

Eighth Session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights

ORAL STATEMENT – ARTICLE 10

Joint Statement on Article 10 by CIDSE, ALBOAN, Broederlijk Delen, CAFOD, CCFD-Terre Solidaire, DKA Austria, Entraide et Fraternité, Fastenopfer, Focsiv, KOO, Misereor and Trócaire.

26 October 2022

Dear Mr. Chair,

I am delivering this statement on behalf of CIDSE, ALBOAN, Broederlijk Delen, CAFOD, CCFD-Terre Solidaire, DKA Austria, Entraide et Fraternité, Fastenopfer, Focsiv, KOO, Misereor and Trócaire.

Before we make our intervention on article 10, we would like to add a short comment on article 9. In particular, we want to underline the importance of the provisions rejecting the doctrine of *forum non conveniens* to ensure that right-holders have effective access to justice.

We would like to state our view that it is essential for provisions in article 9 to be legally binding, and therefore that they are retained in the third draft and not in an optional protocol.

Regarding article 10, we welcome that this article provides essential provisions to allow victims of corporate abuse to be heard and to seek justice.

However, we are concerned about the particular situation of children. Any provisions on statutes of limitations should ensure that child victims are not in a situation where justice is denied. This is also crucial for those who, because of their age, physical, mental or psychological condition, need additional time and resources to seek redress.

For this reason, we support the amendment from Palestine last year on article 10.2.

We also want to support again the removal of statutes of limitations for human rights abuses resulting in violations of international law, which constitute crimes under international law.

Thank you, Mr. Chair.