**Articles 12, 13 & 14**

Thank you, Chairperson. I speak on behalf of the over 200 million members of the global trade union organisations: ITUC, BWI, EI, IndustriAll, ITF, IUF, PSI, and UNI.

**Article 12. Mutual Legal Assistance and International Judicial Cooperation** is crucial for the effective implementation of the Legally Binding Instrument. We believe the text requires a provision that allows state parties to refuse mutual legal assistance in good faith only. The revised draft has been improved by limiting the possibilities for refusing the recognition and enforcement of judgments (art.12.9) by removing “sovereignty” and “essential interest” as grounds for refusal. These terms were extremely broad and prone to abuse. Finally, we reiterate the need for additional measures to ensure the implementation of this article, such as conciliation procedures where a States Party complains that another does not offer mutual legal assistance.

**Article 13. International Cooperation** reinforces a general obligation to assist other States to better promote and protect human rights that runs throughout international human rights law. We reiterate our strong support for this article. When it comes to partnerships with relevant international and regional organizations and civil society, we wish to see a specific reference to trade unions. Given that we represent workers at the company, national, regional and international level, we are committed to contributing to the realization of the purpose of the Legally Binding Instrument.

**Article 14. Consistency with International Law principles and instruments** obligates States to ensure that any existing or new bilateral/multilateral agreements, “including trade and investment agreements”, are compatible with states’ human rights obligations under the Legally Binding Instrument as well as other human rights conventions and instruments. Unlike art. 12(6) of the previous draft text, this provision makes an explicit reference to trade and investment agreements. It also differentiates how this compatibility could be achieved differently for existing and new agreements. We welcome that the text has been strengthened with regard to this important aspect to give recognition to the principle of the primacy of human rights obligations over trade and investment agreements. We reiterate our proposal to include a new sub-paragraph under art.14 (5) (c) which would include the obligation to integrate binding and enforceable human rights, environment and labour clauses in trade and investment agreements. Moreover, art. 14(5) should require the inclusion of investors’ human rights obligations in trade and investment agreements.