**Art 8. LEGAL LIABILITY**

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Thank you, Mr. Chairman. I am Joseph Purugannan, from Focus on the Global South, speaking on behalf of CETIM and member of the Global Campaign.

First, I would like to emphasize that the 3rd draft is the only document representative of this intergovernmental negotiations and the only one legitimate to serve as the basis for this 8th session. In this regard, I will recall the proposals considered positive for the consolidation of an effective international instrument that can fill the legal gaps on corporate responsibility of companies with a transnational character, in relation to violations of Human Rights in all their global value chains.

Therefore, we defend the excellent contributions made by Palestine in article 8.7. 8.8 8.10bis and 8.10ter of the 3rd draft that establish an adequate definition of Human Rights due diligence, recognizing violations of those Rights by transnational corporations, without considering such measures as excluding liability, whether for natural or legal persons. Furthermore, we reinforce the need to require States Parties to ensure that their national legislation is adapted to the possibility of recognizing the criminal responsibility of legal persons, in accordance to international human rights law, in addition to the excellent provision for joint responsibility throughout the value chain. These proposals are set out below:

“8.7. Human rights due diligence shall not automatically absolve a legal or natural person conducting business activities from liability for causing or contributing to human rights abuses or violations or failing to prevent such abuses and violations by a natural or legal person as laid down in Article 8.6.

8.8. States Parties shall ensure that their domestic law provides for the criminal liability of legal persons for human rights abuses or violations that amount to criminal offenses under international law, including but not limited to customary international law, and humanitarian law. Regardless of the nature of the liability, States Parties shall ensure that the applicable penalties are proportionate with the gravity of the offense. This Article shall apply without prejudice to any other international instrument which requires or establishes the criminal or administrative liability of legal persons for other offenses.

8.10 bis. All companies involved in human rights abuse or violation, whether a subsidiary, a parent company or any other business along the value chain, shall be jointly and several responsibility for human rights abuses in which they are involved.

8.10 ter. State Parties shall ensure that their domestic law provides for the criminal liability of legal or natural persons for acts that directly or indirectly contribute, cause, or are linked to human rights abuses or violations.”

Thank you, Mr. Chairman.