Thank you, Mr. Chairman, my name is Nonhle Forlsund and I speak as a member of the Global Campaign. First of all, I would like to emphasise that Draft 3 is the only document that is representative of the negotiations between States and legitimate to serve as a basis for this 8th session. In this sense, I am going to recall the reflections on article 7 of the 3rd Draft, which is key to guarantee access to justice and changing the asymmetry of powers between affected communities and transnational corporations.

We recommend that Article 7.4 is maintained. It guarantees that legal costs and other legal expenses do not represent an unfair and unreasonable burden for those affected.

Regarding paragraph 7.5 on the reversal of the burden of proof, we consider that it should a right of affected persons or communities to ensure both access to justice and due process of law. Furthermore, the term "appropriate cases" should be deleted, as well as the expression "and their domestic constitutional law", as proposed Palestine in the last session.

We recall that the reversal of the burden of proof is an important way of ensuring equality of conditions in the judicial process, removing the barriers to access to justice that many affected communities around the world have suffered from.

On paragraph 7.6, we support the Palestinian proposal to add "violations" and delete "domestic law". Such references to domestic law could detract from the effectiveness of the LBI, and are not necessary once there is already conventionality control.

In light of the above, and in order to strengthen this article, we propose including an article with the principle of in dubio pro persona, as follows:

Proposed new paragraph 7.7:

“States shall ensure that, in case of doubt about the application of the LBI, persons and communities that have been or are affected or threatened by the activities of transnational corporations and other business enterprises of a transnational character enjoy the widest protection of their rights”

We also propose the inclusion of an article on precautionary measures:

Proposed new paragraph 7.8:

States shall make available mechanisms to enable affected communities and individuals to demand precautionary measures to prevent harm.

All our text proposals and amendments have been sent to the secretariat.

Thank you