Statement to the UN Human Rights Council 41st session (24 June – 12 July 2019)

Item 3: Clustered interactive dialogue with the Working Group on the issue of human rights, transnational corporations and other business enterprises

Thank you M. President,

Deeply ingrained and gendered power imbalances have resulted in a legacy of sexual harassment, violence against women at work, the overrepresentation of women and girls in informal and precarious employment, shameful gender pay gaps, and the loss of livelihoods for women displaced by corporate projects. These injustices are upheld by an economic system that even see taxes as a cost to business rather than an investment in the wellbeing of everyone. If we are serious about tackling gender inequality, these structures need to be challenged and changed.

As recognised in the gender guidance, neither States nor businesses have meaningfully taken into account the differentiated and sometimes disproportionate impacts of economic activities on women. Existing national action plans, laws on modern slavery and due diligence, and economic policies continue to be largely gender-blind. This is why we support the Working Group’s recommendation to States to apply the gender framework and guidance in developing and reviewing all initiatives related to business and human rights.

Nonetheless, access to justice for corporate abuse remains elusive and even more so for affected women. We hence support the Working Group’s recommendations to States to ensure gender-responsive access to remedies and to create mechanisms to redress extraterritorial adverse impacts caused and to enhance cross-border cooperation in transnational cases. We also encourage the Working Group to ensure that its upcoming guidance on conflict and post-conflict settings duly take into account the gender guidance and that the Working Group actively consults with women groups from conflict and post-conflict countries.

Finally, we would like to ask Professor Deva how the Working Group envisions to assist States in implementing the gender guidance notably in the development of gender-responsive regulatory frameworks on human rights due diligence, but also in the negotiation of an international legally binding instrument, which is currently being discussed in the open-ended intergovernmental working group?

Thank you.