

Oral statement at the 6<sup>th</sup> session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights



Since 2012 we have successfully prevented and remediated child rights violations at the upstream of the cobalt/battery supply chain in the Lualaba province of DRC, having rescued 3000 children from the worst forms of child labour. Based on this experience we are focusing on the child rights aspects of the treaty, asking rewordings and additions of the following articles:

**art. 5.2:** add **children and young people**

**art. 6.1:** add that **States domestic legislation reflects their international human rights obligations**

**We recommend to add Art. 6.1.bis: that States Parties shall provide capacity-building and technical assistance in partnership with local civil society to business enterprises on human rights to develop 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 monitoring of due diligence and information regarding enterprises' obligations with regard to human rights is independently conducted and its results made easily accessible in appropriate formats by all.**

**art. 6.3.a:** add **special attention to the rights of groups and individuals in situations of particular vulnerability, including children, throughout their operations**".

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

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

**Art 7** should not only mention remedy but also reparation and on legal assistance shall include:

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

b. and include the **special needs and rights of victims remarking that child victims may only be heard and participate voluntarily, within a child-friendly environment, 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.**