**27/10/2020 Statement European Center for Constitutional and Human Rights (ECCHR)**

(check against delivery)

Thank you, Mr. Chair Rapporteur,

The European Center for Constitutional and Human Rights aims to hold perpetrators fo serious human abuses to account through conventional and innovative legal means. Our goal is to provide justice and redress to those affected, deter future abuse and develop the international legal framework against impunity. We are based in Berlin but work with partners around the world.

We consider the second revised draft of the treaty greatly improved and hope this session will contribute to further improve the draft.

Article 3. Scope

We recognise that article 3.3 has the benefit of “constructive ambiguity”, but nevertheless would support the removal of the reference to ratification status. This will ensure greater alignment with the UN Guiding Principles and reduce different interpretations across jurisdictions.

Article 4. The rights of Victims

We think the restructured article 4 provides for greater readability of het instruments, separating between rights of victims and the protection of the victims. In that regard, section 4.2.e could benefit from being moved to the next article.

Also, although the remedies provided in 4.2.c are non-exhaustive, it would be appropriate to further expand the non-exhaustive list of remedies and specifically include the right to truth, apologies and reinstatements.

The right of information contained in article 4.2.f would benefit from further clarification and detail of a state obligation to facilitate the access of company information. This way the article can assist in removing practical barriers that potential claimants have in terms of obtaining information about het company, the company’s exact knowledge, the nature and scope of certain internal decisions.

Thank you very much,