

Oral statement

Fifth session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights (OEIGWG)

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General statements - OEIGWG
Delivered by Sandra Epal-Ratjen

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Thank you, Mr Chairperson-Rapporteur,

FI wishes to congratulate you on your election as the chairperson-rapporteur. We would also like to very much welcome the programme of work of this session that translates a new phase in the work of this open-ended working group. We can only be satisfied to see that we are eventually entering proper negotiation with a reading of the articles of the revised draft.

As far as this draft is concerned, FI is of the view that it represents an interesting basis for negotiation. In particular, the revised draft legally binding instrument has gained in coherence and clarity compared to the zero draft. It shows, if needed be, that discussions on concrete textual proposals are key to effectively achieve progress and convergences in the process.

In particular, FI welcomes the work that has been done to find compromise language on the issue of the scope of the future legally binding instrument, as it relates to the business enterprises covered. It has always been a fundamental concern of FI to address the specific challenges posed by the activities of economic groups and corporations acting across borders, while not creating asymmetries and gaps in the legal protection of victims of human rights abuses.

While we recognize these advances among others, we obviously consider that the draft will benefit from the discussions during this 5th session and from the comments and proposals for improvements that will be made at this very session and beyond in writing towards a further revision of the text. Among the issues that, we think, could benefit from further discussion and elaboration, we identified some provisions dealing with due diligence and prevention, including in the context of conflicts, as well as in article 6 on liability and article 7 on adjudicative jurisdiction.

In that regard, FI individually had submitted among other inputs in the past years, a written contribution last February on the zero draft. We are pleased to see that a number of points we raised are reflected in the revised draft. Others remain valid and we will articulate them during this week as relevant. Furthermore, and as a member of the "Treaty Alliance", of "ESCR-Net", and of the Feminists for a binding treaty Group, FI has contributed to collective reflexions and positions that will be expressed during this week of negotiation.

Mister Chairperson-Rapporteur, I would like to end by assuring you of our continuous support and of our active and constructive engagement in the process.

I thank you.