



General Assembly

Distr.: General
6 October 2016

Original: English

Human Rights Council
Forum on Business and Human Rights
Fifth session
14–17 November 2016
Item 1 of the provisional agenda
Agenda and organization of work

Annotated provisional agenda*

Provisional agenda

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* The present document was submitted after the deadline owing to workload constraints.



Annotations

1. Agenda and organization of work

(a) Background

The fifth annual Forum on Business and Human Rights will be held from 14 to 17 November 2016 in Geneva.

The 2016 Forum programme addresses key human rights challenges around the globe, where greater State and business leadership and leverage urgently need to be applied. Now in its fifth year – and also the fifth anniversary of the endorsement of the Guiding Principles on Business and Human Rights¹ – the 2016 Forum will examine a number of core issues and the role of the many different stakeholders along the value chain and across business relationships.

Broadly, the 2016 Forum programme reflects four key messages:

1. States should lead by example. There is an urgent need for Governments around the world to step up their efforts in policy, law and enforcement to implement the Guiding Principles. One area where government action has been lagging is with regard to the State as “economic actor”. The Forum will therefore address issues such as the conduct of State-owned enterprises, government procurement activities and the decisions and actions of public financial institutions.
2. Leadership and leverage should be exercised by all enterprises that make up the value chain (including parent companies, suppliers and financial institutions) and by all relevant company functions (from the board and legal teams to the sustainability and communication departments). It is not sufficient for attention to be focused merely on consumer-facing brands and a small number of business functions within a company. There is also a pressing need to better understand how the capital supply chain can better incentivize respect by businesses for human rights and how to create markets that reward good corporate conduct.
3. Better models of action and accountability are needed to drive respect by businesses for human rights in order for companies to play a meaningful role in implementing the global goals. Respect for human rights should be at the heart of a company’s contribution to sustainable development. Adverse human rights impact cannot be offset, and companies should first and foremost consider the effect of their core operations on people ahead of unrelated corporate philanthropy/social responsibility activities.
4. A greater effort should be made to improve access to remedy for victims of human rights abuses, and concrete action should be taken to protect those who are particularly vulnerable, such as human rights defenders, indigenous peoples, migrant workers, trafficked persons, and children, and those facing discrimination based on their gender, sexuality or disability.

¹ The Guiding Principles clarify how to implement the three pillars of the United Nations “Protect, Respect and Remedy” Framework: (a) the State duty to protect against human rights abuses by third parties, including business, through appropriate policies, regulation, and adjudication; (b) an independent corporate responsibility to respect human rights, meaning that business enterprises should act with due diligence to avoid infringing on the rights of others and to address adverse impacts with which they are involved; and (c) greater access by victims to effective remedy, through both judicial and non-judicial grievance mechanisms (see A/HRC/17/31, annex).

(b) Organization of work

The Human Rights Council established the Forum as a multi-stakeholder platform to discuss trends and challenges in the implementation of the Guiding Principles and promote dialogue and cooperation on issues linked to business and human rights. It is guided by the Working Group on the issue of human rights and transnational corporations and other business enterprises and organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It is the largest global multi-stakeholder gathering on the topic of business and human rights, attracting some 2,000 participants from all regions and stakeholder groups.

Building on the 2016 Forum, the 2017 Forum (to be held in November) will include a major focus on the third pillar of the Guiding Principles, namely, access to remedy.

The 2016 Forum will aim to hold deeper discussions and to ensure more interaction with the audience. Over three days, the Forum will provide opportunities to share perspectives and to network.

In accordance with Human Rights Council resolution 17/4, the Forum is open to all relevant stakeholder groups, including States, the wider United Nations system, intergovernmental and regional organizations, businesses, labour unions, national human rights institutions, non-governmental organizations, and other stakeholders.

The programme comprises plenary and parallel sessions, which are organized by the Working Group, OHCHR and external stakeholders. All stakeholder groups – whether they be States, representatives of civil society, enterprises or inter-governmental organizations – participate on an equal footing. By bringing together such different perspectives, the Forum offers a unique opportunity for constructive, solution-oriented discussions and respectful dialogue.

