This statement is made on behalf of ActionAid International, PODER and AWID (Association for Women's Rights in Development), part of the coalition of Feminists for a Binding Treaty (#Feminists4BindingTreaty). With regards to the provisions on liability, we would like to stress that the recognition of an obligation to exercise human rights due diligence per se implies that businesses which do not comply with this obligation shall be held accountable. It should nevertheless also be made clear that compliance with this obligation does not automatically shield businesses from liability for human rights violations and abuses.

We therefore urge for clear provisions guaranteeing liability attached to outcomes, or actual harm, rather than only for failure to exercise human rights due diligence.

Referring to point 6.4, we would also urge for the text to explicitly state that State Parties shall adopt measures necessary to ensure the provision of effective, proportionate, and dissuasive *gender-responsive* reparations and remedies to the benefit of the victims. That means ensuring that women, trans and gender-non conforming persons benefit *equitably* from any remedies that may be provided for rightsholders.

This is because, as highlighted in the report of the UN Working Group regarding the Gender Dimensions to the UNGPs[[1]](#footnote-1), even if affected women are able to access certain judicial mechanisms, they are unable to enforce suitable remedies, because these remedial mechanisms typically adopt gender-neutral processes or, worse, operate within existing patriarchal norms.

States should engage women’s organizations and feminist experts to identify appropriate remedies, and propose remedies that could challenge discriminatory power structures and end violence against women.

I thank you, Chair.

1. <https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/41/43> [↑](#footnote-ref-1)