* **ARTICLE 8**
  + I speak on behalf of the International Organization of Employers. We appreciate the ability to share our views on this very important topic, and remain committed to assisting business with its responsibility to respect internationally-recognised human rights consistent with the UNGPs.
  + I wish to begin by expressing our sincere hope that any treaty serve as an instrument to facilitate good corporate governance and conduct, rather than only as a tool to punish those who are alleged to have engaged in wrongdoing.
  + It is here where there is critical work to be done, and we should not miss this opportunity to build upon, instead of replace or supplant, the varied and extensive existing or developing mandatory human rights due diligence legislation. From France to Holland, to Germany to the EU and now Japan, many national governments are heeding the UNGPs call on this issue. There is more work to done, of course, particularly outside of the EU, but creating a mandatory due diligence scheme that punishes outcomes without creating some incentive for those that create robust protocols misses the point entirely and walks past an important opportunity for doing impactful work.
  + We keep asking business to fulfill state-like obligations to investigate and remedy human rights impacts while offering little more than punishment if or when they fail – when viewed through largely subjective regulative criteria. We seem to be creating an unwise *fait accompli*. Business is doing strong and important work here, and needs to be supported in that work, by simply having this process follow the UNGP’s process-based approach and by incentivizing the best processes with some measure of liability mitigation.