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Forum on Business and Human Rights

Third session

Item 1 of the provisional agenda

Agenda and organization of work

2 – 3 December 2014

Provisional agenda and annotations

Note by the Secretariat

Provisional agenda

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5. Conclusion: Strategic paths forward and next steps for the global business and human rights regime.



Annotations

1. Agenda and organization of work

Venue

Pursuant to Human Rights Council resolutions 17/4 and 26/22, the third annual meeting of the Forum on Business and Human Rights will be held in Geneva from 1 to 3 December 2014. The first day will be dedicated to the presentation of new tools and experience.

The Forum will have before it the provisional agenda contained in the present document. A tentative schedule of work for the session is contained in annex I.

Opening

The President of the Human Rights Council will open the Forum and introduce the Chairperson, who will preside over the plenary sessions. Statements will then be made by the United Nations High Commissioner for Human Rights and the Chairperson of the Working Group on the issue of human rights and transnational corporations and other business enterprises.

Documentation

A list of documents for the session is provided in annex II. A more detailed programme of work will be made available in advance on the Forum website (www.ohchr.org/EN/Issues/Business/Forum/Pages/2014ForumOnBusinessandHumanRights.aspx).

Trends and challenges in the implementation of the Guiding Principles and multi-stakeholder dialogue

Pursuant to Human Rights Council resolutions 17/4 and 26/22, participants in the annual Forum on Business and Human Rights will discuss trends and challenges in the implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. The Guiding Principles were unanimously endorsed by the Human Rights Council in June 2011.

The Forum is intended to promote dialogue and cooperation on issues linked to business and human rights among all relevant stakeholders.

Following the presentations and panel introductions at the beginning of each session, the floor will be opened for discussion, to which all participants will be invited to contribute, subject to the time available.

2. A comprehensive and coherent global approach to advancing business and human rights: alignment, adherence and accountability

The Working Group on Business and Human Rights is charged with the task of promoting the dissemination and implementation of the Guiding Principles globally. It was mandated to guide the annual Forum by the Human Rights Council in its resolutions 17/4 and 22/26.

The Working Group considers the Forum a key vehicle for pursuing and reinforcing its central strategic considerations, including with regard to support for the development by

States of national action plans to implement the Guiding Principles; tracking business uptake and exploring ways to broaden and deepen implementation of the corporate responsibility to respect human rights; exploring options to promote increased access to effective remedy; and advocating the incorporation of the Guiding Principles into global governance structures with a view to strengthening the global business and human rights architecture.¹

A cross-cutting strategic concern for the Working Group is the necessity of providing platforms for multi-stakeholder dialogue. The mandate of the Forum underscores the importance of engaging all relevant stakeholders as strategic actors to effectively contribute to global efforts to promote the implementation of the Guiding Principles. To the extent possible, panels include speakers from States, business enterprises and civil society. The Forum presents an opportunity to build a common understanding, as well as to engage in a constructive exchange on current challenges and to identify possible good practices.

The plenary and parallel sessions of the Forum will address ways to advance a more comprehensive and coherent global approach to business and human rights, encouraging the alignment of key initiatives and actors, and promoting greater adherence and accountability with regard to the implementation of the Guiding Principles.

A key factor in tackling the challenges inherent in the rapidly evolving field of business and human rights is ensuring that emphasis is placed on all three pillars of the Guiding Principles (protect, respect, remedy). The agenda of the 2014 Forum reflects this important premise, ensuring that most panels incorporate a dimension of each pillar.

The 2014 Forum will continue to offer training sessions on the Guiding Principles, as well as platforms for sharing tools and examples. It will also address challenges faced in particular sectors, operational environments or in relation to specific rights or groups.

3. Plenary sessions

Leadership view on business and human rights: what next and how?

The high-level opening plenary session of the Forum will take a sweeping look at the strategic considerations and leadership challenges for moving towards comprehensive, coherent and convergent global implementation of the Guiding Principles, and integration of respect for human rights in business and the global economy.

Participants will have the opportunity to take stock collectively of current progress, to assess future prospects and to discuss continuing challenges, as well as to consider relevant new institutional developments. There will be a focus on the roles of respective stakeholders in overcoming current governance gaps with respect to the human rights impact of transnational corporations and other business enterprises.

Keynote speakers will set out a vision for more responsible and sustainable business and economic models that protect, respect and help to contribute to the realization of human rights, as well as promote inclusive growth and equitable economic development. It is intended that the overall discussions will link to current debates concerning inequality and inequity in the global economy at a time when a significant shift in economic thinking is under way.

Speakers will have an opportunity to share their own stories, practical experiences and lessons on how to move from vision to implementation of the Guiding Principles and

¹ See A/HRC/20/29 and A/HRC/26/25, paras. 10–51.

towards organizational transformation. Starting out from a set of key principles, they are expected to outline a range of ideas and suggested actions to more effectively lead, govern and manage the integration of human rights into business. Emerging trends will be highlighted, as well as current status and perceptions of the integration of respect for human rights in business and the implementation of the Guiding Principles.