Interpretation services in English, French and Spanish will be provided for some sessions. Details will be provided in the final programme published online by the Forum dates.

The Forum will have before it the provisional agenda contained in the present document. A draft programme outline is annexed to the present document. More information and the final programme will be available on the webpage of the Forum at www.ohchr.org/2016ForumBHR.

2. Theme of the 2016 Forum: Leadership and leverage: embedding human rights in the rules and relationships that drive the global economy

In addressing the theme, the 2016 Forum will examine three main areas:

1. State leadership and leverage: discussions will focus on the need for Governments to step up their efforts to protect human rights and lead by example in their own business-related operations.
2. Business leadership and leverage: sessions will unpack the dual concepts of leadership and leverage across the company value chain and in their relationships with various stakeholders.
3. The role of financial institutions: participants will take a closer look at how human rights intersect with capital markets and explore the responsibility of financiers to drive respect.

The three areas and the key messages are captured across a number of general session headings:

- Plenaries
- State leadership and leverage
- Business leadership and leverage
- Money and finance
- New models
- Local action

3. Plenaries I and II

The plenary session on 14 November (plenary I) will address the theme of “The key importance of embedding human rights in the private sector’s contribution to the Sustainable Development Goals”.

The plenary session on 15 November (plenary II) will address the theme of “Leadership perspectives: embedding human rights in the rules and relationships that drive the global economy”.

4. State leadership and leverage

The Forum programme will include sessions on the following themes:

- Integrating human rights in international trade and investment agreements
- Lead by example: State-owned enterprises and human rights
- State regulatory approaches (part 1): the trend towards mandatory human rights due diligence
- State regulatory approaches (part 2): the practice in emerging markets
- Public financial institutions, financial regulators and human rights: innovative approaches
- Access to remedy: the perspective of victims in cross-border cases
- Government procurement: emerging practice in the apparel and electronics sectors
- Access to remedy: improving the effectiveness of State-based non-judicial grievance mechanisms
- Public procurement, human rights and sustainable development: the need for policy coherence
- Access to remedy: implementing OHCHR recommendations to address barriers to judicial remedy
- National action plans: lessons learned from existing processes, and how national action plans should address future government action
- Human rights and model clauses between government security forces and companies
- Update on the intergovernmental treaty process
- Protecting indigenous peoples in a business context: national implementation mechanisms

5. Business leadership and leverage

The Forum programme will include sessions on the following themes:

- Combating discrimination against persons with disabilities in the workplace, and the value chain
- Addressing discrimination against LGBTI persons: business leadership and leverage
- Boardroom case study: the board considers human rights challenges in a transnational commercial venture
- Responsible raw materials sourcing: collaborating along the supply chain
- How the business case for companies to respect human rights can drive change
- Business leadership on human rights in areas affected by conflict, political instability and social unrest
- Embedding human rights within a company: strategies, challenges and successes
- How accountants can assure respect for human rights and be enablers for change
- Direct linkage and leverage: practical experience and lessons for the future
- Ending business relationships: exploring disengagement in human rights due diligence
- How lawyers can help companies to better identify and respond to human rights issues
- Leadership and leverage: the role of local industry associations in driving respect for human rights
- Securing respect for human rights in the global transition to renewable energy
- Implementing the Guiding Principles in the context of land access and use: lessons across sectors
- Leadership and leverage across the supply chain: perspective of suppliers, retailers and unions
- How companies can advocate for the protection of human rights defenders and broader fundamental freedoms
- Redefining leadership: embedding human rights in management education
- Lessons in implementing the corporate responsibility to respect around the world

6. Money and finance

The Forum programme will include sessions on the following themes:

- Introduction to the world of finance and human rights
- Embedding human rights in corporate tax regimes
- Capital supply chain: how non-investors can engage better with investors on human rights
- Banks and the Guiding Principles: implementation case studies and dilemmas
- Banks (part 2)

