

## **Article 4**

**Thank you Mr Chairperson,**

This statement is on behalf of over 280 ESCR-Net members.

In Article 4, we support the suggestion by the state of Palestine to add the word violations. We emphasize here that both State and non-State actors may be involved in business activities that undermine human rights - particularly in the context of transnational corporations. As such the inclusion of both abuses and violations in this Article is paramount and could offer further protection to victims and potential victims at a time when harmful business activities are on the rise to maximize profit making following the COVID-19 pandemic, particularly impacting Indigenous Peoples' rights and threatening our planet, land and mother nature.

As I address you today - our brothers and sisters in Guatemala are facing violence and threats of harm in a Mayan village located 315 kilometers from the capital, Guatemala City. Its inhabitants have been fighting for years against a local mining company, Compañía Guatemalteca de Níquel, a subsidiary of the Swiss company Solway Investment Group, which exploits minerals in their territory. Now the situation escalated in violence and the state is under siege. Similarly, in Kedong valley, the Maasai community is facing threats of evictions and human defenders arrested as they defend their indigenous land where they have lived for centuries as a result of transnational and national corporations; Akira 1, Standard gauge Railway and Kengen co. Ltd.

We want to emphasize that this Article is at the heart of the treaty process - we are here to bridge the gap that exists in the protection of Indigenous Peoples and other communities and individuals affected by business activities, particularly of a transnational character. We support suggestions by other members of our Network today to strengthen this draft Article.

Thank you.