

**10th Session of the open-ended intergovernmental working group on
transnational corporations and other business enterprises with respect to human rights**

**Article 6 – Prevention
16 December 2024**

Joint statement on behalf of Feminists for a Binding Treaty

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Thank you, Chair.

This statement is a joint statement by Feminists for a Binding Treaty, Christian Aid and Franciscans International.

We recall that a gender perspective is essential to understand businesses' differentiated human rights impacts and including in the context of prevention and human rights due diligence. To ensure respect for human rights it is essential that women be central to all stages of developing, implementing and monitoring the effective regulation of business activities. The WG on BHR set out clear guidance, adopted by the Human Rights Council in June 2019, for the integration of a gender perspective in implementing the Guiding Principles on Business and Human Rights, proposing a three-step gender framework comprising gender-responsive assessment, gender-transformative measures and gender-transformative remedies. The treaty should incorporate these standards as minimal requirements.

In addition, we suggest adding that the process of integrating a gender perspective should be led by women and others who identify as a sexual or gender minority, in human rights due diligence as well as human rights impacts assessments. We also suggest including a requirement that information be collected so that it is disaggregated by sex and gender.

Regarding 6.2(a), and throughout article 6, we suggest editing to 'human rights abuses' and include the term "or violations". In addition, we support the suggestions of Panama, that States should: prevent the involvement of business enterprises in human rights abuse throughout their business activities and relationships.'

We suggest a reference to consult with potentially impacted women and women's organizations be integrated in Article 6.2.d, as was present in the 3rd draft., and support Colombia's suggestion to replace 'promote' with 'ensure'.

We propose adding a 6.2(e), which would state: 'ensure that businesses do not exert undue influence in political or regulatory spheres.'

Regarding article 6.4a, we suggest editing to 'gender-sensitive human rights, environmental, and climate change impact assessments prior to and throughout their operations and activities.'

Regarding art 6.4(b), we support Panama's suggestion to replace sensitive by responsive, and we suggest adding after that 'with the leadership of and in meaningful consultation with women'. At the end of the article, we also suggest adding 'including through the collection of data disaggregated by gender and other major variables relevant to the communities potentially affected by their operations.'

In 6.4(c), we suggest adding after 'marginalization'- 'including protected persons in situations of armed conflict.'

Thank you.