- Leveraging the money: engaging investors, lenders and buyers to ensure effective remedy for communities
- Investors (part 2)
- Understanding the role of insurance companies vis-à-vis human rights
- Implementing the Guiding Principles in times of major political, economic or social change: focus on investment
- Unlocking new streams of funding for business and human rights
- Tainted lands: the human rights implications of corruption in land deals
- Practicing responsible business in occupied territories: the role of companies and investors

7. New models

The Forum programme will include sessions on the following themes:

- Benchmarking: leveraging transparency to drive business respect for human rights in supply chains
- Decent work in global supply chains: the way forward after the 2016 International Labour Conference
- Embedding gender in the business and human rights agenda
- Re-imagining supply chain initiatives to drive impact
- Tackling human trafficking through business and government partnerships under the Bali Process
- ACT initiative: how brands, manufacturers and trade unions are working together for a living wage in garment supply chains
- Unpacking the case for the living wage in law, practice and commerce
- Labour migration in supply chains: combating forced labour and human trafficking
- The practical leverage of law for corporate groups structures, governance and human rights: stumbling blocks or building blocks?
- Eradicating worker-paid recruitment fees
- Changing commercial practices to enable human rights in perishable supply chains
- Supporting small and medium-sized enterprises to meet their responsibility to respect human rights

8. Local action

The Forum programme will include sessions on the following themes:

- Lessons from the field when implementing human rights impact assessments
- Using leverage to forge leadership: indigenous peoples' rights in business operations
- Local leadership and collective action: addressing human rights issues in a South African gold mining region

- How many more killings and threats? Solutions to protect human rights defenders working on extractives in Latin America
- Soda giants, land and good practice: lessons from a land conflict in Brazil
- Advancing national action plans: “Global South” civil society perspectives
- Leadership and leverage: the role of local industry associations in drive respect for human rights
- Access to remedy: challenges and opportunities of non-State-based grievance mechanisms

9. Conclusion: plenary III

Participants in the closing plenary on 16 November (plenary III) will take stock of the three days of Forum discussions and key action points, and set the direction for future discussions on business and human rights.

Annex

Draft Forum Programme (subject to change)

Monday 14 November

8 a.m. – **Networking coffee:** to be confirmed
10 a.m.

8.30-9.30 a.m.: Breakfast sessions

Introduction to **the world of finance and human rights** **Benchmarking:** leveraging transparency to drive business respect for human rights in supply chains

10 a.m. – **Plenary I: Embedding human rights in the private sector's contribution to the Sustainable Development Goals**
– 11.20

11.20 – Break
11.40

11.40 – Embedding human rights
1 p.m. in **corporate tax regimes**

Decent work in global supply chains: the way forward after the 2016 International Labour Conference

Embedding **gender** in the business and human rights agenda

Capital supply chain: how non-investors can engage better with **investors** on human rights

Banks and the Guiding Principles: implementation case studies and dilemmas

1 p.m. – Lunch break
3 p.m.

1.200-2.40 p.m.: Lunch sessions

Re-imagining supply chain initiatives to drive impact

Combating discrimination against **persons with disabilities** in the workplace and value chain

Tackling **human trafficking** through business and government partnerships under **the Bali Process**

Banks (part II)

3 p.m. – Lessons from the field
4.20 when implementing
p.m. **human rights impact assessments**

ACT initiative: how brands, manufacturers and trade unions are working together for **a living wage** in garment supply chains

Addressing discrimination against **LGBTI persons**

Investors (part II)

Integrating human rights in **international trade and investment agreements**

Monday 14 November

4.20 – Break

4.40
p.m.

4.40 – 6 p.m.	Labour migration in supply chains: combating forced labour and human trafficking	Unpacking the case for the living wage in law, practice and commerce	Leveraging the money: engaging investors, lenders and buyers to ensure effective remedy for communities	Understanding the role of insurance companies vis-à-vis human rights	Implementing the Guiding Principles in times of major political, economic or social change: focus on investment
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6.15 **Evening events:**

p.m. The True Cost (documentary screening)

Tuesday 15 November

8 – **Networking coffee:** to be confirmed
9 a.m.

