Igwg-intervention@ohchr.org

**Thursday 17 Afternoon on Article 13, Institutional Arrangements**

NGO with ECOSOC status: Verein Sudwind Entwicklungspolitik

Speaker: Stefan Grasgruber-Kerl

Dear Ladies and Gentlemen, distinguished representatives,

As stipulated Südwind Austria supports the process and welcomes the continued discussion about the content of the legally binding international instrument at the fifth session of the Working Group.

For us working with victims of labour exploitation in global supply chains of e.g. electronics or garments the enforcement mechanisms will be crucial to the success of the Treaty.

Article 13 and its institutional arrangements are exactly crucial for the monitoring of the enforcement of the treaty. Unfortunately in the current wording Article 13 falls well below our expectations.

It is our experience that it is often a problem of money for victims to have access to justice. Therefore we very much support the International Fund for Victims to be established to provide legal and financial aid to victims. We recommend to immediately establish this fund with the entry into force of the treaty and to ensure substantial funding for it.

Additionally a complementary international mechanism to oversee compliance with the Legally Binding Instrument should be added. We ask to add provisions of the draft Optional Protocol directly in the Binding Treaty to further strengthen this section.

Regarding the proposed Comittee of experts we do stress its importance and support its function to make general comments and normative recommendations. Additionally we ask for the Committee to include the capacity to receive communications and individual as well as collective complaints. And also it should be enabled to make recommendations on specific cases. Also receiving input from affected people and victims of human rights violations would allow for important feedback on the implementation of the instrument, in view of future improvements.

Regarding the proposed Conference of state parties the treaty text should clearly include that it will follow up on comments and normative recommendations from the Comittee.

To conclude I want to remind all states that a treaty is only as good as its enforcement mechanisms and institutional arrangements.

Thank you!