

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.

Currently in the world, billions of people don't have access to life saving treatment, because of high medicines prices. Pharmaceutical companies charge those prices because they have patent monopolies over those drugs. The result is that State cannot implement public health policies, consumers cannot purchase the medicines in private pharmacies. The pharmaceutical companies – US and EU-based – and their CEOs have left people to die in name of profits and in name of greed.

Therefore, it is fundamental that the binding instrument explicitly includes clauses on administrative, civil and criminal liability in the article 8. Criminal liability is necessary since civil convictions are not sufficient and do not act as a deterrent.

In this sense, the Treaty also needs to establish explicitly direct legal obligations for TNC in the article 8, regardless of the legal framework in effect in Host, Home or Affected States, directly or through their supply chains. This article focuses on certain crimes, which do not include violations of economic, social and cultural rights by TNC's activities.

This is key to close the gap by which TNCs scape their responsibilities in respect to Human Rights and to fulfill the mandate given by the resolution 26/9.

Thank Mr. Chairperson