

**Azərbaycan Respublikasının
Cenevrədəki BMT Bölməsi
və digər beynəlxalq təşkilatlar yanında
Daimi Nümayəndəliyi**



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

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Third session of the Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with respect to human rights

STATEMENT BY THE REPUBLIC OF AZERBAIJAN

delivered by Mrs. Kamala Huseynli-Abishova, Third Secretary of the Permanent Mission of the Republic of Azerbaijan to the international organizations in Geneva

under Subject 2: Scope of Application

24 October 2017

Thank you Mr. Chairman,

The Republic of Azerbaijan reiterates its support to the process of elaborating international legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises.

As we strive to prepare such legally binding document, we are obliged to make it both precise and inclusive with a wide scope of application.

The race to revenue generation has left many business enterprises and TNCs blind to basic human rights. Particularly in conflict and post-conflict situations, private properties of the victims, including IDPs that have been forcefully expelled from their native lands are offered as accommodation options or otherwise utilized.

Natural resources belong to the people of the state that is exercising de-jure jurisdiction over the territory where they have been discovered. Deprivation of the right of permanent sovereignty of the people over natural resources shall be addressed. Some TNCs and OBEs have and are using conflict situations to involve in illegal excavations at the territory of states without their consent, with a view to exploit the natural resources.

Therefore, we believe that the legally binding instrument shall cover a wide range of protected rights including inter alia the right to property declared in article 17 of the

Universal Declaration of Human Rights and “the rights to the permanent sovereignty over natural resources” stressed in UNGA Resolution 1803 adopted in 1962.

In the past several years we have seen a rise of electronic trade. Some e-retailers and marketplaces have become more popular and powerful than many known TNCs. The e-commerce is already global in nature and has no borders. It is often that the providers of such services are virtual or have no physical presence on the territory of more than one state. The growing e-commerce is creating new opportunities, as well as challenges, including a challenge on a wide range of human rights.

Thus, the legally binding document shall also be responsive to modern trends and challenges and cover emerging global players namely TNCs and OBEs that are operating online – e-TNCs or Electronic Business Enterprises - EBEs.

Thank you.