

Joint oral statement CETIM/TNI
7th session OEIGWG
Article 10
29.10.21

Thank you Mr. Chair,

I speak on behalf of CETIM and Transnational Institute, as a members of the Global Campaign

We have just two small suggestions for this article.

10.1: We propose to delete the reference to the most serious crimes, we cannot differentiate and graduate crimes. Crimes are crimes. Moreover, we think it's important to add a reference to labour rights and environmental norms.

*Amendment 10.1: The State Parties to the present (Legally Binding Instrument) undertake to adopt any legislative or other measures necessary to ensure that statutory or other limitations shall not apply to the ~~commencement of legal proceedings in relation to human rights abuses resulting in~~ **prosecution and punishment of all violations which constitute the most serious crime of concern to the international community as a whole of international human rights law, Labour rights, Environmental norms and international humanitarian law.***

10.2: The notion of reasonable time remains far too vague to guarantee adequate protection for affected communities and individuals. We propose to change for a fair and adequate period of time for the investigation and commencement of prosecution or other legal proceedings, particularly in cases where the violations occurred in another State or when the harm may be identifiable only after a long period of time.

*Amendment 10.2: Domestic statutes of limitations applicable to civil claims or to violations that do not constitute the most serious crimes of concern to the international community as a whole shall allow ~~a reasonable~~ **a fair and adequate** period of time for the investigation and commencement of prosecution or other legal proceedings, particularly in cases where the violations occurred in another State or when the harm may be identifiable only after a long period of time.*