

ASIAN TASK FORCE FOR BINDING TREATY

Jakarta, 27 February 2020

Subject : Legally Binding Instrument UN Human Rights Council
Encl. : 1 (annex)

To:
Hon. Seymur Mardaliyev
Counsellor

Permanent Mission of Republic of Azerbaijan
to the United Nations and other International Organisation in Geneva

Dear Sir,

We are the Asian Task Force for a Legally Binding Instrument (hereinafter the Asian Task Force), a group of local, national and international organizations that are engaging the UN processes of negotiating a legally binding treaty to hold TNCs accountable for their human rights obligations and liabilities. The Asian Task Force is a regional member of the Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity (Global Campaign).

Our group is excited and we fully welcome the active and substantive engagement by delegates during the fifth session of the Legally Binding Instrument. The various articulations by different delegations highlight our common concern over the rising cases of corporate human rights violations that underpins the necessity and urgency of the work ahead. We appreciate very much the emerging view that a human rights mechanism must be developed further both by recognizing existing standards and by setting necessary standards to the subject. Many civil society organizations, especially from affected communities, hope that a legally binding instrument, will address the existing gaps in "protecting human rights from violations and abuses of transnational corporations and other business enterprises in the course of their activities around the world", a view that was expressed by the Non-Aligned Movement (NAM). On the matter of the negotiation process, we appreciate the clear efforts of many delegations to push the process forward as we now enter the crucial negotiations phase based on a revised draft text. We hope as the process moves on to the Sixth Session, that the State-led negotiations would continue to be inclusive and open to participation and inputs from civil society and other key stakeholders.

With this letter, we are putting forward key comments and findings on the subjects which we found were importantly argued during fifth session, and, which should be negotiated again for better text especially in delineating the standard protection of human rights. We put these comments in a separate annex for reference. We thank you for your warm reception and we are looking forward to the important contributions of your delegates in the Non-Aligned Movement block into the subject in the continuing process.

Sincerely and thank you,



Rachmi Hertanti

Co-sign: Joseph Purugganan, Rachmi Hertanti, Jaybee Garganera, Tony Salvador, Mary Ann Mannahan, Manja Bayang, Teguh Maulana, other members of Asian Task Force