9 – 10.20 a.m.	State regulatory approaches (part 1): the trend towards mandatory human rights due diligence	Lead by example: State-owned enterprises and human rights	Responsible raw materials sourcing: collaborating along the supply chain	Boardroom case study: the board considers human rights challenges in a transnational commercial venture	Unlocking new streams of funding for business and human rights
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10.20 – Break
10.45
a.m.

10.45 – **Plenary II: Leadership perspectives: embedding human rights in the rules and relationships that drive the global economy**
12.45

12.45 – Lunch break
3 p.m.

1.20-2.40 p.m.: Lunch sessions

How the “**business case**” for companies to respect human rights can drive change

Business leadership on human rights in areas affected by **conflict, political instability and social unrest**

Embedding human rights within a company: strategies, challenges and successes

How **accountants** can assure respect for human rights and be enablers for change

3 – 4.20
p.m.

State regulatory approaches (part 2): **the practice in emerging markets**

Public financial institutions, financial regulators and human rights: innovative approaches

Using leverage to forge leadership: **indigenous peoples’ rights** in business operations

Direct linkage and leverage: practical experiences and lessons for the future

The practical **leverage of law** for corporate groups structures, governance, and human rights: stumbling blocks or building blocks?

4.20 – Break
4.40
p.m.

4.40 – 6
p.m.

Access to remedy: victims’ perspectives in cross-border cases

Tainted lands: the human rights implications of **corruption in land deals**

Eradicating worker-paid recruitment fees

Ending business relationships: exploring disengagement in human rights due diligence

How **lawyers** can help companies to better identify and respond to human rights issues

6.15
p.m.

Evening event / reception – to be confirmed

Wednesday 16 November

7.30 – 8.20 a.m.	Networking coffee – to be confirmed				
8.20 – 9.40 a.m.	Government procurement: emerging practice in the apparel and electronics sectors	Access to remedy: improving the effectiveness of State-based non-judicial mechanisms	Leadership and leverage: the role of local industry associations in driving respect for human rights	Securing respect for human rights in the global transition to renewable energy	Implementing the Guiding Principles in the context of land access and use: lessons across sectors
9.40 – 10 a.m.	Break				
10 – 11.20 a.m.	Public procurement, human rights and sustainable development: the need for policy coherence	Access to remedy: implementing OHCHR recommendations to address barriers to judicial remedy	How many more killings and threats? Solutions to protect human rights defenders working on extractives in Latin America	Leadership and leverage across the supply chain: perspective of suppliers, retailers and unions	Local leadership and collective action: addressing human rights issues in a South African gold mining region
11.20 – 11.40 a.m.	Break				
11.40 – 1 p.m.	National action plans: lessons learned from existing processes and how national action plans should address future Government action	Practicing responsible business in occupied territories: the role of companies and investors	How companies can advocate for the protection of human rights defenders and broader fundamental freedoms	Changing commercial practices to enable human rights in perishable supply chains	Soda giants, land and good practice: lessons from a land conflict in Brazil
1 – 3 p.m.	Lunch break	1.20-2.40 p.m.: Lunch sessions			
		Human rights and model clauses between government security forces and companies	Update on the treaty process	Redefining leadership: embedding human rights in management education	Lessons in implementing the corporate responsibility to respect around the world
3 – 4.20 p.m.	Supporting small and medium-sized enterprises in meeting their responsibility to	Access to remedy: the challenges and opportunities of non-State-based grievance mechanisms	Protecting indigenous peoples in a business context: national implementation	Leadership and leverage: the special challenges of Big Data	Advancing national action plans: “Global South” civil society perspectives

Wednesday 16 November	
	respect human rights mechanisms
4.20 – 4.40 p.m.	Break
4.40 – 6 p.m.	Plenary III: Summing up and looking ahead to 2017 and beyond
