



**GENERAL ASSEMBLY
Human Rights Council / 45th session**

GENERAL DEBATE Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

***Oral statement
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Madam President,

We are seriously concerned about the setback of human rights in Brazil in the last years, and in particular regarding violations related to transnational corporations' activities.

In a previous dialogue during this session of the Human Rights Council, the Special Rapporteur on toxic wastes, Mr Tuncak, made clear recommendations, based on the manifest deficiency of national regulations in Brazil, asking for independent investigations in the framework of the abuse of power by corporations. Moreover, the field analysis made by our partners from the Movement of People Affected by Dams (MAB) show the lack of appropriate responses by the government and its judicial bodies to tackle corporate impunity.

For instance, regarding the collapse of tailing dams, 5 years after the disaster of Mariana, the remediation mechanism putted in place has shown its inefficiency in regulating and holding corporations accountable, as well as in ensuring independent investigations. The case of Brumadinho may follow the same path if the judicial bodies persist in letting VALE, the company responsible for the crime, conduct the health and the environmental monitoring.

In the light of the above, we urge the Brazilian government to ensure the regulation of TNCs through strong mandatory mechanisms, capable to guarantee accountability, integral and effective access to justice for those affected, including for violations due to toxic exposures and pollution. Broader investigations over the safety of all tailing dams must be ensured and safety measures must be adopted to ensure life for the communities living downstream from these facilities, based on the principle of prevention and precaution.

As for the aforementioned cases of Mariana and Brumadinho, we also urge to take immediate actions over the identification and implementation of necessary reforms to ensure accountability for environmental crimes such as these. In this sense, the remediation processes must be freed from the influence of transnational corporations, such as VALE, BHP and Samarco, and replaced with independent experts without conflicts of interests.

Thank you very much for your attention.

Geneva, 22nd of September 2020