



Statement by His Excellency Archbishop Ivan Jurkovič
Permanent Observer of the Holy See to the UN and Other International Organizations in Geneva
at the 6th Open-ended Intergovernmental Working Group on Transnational Corporations and
Other Business Enterprises with Respect to Human Rights
Article 4. Rights of victims

Geneva, 27 October 2020

Mr. Chair,

In its submission concerning the revised text of this international instrument, the Holy See suggested that the current draft article should be divided into at least four different provisions: one regarding the procedural rights of claimants; another one on the rights of those whose claims have been legally recognized; a further one on the rights of all persons and a final provision on the obligations of State Parties. In this regard, we take note of the improvements made to the second draft.

Mr. Chair,

Consistent with our suggestion on the preambular language, the Holy See would like to propose to include to Art 4.2.b an explicit reference to “the right to live in a safe, clean, healthy and sustainable environment”. A specific provision should be established within the framework on the protection of the environment, based on principles applicable to the prevention and reparation of environmental damage, which includes proper care of nature and access to territory. Moreover, on Art 4.2.c., my Delegation would like to highlight that although “Environmental remediation” is included, there should also be mention of “fair remediation”, not only for damages to affected populations, but also to affected territories and environments.

Thank you, Mr. Chair.