



2ND UN FORUM ON BUSINESS AND HUMAN RIGHTS IN EASTERN EUROPE AND CENTRAL ASIA

"BEYOND VOLUNTARY: BUSINESS DOING RIGHT FOR PEOPLE AND THE PLANET."

11-12 NOVEMBER 2021 / ONLINE

DRAFT PROGRAMME

DAY 1

Thursday, 11 November 2021/Central European Time (CET)

09:00 – 09:30 *Introduction to UN Guiding Principles on Business and Human Rights*

Objective: Unanimously endorsed by the Human Rights Council in 2011, the UN Guiding Principles on Business and Human Rights (UNGPs) provide a framework to address and improve human rights standards in the business sector. They define the State's duty to protect human rights in business operations, the business' responsibility to respect human rights, and for both to provide remedies when violations occur. This optional session will give a quick introduction to the UNGPs ahead of the Forum.

Presenters:

- **Siniša Milatović**, *Business and Human Rights Specialist, UNDP*
- **Harpreet Kaur**, *Business and Human Rights Specialist, UNDP Asia-Pacific Regional Centre*

OFFICIAL START OF THE FORUM

09:00 – 09:35 Registration and introduction of the Forum platform

09:35 – 10:20 *High-Level Opening Plenary - Business and Human Rights Agenda in 2021: Global Trends*

Objective: The session will set the stage of the event and present the objectives of the 2nd UN Forum on Business and Human Rights as a key regional platform for dialogue and exchange on the BHR agenda. The keynote remarks will help frame the meeting's discussions around priority issues in globally responsible business practice, emphasizing growing momentum worldwide, especially in Europe, towards improving corporate human rights performance through mandatory human rights due diligence.

Moderator: **Robert Bernardo**, *Governance and Peacebuilding Team Leader, UNDP Istanbul Regional Hub*

Speakers:

- **Gerd Trogemann**, *Manager, UNDP Regional Hub for Europe and Central Asia*
- **Surya Deva**, *Chair, United Nations Working Group on Business and Human Rights*
- **Ella Skybenko**, *Eastern Europe/Central Asia Senior Researcher & Representative, Business and Human Rights Resource Center*
- **Renate Hornung-Draus**, *Vice-President, International Organisation of Employers*
- **Javier Martín Cerracín**, *Policy Officer, Human Rights Division, European External Action Service*

10:20 – 10:35 Q & A

10:35-10:40 Break

10:40– 11:20 *Session I – Setting the scene: Regional BHR trends, challenges, and opportunities*

Objective: Based on the soon to be released ***UNDP Scoping Study findings on the Implementation of UNGPs in Eastern Europe and Central Asia***, the session is expected to provide a deep dive and reflection on critical regional and national trends in the BHR agenda. The research team will present the regional trends and recommendations for addressing those, including persistent discrimination and violation of labor rights, emerging push for mandatory human rights due diligence, the increasing roles of trade unions, extractive industries and State-Owned Enterprises and challenges of shrinking civic space for human rights defenders.

Moderator: **Ainura Bekkoenova**, *Policy Specialist on Rule of Law, Security and Human Rights, Governance and Peacebuilding, Istanbul Regional Hub*

Presenters:

Presentation of **UNDP scoping study on the Status of the Implementation of the UNGPs on Business and Human Rights (B+HR) in Eastern Europe and Central Asia** (*The study provides a summary of the status of B+HR in the ECIS region, outlining general developments and emerging issues and trends, including reflections on government, civil society, and private sector responses to COVID-19, and the potential impact of the upcoming directive by the European Union introducing mandatory human rights and environmental due diligence on the promotion of B+HR regionally. The study also provides recommendations for UNDP regarding opportunities and potential strategic entry points for advancing the B+HR agenda at the country and regional levels*)

Research Team:

- **Beata Faracik**, *LL.M., BHR Expert, President of the Board of the Institute for Human Rights and Business, Poland*
- **Prof. Jernej Letnar Čerňič**, *Professor of Constitutional Law & Human Rights, Ljubljana, Slovenia*
- **Olena Uvarova**, *Ph.D., Associate Professor, Chair of the International Business and Human Rights Lab, Yaroslav Mudryi National Law University, Ukraine*

Reflections on linkages of regional to global trends and issues:

- **Dante PESCE**, *Director, Center Vincular at Catholic University of Valparaíso, Chile (Former Member of the UN Working Group on Business and Human Rights and leader of the Stocktaking exercise and Next decade roadmap project)*

11:20 – 11:35 Q & A

11:35 – 11:40 Break

11:40 – 12:40 *Session II – The State duty to protect human rights in a business context in Eastern Europe and Central Asia*

Objective: The session will allow participants to review the progress made by states in the region in developing a comprehensive national business and human rights policy. Government representatives and civil society organizations from the region and beyond will present their experiences and lessons learned in developing national action plans on human rights and baseline assessments. The discussion will also center around recommendations on promoting NAPs and NBAs as means to implement the UNGPs in the region, including the measures on strengthening respective roles of Governments, civil society, and businesses.