4. Parallel sessions: Moving forward on business and human rights: initiatives, interaction and governance arrangements

Under the present agenda item, the Forum will break into parallel sessions, focused on practical steps taken by relevant stakeholders and the current state of play with regard to implementation and uptake of the three pillars of the Guiding Principles and its “protect, respect and remedy” framework.

Discussions will be solutions-oriented, seeking to integrate lessons learned, to identify possible good practices and to explore initiatives, interactions and governance arrangements. Through a combination of effective case studies, insights on the latest thinking and evidenced-based frameworks, participants will learn what works.

Parallel sessions will be organized into separate tracks to reflect the three pillars of the Guiding Principles (with the addition of a fourth track for participatory side events). Noting that there are areas where the pillars overlap, for example in access to remedy (cross-cutting) and in relation to affected individuals and communities (embedded within all three pillars), there will be an emphasis throughout the discussions on fostering productive interactions and dynamic links between the different actors and institutions, as well as horizontal linkages within States, organizations and business enterprises. In some sessions, there may be a focus on specific sectors, issues and vulnerable groups.

It is also envisaged that, during the segment, the Forum will consider how it can best promote multi-stakeholder dialogue and encourage effective partnerships in the area of business and human rights. Discussions will be aimed at contributing to an understanding of challenges and opportunities across stakeholder groups, thereby laying the ground for greater dialogue, enhanced cooperation and joint action.

Sessions will aim to highlight the following:

Pillar 1: State duty to protect human rights. Efforts by States to implement the State duty to protect against business-related human rights impacts through appropriate policies, regulation and adjudication, as well as initiatives to develop regional and national action plans for the implementation of the Guiding Principles, and support for multi-stakeholder dialogue and partnerships.

Pillar 2: Corporate responsibility to respect human rights. Efforts by business enterprises and other actors in the business sector to advance the implementation of the corporate responsibility to respect human rights: conducting due diligence (including as it relates to stakeholder consultation and engagement with affected persons and communities), addressing negative impacts and enabling remediation. Practitioners will share real-world experiences, and sessions will address both conceptual and management challenges for business, such as dealing with non-compliant States, convincing senior leadership that human rights should be integrated into core business, and overcoming the rationality constraints under which corporate commercial actors have to operate in order to adapt to the forces of competition in globally integrated markets.

Pillar 3: Access to effective remedy for victims of business-related human rights abuses. Participants will have the opportunity to consider ways of developing a

more coherent and consistent approach to enhancing access to judicial remedy, as well as key issues and trends relating to non-judicial grievance mechanisms.

5. Conclusion: Strategic paths forward and next steps for the global business and human rights regime

In the closing plenary, the discussion will focus on strategic opportunities and next steps for scaling up implementation of the Guiding Principles by States, business and other stakeholders. The Chairperson of the Forum and selected speakers will summarize some of the essential components required for a comprehensive, coherent and convergent global business and human rights regime, and will put forward proposals for priorities and key issues to be addressed in 2015. In doing so, links will be made with forthcoming intergovernmental deliberations on a new legal instrument on transnational corporations and other business enterprises with respect to human rights, pursuant to Human Rights Council resolution 26/9. Finally, the Working Group will deliver its closing remarks, including reflections on the collective learning generated by the Forum in terms of stakeholders' experiences, good practices discussed, and the challenges and solutions identified.

Annex I

Schedule of work (to be confirmed)

	<i>Pre-event: Practitioners' day</i> <i>Monday, 1 December 2014</i>	<i>Day one</i> <i>Tuesday, 2 December 2014</i>	<i>Day two</i> <i>Wednesday, 3 December 2014</i>
10 a.m. – 1 p.m.	Platform for Training, tools and resources	Opening session: high-level plenary and plenary sessions	Parallel sessions (4 tracks) 1. State duty to protect 2. Corporate responsibility to respect 3. Access to remedy 4. Side events
1 p.m. – 3 p.m.	Lunch (side events/training sessions may be held during this time slot)	Lunch (side events/training sessions may be held during this time slot)	Lunch (side events/training sessions may be held during this time slot)
3 p.m. – 6 p.m.	Parallel workshops focused on practical experiences and case studies (organized by the Working Group in collaboration with other stakeholders)	Parallel sessions (4 tracks)	Parallel sessions continued
5 p.m. – 6 p.m.			Closing session: high-level plenary and closing remarks

Annex II

Documents before the third annual Forum on Business and Human Rights

<i>Symbol</i>	<i>Title</i>
A/HRC/FBHR/2014/1	Provisional agenda and annotations
A/HRC/FBHR/2014/2	Concept note by the Working Group on the issue of human rights and transnational corporations and other business enterprises
