**4th Session of IGWG on TNCs and OBEs with respect to Human Rights**

**Article. 15**

**Permanent Observer Mission of The State of Palestine**

Thank you chair, and we thank the panellists for their inputs.

The focus on conflict-affected areas in the Treaty is an absolute necessity, considering the sharp rise in conflicts around the globe in the 21st century, particularly since 2010, affecting millions around the world.

While noting provision 6 under Article 15, we see there is an absence of reference to the applicability, where appropriate, of international treaties and the principles and rules of international law, including the established principles of the international law of armed conflict.

This would be essential addition to Article.7, particularly when we are addressing situations of conflict. In such situations, the treaty would benefit from reiterating state obligations under both international human rights law and humanitarian law to guarantee maximum protection for individuals and communities.

We commend the effort on adding special attention to cases of business activities in conflict- affected areas in provision 4 under Article 15. But unfortunately, we see that the language is not strong enough and needs to be strengthened.

In addition, while we agree that a focus on gender-based and sexual violence is necessary in the treaty, we see that having a separate provision on this point is more appropriate than adding it to a provision that focuses on conflict-affected areas.

On provision 15.3, we are encouraged that this provision of the Zero draft is addressing concerns regarding the imbalances that states face from corporate representatives and other vested interests, and the undue influence they exert over government policies and laws.

It is particularly concerning to see how some corporate representatives and other vested interests intervene in the foreign policy making process of some countries to encourage arms sales that perpetuate conflicts in many regions, in the interests of corporate profits.

We note the text of article 15.3 reflects the proven successful example of how to address corporate conflicts of interest contained in article 5.3 of the framework convention on tobacco control.

Since Article 15.3 holds the potential to be a powerful preventive measure to defend the public policy and law-making arena from the undue influences of corporations and vested interests, we would recommend that the text of article 15.3 be moved to the section of the instrument dealing with preventative measures.

Finally, Mr. Chairperson, we recommend removing the words ‘in accordance with national law’ from article 15.3 for fear it would weaken the efficacy of this article.

I thank you.