Thank you Mr. Chairperson.

My name is Raphaela Lopes, I am an attorney working for the Brazilian Human Rights Organization Justiça Global. I am grateful to the Corporate Accountability International for giving me the floor, so I can make this is statement on behalf of my organization, and the Global Campaign to Dismantle Corporate Power.

We would like to stress the importance of a treaty focused on business activities with a transnational character, as well as the establishment of direct obligations to them. There is a legal vacuum in regards to corporate accountability in cases of human rights violations committed by transnational entities, due to a State centered paradigm established in the 1940s, when the international system of human rights became to take shape.

One of the great benefits that will be brought by the future treaty will be to expand the existing venues for victims to seek redress for human rights violations caused by transnational corporations. That can only by accomplished with the focus on business activities of transnational character, as well as by establishing direct obligations to them.

These changes in the legal framawork are by no means aimed at weakening the role of States as primary responsible for ensuring human rights. Rather, the goal is to strengthen this role by fixing a structural unfairness, as transnational corporations effectively have rights arising from investment and trade agreements that do not correspond equally to accountability for human rights violations. This situation gives corporations a great deal of power that challenges the States’ both regulatory and enforceability power.

The existing legal framework to hold transnational corporations accountable for human rights violations is insufficient. In Brazil, there are many examples of violations committed by transnational corporations in which the victims had no or insufficient access to justice. It is the case of affected communities in the Doce river tailings dam disaster, the victims in the Belo Monte dam construction, as well as the communities affected by the Carajás project in Pará and Maranhão.

Victims of such cases as well as others will be able to access justice if the current legal framework is changed to address the challenges represented by corporate power. It will thus contribute to prevent similar violations to happen.

Thank you, Ms. Chair!