



General Assembly

Distr.: General
18 September 2017

Original: English
English, French and Spanish only

Human Rights Council
Forum on Business and Human Rights
Sixth session
27-29 November 2017
Item 1 of the provisional agenda
Agenda

Annotated provisional agenda

Provisional agenda

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Annotations

1. Agenda

The overall theme of the 2017 annual Forum on Business and Human Rights, being held from 27 to 29 November 2017 at the Palais des Nations in Geneva, is “Realizing access to effective remedy”.

The programme for the Forum includes a series of sessions dedicated to the overall theme, as well as sessions that will take stock of broader trends and developments in the area of business and human rights. The first day will focus mainly on broader trends and developments, while the second and third days will focus on practical experiences, practice, challenges, innovations and ways forward to achieve access to remedy for victims of business-related human rights abuse.

The programme will include two plenary sessions (the opening and closing sessions) and more than 60 “parallel” sessions organized in simultaneous tracks throughout the three days. A detailed programme will be made available on the Forum web page.¹

The Forum was established by the Human Rights Council in 2011 to discuss trends and challenges in the implementation of the Guiding Principles on Business and Human Rights and promote dialogue and cooperation on issues linked to business and human rights, including challenges faced in particular sectors, operational environments or in relation to specific rights or groups, as well as identifying good practices (see Council resolution 17/4, para. 12). It has become the world’s largest annual global gathering on the issue of business and human rights, with the past two sessions attracting some 2,000 participants each, up from around 1,000 participants at the first Forum in 2012.

The Forum is guided and chaired by the Working Group on the issue of human rights and transnational corporations and other business enterprises, pursuant to Human Rights Council resolution 35/7 (para. 9), and is organized by the Working Group’s secretariat at the Office of the United Nations High Commissioner for Human Rights (OHCHR).

Parallel sessions are organized by the Working Group, by OHCHR and by external organizations, based on extensive consultations as well as some 160 session proposals received.

2. Forum theme: “Realizing access to effective remedy”

Under the overall theme “Realizing access to effective remedy”, the Forum will examine gaps and shortcomings in existing efforts as well as emerging good practices and innovations to ensure access to effective remedy. Discussions will cover the full range of mechanisms envisaged under the third pillar of the Guiding Principles: State-based judicial mechanisms, State-based non-judicial grievance mechanisms, and non-State-based grievance mechanisms (including those involving companies, industry bodies, multi-stakeholder initiatives and regional and international institutions).

The Forum aims to facilitate constructive dialogue that is action-oriented and is aimed at identifying concrete solutions and commitments from actors in a position to advance change and overcome existing challenges and barriers to effective implementation of the third pillar. It provides a platform to feature new ideas and practice-based perspectives.

The Forum brings together all stakeholder groups, including victims, human rights defenders, community and workers’ organizations, civil society from all regions, governments, national human rights institutions, business associations, companies, lawyers and investors. In doing so, it provides a unique opportunity to explore common ground and practical solutions to ensure more effective access to remedy.

¹ See www.ohchr.org/2017ForumBHR.

Further explanation of the theme and the pre-Forum dialogue

Further explanation of the focus, aims, context and key considerations for the 2017 Forum is outlined in a background note by the Working Group.² In order to facilitate pre-Forum dialogue around the themes and topics of the 2017 Forum, the Working Group has also launched a “Forum blog series”.³

Moreover, the Forum secretariat has undertaken a mapping of ongoing research and projects linked to access to remedy in the area of business and human rights. All stakeholders were encouraged to submit brief information about ongoing or planned research and projects for 2017-2018 related to this issue.⁴

3. Tentative list of topics

The Forum sessions will cover a wide range of topics and issues. Discussions linked to the remedy theme — reflecting the complexity and breadth of issues related to implementation of the Guiding Principles’ third pillar — will include topics such as:

- Mapping the landscape of grievance mechanisms
- Trends and challenges in seeking access to remedy in different regions
- Exploring elements of effective remedy, including through the perspectives of victims
- Experiences of indigenous peoples in seeking access to remedy
- Trends in supply chain-related regulation and litigation
- Global governance frameworks, trends and innovations for leveraging more effective access to remedy
- Exploring collaborative approaches in industry and in multi-stakeholder initiatives to strengthen access to remedy
- Using leverage to advance access to remedy through business relationships by exploring innovations in the International Labour Organization’s Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)
- National action plans and access to remedy
- Access to remedy and the proposed legally binding instrument
- The State-business nexus and access to remedy
- The international investment regime and access to remedy
- Improving effectiveness of State-based judicial and non-judicial mechanisms
- Lessons from cross-border cases and efforts to strengthen cross-border law enforcement collaboration
- Lessons from State-based peer review processes for strengthening access to non-judicial remedy
- How to make operational-level grievance mechanisms work
- The power of stakeholder dialogue and company-community-government engagement to achieve access to remedy for victims
- Remedy in post-conflict and transition contexts
- Addressing access to remedy in the digital age

² See A/HRC/FBHR/2017/2.

³ See <http://blog.journals.cambridge.org/2017/09/14/launch-of-the-2017-un-forum-on-business-and-human-rights-blog-series-realizing-access-to-effective-remedy/>.

⁴ See www.ohchr.org/Documents/Issues/Business/ForumSession6/MappingA2Rprojects7April.pdf.

- Technology platforms and access to remedy in complex supply chains
- Exploring pro bono legal support for stakeholders affected
- The role of benchmarks in driving access to remedy
- The role of investors in driving better remediation in supply chains
- Access to remedy and the corporate boardroom
- The role of corporate counsel in the context of human rights disputes
- Roles and perspectives of human rights defenders
- Migrant workers and access to remedy
- Children at risk and access to remedy
- Access to remedy for women affected by large-scale investments
- Access to remedy for women affected by sexual abuse in the workplace
- Compensation for victims of industrial supply chain accidents
- Access to remedy and efforts to address modern slavery in supply chains
- The role of mediation in achieving effective access to remedy
- Independent accountability mechanisms as forums to achieve effective remedy
- The role of regional human rights systems

The Forum's plenary and other sessions will also address broader policy trends and consider the role of the business and human rights movement in today's political and social contexts. In doing so, the Forum will explore how the business and human rights lens can help tackle some of today's greatest human rights challenges, whether linked to the workplace, global supply chains, domestic economies or particular sectors, and will provide a transformative vision of the role of the business sector in achieving sustainable development. This includes exploring strategies and forging coalitions between stakeholders to defend human rights and implement the Guiding Principles.

The 2017 Forum aims to facilitate broad stocktaking of developments in the area of business and human rights by also addressing issues such as:

- Where is State action on business and human rights heading?
- What is the state of play of business implementation of the responsibility to respect, including across supply chains and among smaller and medium-sized enterprises?
- What is needed to ensure that respect for human rights becomes the bedrock for private sector contributions to the Sustainable Development Goals?
- How can we ensure that human rights defenders working on corporate accountability issues are protected and supported and how can business play a positive role in this regard?

Moreover, the Forum will feature sessions for newcomers to familiarize themselves with the Guiding Principles, including sessions introducing the "landscape" of remedy mechanisms and how the Guiding Principles intersect with the Sustainable Development Goals.

4. Conclusion and follow-up

The closing plenary, on 29 November 2017, will aim to "connect the dots" between the wide-ranging Forum discussions in order to chart out next steps needed to achieve coherent and concerted action to strengthen access to remedy and accountability, in line with the third pillar of the Guiding Principles on Business and Human Rights.

A report on key messages and reflections from the 2017 Forum will be prepared by the Working Group and be presented to the Human Rights Council in June 2018.