**STATEMENT OF THE DELEGATION OF INDONESIA
4th Open Ended Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights**

**AGENDA ITEM I: Article 2 and Article 8**

**15 October 2018**

Mr. Chairperson,

At the outset, my delegation would like to express its appreciation again to the Chair for preparing a zero draft of a legally binding instrument on TNCs and Other Business Enterprises with Respect to Business and Human Rights much in advance allowing us to consult with relevant authorities in capital.

With regard to Article 2, Indonesia views that since the title, the focus and the subject of the treaty refers to the Transnational Corporations and Other Business and Enterprises, the terms used in article 2 and the rest of the draft treaty should be Transnational Corporations and Other Business Enterprises, instead of business activities of transnational character. Therefore, there should be a clear definition on Transnational Corporations and Other Business Enterprises, provided in the Section II, article 4 on definitions of the draft Treaty.

With regard to Article 2 point 1.c the purpose to advance international cooperation with a view towards fulfilling State’s obligations under international human rights laws is too broad. In this regard, we wish to add in the context of activities of Transnational Corporations and other Business Enterprises who have transnational character.

Mr. Chairperson,

On Article 8, we need clarification from the Chair on the scope of all human rights violations. We view that the term ’all human rights violations’ is very broad and there for need to be elaborated. In our law for example, we divide human rights violation and serious human rights violations. We view that both victims of human rights violations and serious human rights violations have the rights to remedy and access to justice, but we take more serious and urgent steps towards serious human rights violations.

I thank you.