

Oral contribution on the third revised draft of the legally binding instrument:

to the seventh session of the “open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights”, 25-29. October 2021, Room XX, Palais des Nations

The session during which the oral intervention is to take place: Wednesday Afternoon, Agenda Item 4, Article 6 Prevention

How the intervention will take place: in person delivery

The type of stakeholder speaking: NGO with ECOSOC status

Name of the State or organization(s): Verein Sudwind Entwicklungspolitik Name of the speaker: Bettina Rosenberger

Verein Sudwind Entwicklungspolitik (Südwind Austria), Laudongasse 40, A-1080 Vienna, Austria represented by

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Among others

By e-mail to igwg-intervention@ohchr.org and msu2@un.org

Südwind supported by Austrian Treaty Alliance a coalition of 15 NGOs and trade unions specifically wants to contribute with this statement to Article 6

- Article 6 should explicitly mention that corporations are liable if they fail to comply with their due diligence obligations, in particular with their environmental due diligence obligations.
- Prevention should be highlighted instead of mitigation, so that harm doesn't occur
- Article 6 should clearly define standards for consultations, which should ensure that these consultations are effective. Furthermore these consultations should be designed as an ongoing process, so they should take place prior as well as during the business activities.