Moderator: **Livio Sarandrea**, *Global Business and Human Rights Adviser, UNDP*

Presenters:

- **Fabrizio Petri**, *President, Inter-Ministerial Committee for Human Rights, Italy*
- **Niko Tatulashvili**, *Adviser to the Prime Minister on Human Rights, Georgia*
- **Mirela Geko**, *Lead Project Manager, Institute for Youth Development KULT, Bosnia and Herzegovina*
- **Nareeluc Pairchaiyapoom**, *Director, International Human Rights Division, Ministry of Justice, Thailand*
- **Olena Stepanenko**, *Representative of the Commissioner on Economic and Social Rights, Ukraine*

12:40-13:00 Q & A

13:00 – 13:30 Break

13:30 – 14:20 *Session III - The onset of mandatory human rights due diligence in the EU and its member states: The implications for Eastern Europe and Central Asia*

Objective: Recent years have seen several European member states adopt mandatory human rights due diligence laws, such as Netherlands, Norway, Germany and France. The EU itself is developing legislation on the subject, which is expected to be adopted later this year or in 2022. The implications of these laws for the region and its businesses stand to be significant, given their close ties to the EU and its market. This session will explore the economic, legal, and policy implications of these laws and the trend for greater regulation of business impacts on human rights.

Moderator: **Siniša Milatović**, *Business and Human Rights Specialist, UNDP*

Presenters:

- **Heidi Hautala**, *MEP, Vice President of the European Parliament & Chair of the EP Working Group on Responsible Business Conduct*
- **Wolfgang Bindseil**, *Head, Business and Human Rights Division, Federal Foreign Office, Germany*
- **Tomislav Ivančić**, *Advisor, Global Value Chains, Responsible Business and Investment, FAO*
- **Julie Vallat**, *Vice President for Human Rights, L’Oreal*
- *Additional speaker, tbc*

14:20 – 14:40 Q & A

14:40 – 14:45 Break

14:45 – 15:45 *Session IV – Joint session by the International Organisation of Employers and the Global Business Initiative "What mandatory human rights due diligence will mean for you: a discussion with businesses."*

Objective: With mandatory human rights and environmental due diligence (mHREDD) increasingly the direction of travel, companies around the world will need to be prepared for further regulatory requirements. This session will explore current national frameworks with an eye towards national and regional mHREDD legislation. Even if companies are not directly covered by the different legislation, they will be affected as it will impact supply chain management and requirements by buyers within the direct scope of the legislation. This session will offer practical insights for businesses on how to prepare themselves for the changing legal landscape.

14:45 Welcome and introduction

14:50 The changing legal landscape and what that means for business

Moderator: **Sophia Areias**, *Director, Global Business Initiative on Human Rights*

- **Dr. Thomas Volland**, *Partner, Clifford Chance*
- **Åsne Burgess Øyehaug**, *Global Sustainability Manager-Group Sustainability, Norsk Hydro ASA*
- **Elaine McKay**, *International Affairs Director, JTI*

15:15 Views from the Region

Moderator: **Gabriella Rigg Herzog**, *Chair of the IOE Policy Working Group on Human Rights and Responsible Business Conduct, International Organisation of Employers*

- **Mile Boskov**, *Executive President, Business Confederation of Macedonia*
- **Anna Devdariani**, *Legal Department of the Georgian Employers' Association (GEA)*,

15:35 - 15:50 Q&A

15:50-16:00 *Wrap-up of Day 1*

DAY 2

Friday, 12 November 2021/Central European Time (CET)

09:00 – 09:10 Opening of Day 2

09:10 - 10:00 *Session V – Access to remedy and shrinking civic space*

Objective: The session will allow participants to reflect on measures to protect human rights defenders facing reprisal and intimidation for their efforts to provide victims of business-related abuses in the region with a remedy. The focus will be on the shrinking civic space impacting those seeking to shine a spotlight on human rights abuses by businesses. The tools and measures that promote effective State-based judicial mechanisms, State-based non-judicial grievance mechanisms, and non-State-based grievance mechanisms to business-related human rights abuses will also be reviewed and discussed.

Moderator: **Luis Rodriguez-Pinero Royo**, *Human Rights Officer, OHCHR*

Presenters:

- **Sergey Solyanik**, *Consultant, Crude Accountability, Kazakhstan*
- **Umida Niyazova**, *Executive Director, Uzbek Forum for Human Rights, Uzbekistan*
- **Nodira Abdulloeva**, *Human Rights Center, Tajikistan*
- **Victoria Marquez-Mees**, *Chief Accountability Officer & Managing Director, European Bank for Reconstruction and Development*
- **Yan Feldman**, *President, Council for Preventing and Eliminating Discrimination and Ensuring Equality, Moldova*

10:00-10:20 Q & A

10:20 – 10:25 Break

10:25-11:20 *Session VI – The impact of extractive industries on the environment and human rights*

Objective: Abuses by the extractive companies, such as in mines and oil fields, reportedly include severe environmental impacts and the creation of hazardous working conditions, which often go unaddressed and unremedied across the region. There is a lack of attention to the human rights impact of state-owned enterprises (SOEs), which have a significant presence in the region's key economic sectors, including energy, mining, agriculture, transport, and construction. The traditional preferential regulatory treatment and direct subsidization of SOEs result in these companies focusing less on environmental and human rights due diligence in their operations. The session will explore the status of human rights impacts of these actors, such as extractive industries and the state-owned enterprises in the region, and reflect on the measures to strengthen their positive roles in UNGPs implementation.

