

**Azərbaycan Respublikasının
Cenevrədəki BMT Bölməsi
və digərbeynəlxalq təşkilatlar yanında
Daimi Nümayəndəliyi**



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations in Geneva**

237 Route des Fayards, CH-1290 Versoix, Switzerland Tel: +41 (22) 9011815 Fax: +41 (22) 9011844 E-mail: geneva@mission.mfa.gov.az Web: www.geneva.mfa.gov.az

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**Open-ended intergovernmental working group for the elaboration of an
International Legally Binding Instrument on Transnational Corporations and other
Business Enterprises with respect to human rights,
Resolution A/HRC/26/9
Fourth Session**

Item 4

First reading of the draft legally binding instrument:

Article 10. *Legal Liability*

Article 11. *Mutual Legal Assistance and*

Article 12. *International Cooperation*

**Delivered by Mrs. Kamala Huseynli-Abishova,
Third secretary of the Permanent Mission of the Republic of Azerbaijan to the UN
Office and other International Organizations in Geneva**

October 17, 2018

Thank you Mr. Chairman,

Our remarks are made in the spirit of cooperation and with the view of improving and strengthening the draft legally binding document.

We share the concern of many other delegations regarding the definition and scope of the term “universal jurisdiction”. This is term is new and we wish to look closely into it together with you.

In line with our statements made last year, as well as this week we would like to draw your attention to the fact that sometimes violations of human rights by TNCs are taking place in times of conflict and in post-conflict situations. It is often that those violations are taking place on the territories of one state that are occupied by another state and in this case we would like to ask you to help us understand which state in this case shall

bear the responsibility for such violations and the courts of which state will be in the position to study the case of violation.

In this regard we also see the need to work on the definition of the term “business activities of transnational character” with the view to also cover such activities taking place during conflicts and in post-conflict situations, as well as on the occupied territories.

Thank you Mr. Chairman.