**Oral contribution on the third revised draft of the legally binding instrument:**to the eighth session of the “open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights”, 24-28. October 2022, Room XX, Palais des Nations

The session during which the oral intervention is to take place: Tuesday Morning, 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 organisation(s): Verein Sudwind Entwicklungspolitik

Name of the speaker: Bettina Rosenberger

By e-mail to ohchr-igwg-intervention@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.