

Oral Statement DKA Austria/Child Rights Connect/Ecpat/

*Open-ended intergovernmental working group for the elaboration of an International Legally Binding Instrument on Transnational Corporations and other Business Enterprises with respect to human rights, Resolution A/HRC/26/9*

Geneva, Palais des Nations, Room XX  
Sixth Session 26 to 30 October 2020

**Tuesday 27 October, 2020 at 15h00-18h00**

Thank you Chair,

My name is Alana Carvalho and I am speaking on behalf of DKA Austria, Child Rights Connect, ECPAT, and the Human Rights Clinic of the Faculty of Law of the Federal University of Minas Gerais

We are now presenting a joint oral statement focusing on the child rights aspects of the treaty.

● **Article 5.**

**Art.5.2:** we propose to explicitly add **children and young people**

● **Article 6**

**Art. 6.1:** we propose to add: that States domestic legislation reflects their international human rights obligations

**New Art. 6.1.bis:** We propose to add that States Parties shall also provide capacity-building and technical assistance opportunities to business enterprises on human rights to assist them with developing human rights statements of policies, while paying special attention to the rights of groups and individuals in situations of particular vulnerability. States Parties shall also ensure that information regarding business enterprises' obligations with regard to human rights is easily accessible in appropriate formats by all.

**Art. 6.3.a:** we call to pay special attention to the rights of groups and individuals in situations of particular vulnerability, including children, throughout their operations”.

**Art.6.3.b:** to add not only women but also girls

**Art.6.3.d:** we propose to add that consultations with children are undertaken in accordance with the principle of the child's right to be heard.

● **Article 7. Access to Remedy and Reparation**

1. Article 7 should not only mention remedy but also reparation

(...)

3. when it comes to legal assistance to also include

a. **the timing of the proceedings in relevant languages and accessible formats to adults and children alike, including those with disabilities;**

b. and to also include the **special needs and rights of victims by keeping in mind that child victims may only be heard and participate voluntarily, within a child-friendly environment and through the use of child-sensitive methods;**

(...)

d. to **provide legal assistance and where needed, free legal aid to child victims;** and,

4. States Parties shall ensure that court fees and other related costs do not become a barrier to commencing proceedings **such as cases concerning child victims.**

Thank you Chair!