­­ARMENIA

26 October 2020

**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 *Item 2 – General statements***

Delivered by Mr. Nairi Petrossian, Deputy Permanent Representative

Thank you, Chairperson.

We wholeheartedly congratulate the distinguished Ambassador of Ecuador upon election to the position of the Chair-Rapporteur and thank him and all his collaborators, also from the OHCHR, for the work done.

Armenia is one of those countries that had certain doubts about this initiative. In the view of our experts, many of definitions in the draft in front of us are vague, blurring and lack legal clarity. A number of the provisions in it is not in line with the logics of the legislation enacted in Armenia.

The overarching umbrella for the consideration of the Business and Human Rights work has been provided by the UN Guiding Principles on Business and Human Rights. As we are heading towards the tenth anniversary of its endorsement, we should collectively take stock of the progress achieved in the past years and reflect on the deficiencies of the framework provided.

The whole concept of the protection of human rights is based on the premise that individuals need to be protected from the encroachments, abuses and violations which first and foremost are coming from a State. As the international system of the protection of human rights has been progressively evolving, also in legal terms, an outrageous practice of outsourcing violations of human rights to private entities appeared on our horizons. Nevertheless, we are convinced that none of the business entities can commit such violations without a tacit support from or a blind eye turned upon it by a Government or a group of Governments. Hence, we come to the need to scrutinize both the operation of the Trans-National Corporations and Other Business Entities in terms of their complicity with a Government or Governments.

Armenia, furthermore, believes that whatever comes out of this exercise should be based on the foundational principle that human rights should be protected with no distinction on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Moreover, in no way or shape any of the provisions in the general context of the human rights should be taken advantage for outrageous practices of collective punishment and in no case may a people be deprived of its own means of subsistence.

With these doubts, however, Armenia decided to engage in the process. What we aim at should be realistically verifiable, implementable and enforceable, with no inherent ambiguities. We will be making certain editorial proposals in the course of the discussion, and will follow the whole process attentively.

I thank you.