**PHILIPPINES**

Sixth Session of the Open-Ended Intergovernmental Working Group for the Elaboration

Of an International Legally Binding Instrument on Transnational Corporations and Other Business Enterprises with respect to human rights

**Tuesday, 27 Oct (AM)**

**10.00 to 13.00**

**Statement**

Thank you, Chair- Rapporteur.

**On Article 3 on Scope**, the Philippines reiterates its position that the application of the LBI should be limited to TNCs and OBEs, consistent with the mandate HRC resolution 26/9.

**On Article 4.2.b on the Rights of Victims**, we suggest the inclusion of the word “lawful” before peaceful assembly and association and before free movement, to read as: “the victim shall be guaranteed the right to life, personal integrity, freedom of opinion and expression, 'lawful'peaceful assembly and association, and 'lawful'free movement.”

It is noted that due to the COVID-19 pandemic and the need to observe strict health protocols, the right to assembly and association and free movement may have to be limited by the State authorities, particularly with the imposition and observance of physical distancing and community quarantine measures to ensure public safety and prevent uncontrolled viral transmission in affected communities.

**Also, on Article 4,** the Philippines suggests the inclusion ofnon-discrimination of victims with regards to their nationality. The guarantee by State Parties on the protection of victims and investigation of human rights abuses by TNCs and OBEs should be extended not just to the nationals of the State Party wherein such abuse happened but to all persons involved, regardless of nationality or citizenship. Such a provision is very apt to protect the rights of expatriates from human rights violations of transnational corporations in another state.

Thank you, Chair- Rapporteur.