

Thank you Mr. Chair,

I speak on behalf of the Brazilian AIDS Interdisciplinary Association. We coordinate a group of 17 NGOs in Brazil working to remove patent barriers to the access to health. We are also part of the Global Campaign to Dismantle Corporate Power, which comprises more than 250 organizations, movements and networks, at national, regional and global levels.

The Committee established by Article 15 remains a very fragile mechanism, as in the previous Draft.

It is essential to have a clear definition of the criteria for the choice of possible candidates appointed by the States to compose the Committee, which should explicitly exclude individuals linked to the business sector.

In addition to national courts, it is necessary to establish an International Court to receive individual and collective complaints.

Article 15 should include the possibility of lodging complaints against TNCs and making the Committee's recommendations binding. In this sense, we propose adding the following provisions:

***Proposed new paragraph 15.4.a.bis:** The Committee receives and considers complaints submitted by victims and affected communities concerning the activities of transnational corporations that act in contradiction to this legally binding instrument.*

***Proposed new paragraph 15.4.a.2bis:** States Parties recognize the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Treaty.*

***Proposed new paragraph 15.4.b.bis:** The decisions rendered by the Committee shall be binding and shall be followed by action by transnational corporations **and** other business enterprises **of transnational character**, States Parties and related organizations (such as a special fund for victims, administrative sanctions for the companies concerned by the decisions, etc.).*

Thank you Mr Chair