

**Seventh Session of the Open-ended intergovernmental working group on
transnational corporations and other business enterprises
with respect to human rights
ORAL STATEMENT – ARTICLE 10**

On behalf of: CIDSE, CCFD-Terre Solidaire, Broederlijk Delen, CAFOD, Entraide et Fraternité, Fastenopfer, Focsiv, KOO, DKA Austria, Misereor, Maryknoll Office for Global Concerns, Trócaire, Alboan and Commission Justice & Paix Belgium.

29 October 2021

Mr. Chair,

I deliver this statement on behalf of CIDSE, CCFD-Terre Solidaire, Broederlijk Delen, CAFOD, Entraide et Fraternité, Fastenopfer, Focsiv, KOO, DKA Austria, Misereor, Maryknoll Office for Global Concerns, Trócaire, Alboan and Commission Justice & Paix Belgium.

We welcome the fact that Article 10 gives essential clarifications regarding the statute of limitations on human rights violations that do not constitute grave human rights abuses. Yet, this article still lacks clear indications of how long such a period should be. Especially, this article does not contain any specifications when the victim is a child. This should be addressed in an additional article:

Article 10.2bis – In the case of child victims, States Parties shall take all legislative or other measures necessary to ensure that statutory or other limitations will not deprive them from their right to access justice, remedy and reparation.

The article should also clarify that statutes of limitations do not apply to crimes against humanity. Based on this, Art. 10.2. should add the following sentence at the end:

Art. 10.2. State Parties shall ensure that the responsibilities resulting from the commission of crimes against humanity, war crimes and the crime of genocide, will never be subject to statutes of limitation.

Finally, the reference to "legal proceedings" could be clarified in the sense that it refers to civil, criminal and administrative proceedings.

Thank you, Mr. Chair.