

## Corporate Accountability Statement on Corporate Capture

Mr Chairperson,

Thank you for the opportunity to speak.

Throughout this process, members of civil society representing a broad consensus across the coalitions supporting this process, have repeatedly emphasized the danger of corporate influence to this process and the implementation of a future treaty.

Corporate opposition to this treaty is to be expected, because the aim of the treaty is to hold transnational corporations accountable to systemic and widespread human rights abuses that are the result of huge gaps in current legal standards, implementation and political will—as well as widespread corporate capture. **As such, corporate interference in this process is perhaps the single largest threat to the success of this treaty.**

It is pure fantasy to suggest, as industry and some states – notably the US have -- that we need consensus or agreement WITH industry in order to implement this treaty. First, in terms of the different obligations of States vs. corporations, States hold the responsibility to regulate in the public interest, and that this does not require consent from all parties – especially those involved in perpetuating crimes or injustices. Secondly, history has shown that attempts to persuade or convince industry to improve their record on human rights, have fallen dramatically short of the goal. **Voluntary standards have not worked.** Thirdly, because of the tremendous power and influence of corporations, the best model we have for effectively regulating industries is, in fact, to exclude the industry from the development of relevant policymaking processes – as was done in the Framework Convention on Tobacco Control.

For this reason, I commend the inclusion of language modeled on that treaty in article 6.8. As a member of the Global Campaign, I support the proposal of the Global Campaign on how to improve the text, and my main recommendation would be to make this concept a free standing article so that it applies to the whole of the treaty, since it is not only related to prevention, but also to implementation and many other aspects of the treaty.

Thank you Chair.