

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



**Permanent Mission
of the Republic of Azerbaijan
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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 7: Jurisdiction**

26 October 2017

Thank you Mr. Chairman,

We agree that the elaboration of such international legally binding document under discussion is very timely. Moreover, we believe that the soonest adoption of such legal document is important.

We would like to once again draw attention to one missing link that is absent from the elements document that is the application of the legally binding document to e-retailers; we may call them eTNCs or Electronic Business Enterprises that operate online.

This is particularly important for defining jurisdiction. In this regard we would like to pose a question here as to what jurisdiction will be applied to online operating TNCs and OBEs when there are victims seeking remedy? This dimension is missing from the document and needs to be made clear to avoid further confusion.

One of the panelists mentioned that there are TNCs and OBEs that want fair and predictable environment to operate. We are glad to hear that such companies exist. However, our experience shows that unfortunately this is not true for all TNCs and OBEs, as many have and continue to use conflict situations to involve in illegal business activities.

They exploit the properties of people that are forcefully removed from their lands and natural resources that belong to those people without their prior consent. Therefore,

those people in addition to facing the violations of their property rights are deprived from benefitting from business activities conducted on their native lands.

As stated by some delegations and civil society previously, the issue of conflict situations shall be duly considered in the document. It is important to make sure those TNCs and OBEs that are violating human rights in such cases do not go unpunished.

Thank you.