Moderator: **Laura Altinger**, *Nature, Climate Change and Energy Team Leader, UNDP Istanbul Regional Hub*

Presenters:

- **Ashley Reynolds**, *Research Assistant, Eastern Europe & Central Asia, Business and Human Rights Resource Center*
- **Kety Gujaraidze**, *Policy Analyst, Green Alternative, Georgia*
- **Inga Zarafyan**, *President, EcoLur Network, Armenia*
- **Maryna Kupchuk**, *Head, Secretariat of OECD National Contact Point, Ukraine*
- **Duman Mussin**, *Head, Organizational and Sustainable Development Unit, KMG, Kazakhstan*

11:20-11:40 Q & A

11:40 – 11:45 Break

11:45 – 12:40 Session VII - Persistent discrimination and inequality in business practices in the region

Objective: The persistent gender inequality and intolerance towards vulnerable groups, which are reflected in business practices and corporate relations, remain a significant challenge for the region. During this session, participants will reflect and exchange on issues of intersectional discrimination and differentiated impacts experienced by specific population groups, such as women, youth, migrant workers, persons with disabilities, LGBTQI+, the Roma, and people living with HIV/AIDS in the context of business activities. The session will also facilitate an action-oriented discussion on human rights and gender-based approaches that States, business enterprises, and other stakeholders could use to advance gender equality and inclusion in Eastern Europe and Central Asia.

Moderator: *Blerta Cela, Deputy Regional Director, ECA, UN Women*

Presenters:

- **Robert Gajda**, *Commissioner for Protection from Discrimination, Albania*
- **Amarildo Fecanji**, *Executive Co-Director, LGBTI Equal Rights Association for Western Balkans and Turkey*
- **Annie Van Klaveren**, *Consultant, ILO*
- **Alexandr Curaşov**, *Executive Director, CSR Business Association, Moldova*
- **Renata Yaresko**, *Head, Public Relationship Department, EnergoAtom, Ukraine*

12:40-13:00 Q & A

13:00-13:30 Break

13:30 – 14:20 Session VIII – Role of trade unions in due diligence and remediation of adverse human rights impacts

Objective: The event will explore the role of trade unions in promoting respect for labour rights by businesses in the region. It will also discuss how trade unions can help ensure victims of business-related abuses obtain remedies and what reforms are needed to ensure trade unions play a strong part in promoting the business and human rights agenda in the region.

Moderator: *Gocha Aleksandria, Senior Specialist in Workers Activities, ILO Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia, ILO*

Presenters:

- **Bogdan Overkovskiy**, *Vice-President, Trade Union of Metalworkers and Miners of Ukraine, PMGU Ukraine*
- **Tamazi Dolaberidze**, *President, Trade Union of Miners, Metallurgists and Chemical Industry Workers of Georgia*
- **Kemal Özkan**, *Assistant General Secretary, IndustriALL Global Union*

14:20-14:35 Q & A

14:35 - 14:40 Break

14:40-15:30 *Session IX – Business and Human rights in conflict-affected areas*

Objective: The session will highlight the issue of the responsibility of businesses in protecting vulnerable people affected by conflict, given that the region has ongoing and protracted conflicts/disputes with large displaced populations. In 2020, the UNWG issued a report on the issue, which underscored, as one of its key findings, that businesses operating in conflict-affected areas are required to conduct a 'heightened' version of human rights due diligence. Thus, businesses' usual HRDD practice needs to be complemented by a conflict-sensitive approach in conflict contexts. The session will unpack the report's implications and will highlight efforts to implement the UNWG's recommendations in the region, including the toolkit being developed by UNDP to guide businesses in conflict-affected areas.

Moderator: Sinisa, *UNDP*

Presenters:

- **Gerald Pachoud**, *Expert, Geneva Academy of International Humanitarian Law and Human Rights, Former Adviser to UN Special Representative on Business and Human Rights*
- **Besik Bugianishvili**, *Director, Peace Fund for a Better Future, Georgia*
- **Nathalie Komatitch**, *Former Head, Human Rights Department, TotalEnergies (on sabbatical)*
- **Ganna Khrysteva**, *Senior Project Officer, Council of Europe, Ukraine*

15:30-15:45 Q & A

15:45 - 16:00 *Closure of the Forum*

Speakers:

- **Elżbieta Karska**, *Vice-Chair, UN Working Group on Business and Human Rights*
- **Gerd Trogemann**, *Manager, UNDP Regional Hub for Europe and Central Asia*