**ESCR-Net Oral Intervention**: **Article 1
Monday, 26 October 2019 (15:00 – 18:00)**

**Presentation [2min]**

Thank you, (Mr / Madame) Chair.

I deliver this on behalf of ESCR-Net – a Network of over 280 organizations worldwide, including my own (the Syrian Legal Development Program, Human Rights and Business Unit, a Syrian Organization based in the UK).

We believe that the language under Article 1 requires further improvements. In **Article 1(2)**, the definition of human rights abuses should also include a reference to **workers’ rights**. Workers ‘rights are human rights and it is important to reaffirm this.

In **Article 1(3**), the definition of “**business activities**” should include **both non-for-profit and for profit activity** - ensuring that international organizations including the UN and other charitable organizations are not awarding lucrative contracts to conflict elites and other settings. This would strengthen language on conflict-affected areas in the treaty, which we find much weaker in this revised draft– not only under Article 1.

Under **Article 6 for example,** the reference made to **conflict-affected areas** is not clear and ought to be much stronger to ensure that Corporations, **Organizations** and/or State-entities refrain from **starting** or **pursuing** operations in situations where no **independent enhanced due diligence assessment** can guarantee neither directly causing, contributing to, nor being directly linked to human rights abuses or violations of human rights and humanitarian law standards arising from business activities or from contractual business relationships across the value chain, including with respect to products and services.

Entities already engaged in business activity with oppressors in conflict-affected areas, including situations of occupation, shall adopt and implement urgent and immediate measures, such as divestment and disengagement policies. We also assert that the reinclusion of a provision on **universal jurisdiction** would ensure a more comprehensive approach to criminal liability.

Finally, under **Article 1(5)**, the definition of “**business relationships**”, should clarify that States arealso part of such relationships. We must ensure corporate accountability across the value chain to avoid impunity.

Thank you