



Dear President,

I am privileged to speak here on behalf of 20 million workers in 154 countries who are members of Public Services International. PSI is a global trade union federation dedicated to promoting quality public services in sectors such as health care, municipal and community services, central government, water and electricity. PSI is also part of the Global Campaign to dismantle Corporate power and stop impunity.

Dear President,

Because the sectors we work in are essential in ensuring the fulfilment of many human rights, we witness first hand the violation of human rights by TNCs. Therefore, we strongly support the process of developing an international legally binding instrument as agreed in Resolution 26/9.

We welcome the ELEMENTS document and commend the dedication of the Presidency that has developed this proposal. However, Dear President, there is urgency to accelerate this process so that the denial of justice that is currently the norm is stopped. It is worrying that countries that are host to some of the largest TNCs are obstructing this process. This irresponsible action effectively results in preventable violations to occur, further denial of justice and impunity.

Dear President,

We welcome the assertion of “*the primacy of human rights obligations over trade and investment agreements*”. All over the world, governments are being challenged and exorbitant claims are demanded in secret arbitration tribunals for decisions and policies that contribute to the respect, protection and fulfilment of human rights. PSI has documented that due to the failure of privatisation to provide for essential services such as water and electricity, these services are being brought back into public hands through democratic processes. However, in several instances, these decisions have been challenged on grounds provided by trade and investment agreements. The profit motive and greed are the motivation of such claims and it is necessary that human rights be established as unquestionably superior by law.

Dear President,

As a Global Trade Union Federation, we know too well the reality of the control that exists from parent companies to subsidiaries and along their supply chains. Parent companies must have, not only an obligation to prevent and avoid violation of human rights by their subsidiaries and their supply chains, but assume liability regarding the obligations established in the binding instrument that is proposed here. This is a fundamental principle and anything short of it would be grossly inadequate to the reality of global production in which a large number of workers are involved and which are most vulnerable to recurrent violations of their human rights.

We call on member states to engage constructively in this important negotiation and deliver a strong binding treaty that puts victims at the centre and ensures effective access to justice.

Thank you Mr President.