



**Mozambique general statement at the 6th Session of the 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
Item 4**

Thank you, Mr. Chairperson – Rapporteur, for giving us the floor,

At the outset, we join others in congratulating you, Mr. Chairperson - Rapporteur, up on your re-election to conduct the proceedings of the 6th Session of the Open-ended Intergovernmental Working Group for the Elaboration of an International Legally Binding Instrument on Transnational Corporations (TNC's) and other Business Enterprises (OBE's) with respect to human rights.

We also take note of the statements made by the High Commissioner and H.E. Mr. Luis Gallegos, Minister of Foreign Affairs and Human Mobility of Ecuador. We appreciate their commitment to the negotiations of the draft at hand.

We would be remiss if we did not recognize you, Mr. Chairperson – Rapporteur, your outstanding team and the Secretariat, in compiling the revised text of the draft before us. Indeed, the draft has accommodated some of our inputs, as presented at the 5th Session of this Working Group, for which we are thankful.

We subscribe to the intervention made by the African Group.

Mr. Chairperson – Rapporteur

Your comprehensive introduction and clear explanation of the draft's content, suggest the strides made in view of improving the different sections of the document.

Meanwhile, in agreeing with you, Mr. Chairperson – Rapporteur, we are of the stand that a lot remains to be done. As a matter of fact, the scope of the text is still well beyond the mandate of the Human Rights Council resolution 26/9, in view of which we **reiterate our principled stand that the scope should stick to the TNC's and OBE's**. As it stands now, the scope represents a drawback to the further progresses we are looking forward.

We have noticed that the draft places enormous responsibilities on the States, instead of focusing on the regulation of activities of TNC's and OBE's, with respect to human rights, in regards to the human rights abuses and violations by the latter, and provide reparations and remedies to the victims, thus filling the existing gap in the international law, in what should be the core of this exercise, as far as we are concerned. In respect to the States, we cannot emphasize more their obvious primary duty to respect, promote, protect, uphold and realize the human rights of their peoples.

Mr. Chairperson - Rapporteur

Statements made by the High Commissioner and different Human Rights Council mechanism, as well as those by treaty bodies, as far as COVID – 19 negative impact on the enjoyment of human rights, inter alia the right

to health, especially by vulnerable groups of our societies suggest that there are empirical evidences of the role played by pharmaceutical TNC's, linked to TRIP's. Therefore, in view of future pandemics, we align ourselves to the proposal that the draft instrument should also address this issue, in line with resolution 26/9.

At this junction, we embrace the cry by the stakeholders as for them to adequately be listened to, as they voice the concerns of those they represent, in relation to the different sessions of the draft.

In concluding, Mr. Chairperson - Rapporteur, as we heed your call for non – disrupting posture, we pledge our constructive engagement in the present negotiations, as it has been the case all along, ever since the kick starting of this process.

We thank you