

## **Godwin Ojo/FoEI Subject 7 Jurisdiction Oct 26 morning**

**My name is Godwin Uyi Ojo, Director, Environmental Rights Action/Friends of the Earth Nigeria, member of Friends of the Earth International with autonomous national groups from 75 countries and over 2 million grassroots members. We are part of the global campaign to dismantle corporate power and stop impunity of Transnational corporations.**

**We welcome the Treaty elements on transnational corporations and their supply chains with regard to holding them to account for human rights violations.**

**State obligations must include civil and criminal liabilities that address TNCs human rights violations.**

**The imperative nature of victims' access to justice and right to reparation in international law is attested to by numerous international instruments and regional jurisdictions.**

**In the over reparation case brought by four fishermen from the Niger Delta, the Court in The Hague, ruled that Shell has a case to answer for its human rights violations committed in Nigeria.**

**At a national level obligations must establish the jurisdiction of their courts with respect to TNCs'violations human rights'.**

**This should include the state in whose territory human rights violations occurred, the national state of the parent company, the national state of the shareholders, and all other states where the transnational corporation has activities.**

**States must guarantee that a complaint against TNCs can be submitted for the abuses committed in host communities in any member state ISO TNC home states or TNC host states cannot apply the doctrine of forum non conveniens when invoking a human rights violation committed by a TNC. Each State must allow foreign persons and communities seeking environmental justice to take legal action in its courts if they so wish.**

**It is imperative that the national measures required of States for the implementation of the future treaty contain an obligation for them to establish the criminal responsibility of the leaders of multinationals and other companies in case of negligence or active participation in certain human rights violations.**

**The States Parties shall adopt legislative, administrative or judicial measures that allow human rights lawyers and defenders to act in litigation process against TNCs, while providing them technical and financial assistance. In this regard, States Parties must ensure that civil society organizations have access to courts on behalf of victims in these cases.**

**We strongly believe that an international court or Tribunal for Transnational corporations human rights violations will allow impacted communities to seek reparation that is long overdue because as we speak now the people are suffering and die in silence.**