**Oral statement CENTRE EUROPE TIERS MONDE (CETIM)**

**Session Monday 26th afternoon (preamble, art.1 and art.2)**

Thank you Mr.Chair,

I speak on behalf of CETIM and the Global Campaign. I would like to share our comments and proposals on the Premable of the second revised draft. In general, we think that the preamble still contains problematic issues that could obstruct the effectiveness of the future Treaty and compliance with Resolution 26/9.

Between many concrete amendments and proposals that we will be sending by email, I would like to highlight four of our proposals for new paragraphs, which in our view are necessary in order to strengthen the preamble.

First of all, we propose to add a paragraph that reaffirms the primacy of human rights over investment and trade agreements.

***This paragraph would read as follows:*** *Reaffirming the primacy of International Human Rights Law over all other legal instruments, especially those related to trade and investment.*

We also suggest the addition of a paragraph relating to the obligations of TNCs with regard to their economic might and their decisive influence on the respect of human, labour and environmental rights:

***A first paragraph would be the following:*** *Stressing the growing economic might of some business entities, in particular transnational corporations, and their particular responsibility and impact on human, labour and environmental rights.*

***And the second one***: *Recalling that transnational corporations and other business enterprises of transnational character have obligations derived from international human rights law. These obligations exist independently and in addition of the legal framework in force in the host and home States.*

Finally, it is also necessary to include a reference on the issue of corporate capture, inspired by the WHO Framework Convention on Tobacco Control (article 5.3):

***Proposed new paragraph:*** *Underlining that in setting and implementing their public policies related to the regulation of TNCs with regards to human rights, State Parties shall act to protect these policies from commercial and other vested interests, and from undue interference and influence by TNCs.*

Thank you for your attention.