Open-ended Inter-Governmental Working Group on transnational corporations

and other business enterprises with respect to human rights

**Oral Statement**

Child Rights Connect/DKA AUSTRIA/IBFAN/GIFA

Statement concerning Article 4 para 5 (Right of Victims, Tuesday Morning)

Thank you Chair.

I`m speaking on behalf of Child Rights Connect, DKA Austria, Geneva Infant Feeding Association, International Baby Food Action Network.

As child rights based organizations, we welcome that the “revised draft” includes a broader definition of “victim” in Article 1, which also protects families and dependents. Nonetheless, a profound children’s rights approach is not embedded in the revised draft itself.

Especially for children and adolescents, there are far-reaching social, economic and legal barriers for their ability to seek redress for violation or abuse of their rights. They are faced with a lack of legal knowledge and enforcement, dependency on legal representatives for litigation, and a generally disproportionate impact of corporate human rights’ abuses.

For the removal of major obstacles for children as victims of human rights violations by business activities in their access to justice, including remedial action, an improvement to the possibility of collective complaints, such as class actions and public interest litigation should be integrated in the elaboration of the “revised draft”.

Collective complaints are one important measure to ensure comprehensive legal protection, fair procedure and an equality of the parties; thus, the “revised draft” should call for States to provide collective redress mechanisms in cases of business-related human rights abuses, with clearly expressed criteria on how they can be used, including by children.

Thank you Chair.