschutz - ICAL, Chile
 Instituto Equit - Género, Economía e Ciudadanía Global, Brasil
 Instituto Latinoamericano para una sociedad y un derecho alternativo - ILSA, Colombia
 Instituto Mais Democracia, Brazil
 Janpahal, India
 Jubilee Debt Campaign, UK
 Koalisi Anti Utang (KAU) / Anti Debt Colition Indonesia KRUHA, Indonesia
 Labour Research Service - LRS, South Africa
 Mahlathini Organics, South Africa
 Marcha Mundial de Mujeres Chile - Colectivo VientoSur
 Milieu Defensie - Friends of the Earth, Netherlands
 MiningWatch Canada
 Movimiento Rios Vivos, Colombia
 Movimiento Social Nicaragüense - Otro Mundo Es Posible, Nicaragua
 Multiwatch (Switzerland)
 National Garment Workers Federation (NGWF), Bangladesh
 North East Peoples Alliance, India
 The Northern Alliance for Sustainability (ANPED), Belgium
 Observatório de la Deuda en la Globalización - ODG, Spain
 Observatorio de Multinacionales en America Latina - OMAL, Spain
 Observatorio Petrolero Sur (OPSur), Argentina
 Otramerica, Paraguay
 PACS - Instituto Políticas Alternativas para o Cone Sul, Brazil
 Palenke del Alto Cauca - PCN, Colombia
 Partido de la Rifondazione Comunista/Izquierda Europea, Italia
 Pax Romana, Switzerland
 Philippine Rural Reconstruction Movement - PRRM, Philippines
 Plataforma DHESC, Brazil
 Plataforma Rural - Alianza por un Mundo Rural Vivo, Spain
 Polaris Institute, Canada
 REBRIP - Brazilian Network for the Integration of the Peoples, Brazil
 Recalca, Colombia
 Red Mexicana de Acción frente al Libre Comercio - RMALC, Mexico
 Red Nacional Genero y Economía Mujeres para el Diálogo, AC, Mexico
 Rede Social de Justiça e Direitos Humanos, Brazil
 RETS - Col·lectiu de Respostes a les Transnacionals, Catalunya
 Rising Tide, Mexico
 SEATINI, Zimbabwe
 SETEM Catalonia
 SIEMBRA, AC, Mexico
 Sindicato de Trabajadoras de la Enseñanza de Euskalherria - STEE-EILAS, Basque Country
 Soldepaz Pachakuti, Spain
 Solidaridad Suecia -America Latina - SAL / Latinamerikagrupperna, Sweden
 SOMO - Centre for Research on Multinational Corporations, Netherlands
 South African and Allied Workers Union - SATAWU, South Africa
 South African Water Caucus - SAWC, South Africa
 South Asian Dialogues on Ecological Democracy
 South Durban Community Environmental Alliance, South Africa
 Students and Scholars Against Corporate Misbehavior - SACOM, Hong Kong, China
 Sustaining the Wild Coast (SWC)
 Terra de Direitos, Brazil
 ToxicsWatch Alliance - TWA, India
 Trust for Community Outreach and Education - TSOE, South Africa
 Unidad Ecologica Salvadoreña - UNES, El Salvador
 Unión de Afectados y Afectadas por las Operaciones Petroleras de Texaco (UDAPT), Ecuador
 UNISON, UK
 Veterinarios sin Fronteras, Spain
 War on Want, England
 Xingu Vivo para Sempre, Brazil

Key elements of the Peoples Treaty's legal proposal

A binding external code

A binding external code is needed whose main premise will be to do away with the dominant system of voluntary commitments. Its source as well as its material and formal content may transit between the *ad hoc* norms of the ILO, the OECD and the UN and the proposals for binding codes presented in the United Nations in the 1970s.

It will include:

- the extension of a parent company's responsibility with affiliates, suppliers and subcontractors;
- the subordination of transnational corporations to the sovereignty of host States in ways that are coherent with the right to development / *buen vivir*;
- the concept of interdependence, indivisibility and permeability of human rights norms;
- civil and criminal liability of the directors and executives of transnational corporations;
- direct compliance of transnational corporations with international law and criminal liability of legal persons and double indictment: transnational corporations are criminally liable for the infractions and crimes that they commit, as are the corporate directors that approve the incriminating decisions.

An International Tribunal

The new legal framework requires that an international mechanism responsible for receiving, investigating and judging accusations against transnational corporations be created. This mechanism must also ensure that the sentences be enforced.

A Centre on Transnational Corporations

The creation of a Centre on Transnational Corporations in charge of analysing, investigating and inspecting the practices of transnational corporations is another strategic proposal. The Centre's principal function will be to investigate accusations received from groups and organisations affected by the practices of transnational corporations.

Host States

Host states are often liable for failing to guarantee the rights of the peoples; their actions favour transnational corporations. Host states can be denounced for their actual involvement, for co-liability in human rights violations committed by transnational corporations by legislating in their favour or ratifying trade or investment agreements that facilitate the activities of transnational corporations, or for complicity for not preventing violations from happening.

Home States, where a corporation's headquarters are located

The States where a transnational corporation has its headquarters may have various levels of criminal liability – and therefore, they can be brought before an International Tribunal – for pressuring countries to sign trade or investment treaties, for example, or for failing to protect the rights of the peoples' due to pressure from transnational corporations. They must also oblige their transnational corporations to respect human rights in all places where they operate and approve specific proposals on extra-territorial responsibility.

International Systems

Furthermore, international and regional human rights protection systems must be improved to ensure that sanctions imposed by States are enforceable and mandatory.

And more...

Transnational corporations do not currently fall under the universal jurisdiction in criminal matters above the national level. It is needed to develop a jurisdiction at the international level for transnational corporations and that ecological crimes, colonial domination and other forms of foreign domination, foreign intervention and economic crimes be included as grave and massive violations of economic and social rights.



DISMANTLE CORPORATE POWER
DESMANTELEMOS EL PODER CORPORATIVO

AND STOP IMPUNITY!

Y PONGAMOS FIN A LA IMPUNIDAD!

WWW.STOP CORPORATE IMPUNITY.ORG

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