



PHILIPPINES

7th 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 (OEIGWG on TNCs and OBEs)

25-29 October 2021, Palais des Nations, Geneva

Item 4: General Statements

Thank you, Chair.

The Philippines recognizes the work of Ecuador, as Chair of the Open-Ended Intergovernmental Working Group, for shepherding this process which leads us now into discussions on the third revised draft Legally Binding Instrument (LBI).

As one of the 20 countries that voted in favor of HRC resolution 26/9 of June 2014 which established the Working Group and its mandate, the Philippines reaffirms its support for this process.

We thank the Chair for reflecting a number of recommendations and proposals made by the Philippine delegation, particularly on Articles pertaining to legal liability and the definition of victims.

However, we are concerned that the heart of the mandate of HRC resolution 26/9 which expressly limits the scope of the LBI to the activities of TNCs and OBEs, remains unaddressed, diffusing the focus of the LBI instead on all businesses. We reiterate in this regard our position on the need to revert or limit the scope of the LBI strictly to the activities of TNCs and OBEs, consistent with the original mandate.

We also reiterate the need to preserve policy space on the grant of incentives and discretion by states on exemption of certain small and medium-sized enterprises from obligations with the aim of minimizing additional administrative burdens to this sector.

The Philippines underscores the need for our discussions on the LBI to continue to be inclusive and, as such, provide opportunity for different sectors of the civil society including the academe, religious groups, and civil society organizations to be involved in the discussions toward harmonizing and establishing consensus.

We should also ensure that the provisions of the LBI on providing safeguards against all forms of discrimination apply across different vulnerable and marginalized groups.

We wish to assure the Chair of the Philippines' continued constructive engagement in this process.

Thank you, Chair. END.

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14-16 Allée David-Morse, 1202 Geneva, Switzerland ● Tel: (+41) (0) 22 716 1930 ● E-mail: geneva.pm@dfa.gov.ph