



Wilton Park

Programme

Business and human rights defenders: exploring best practice and finding common ground

Wednesday 5 – Friday 7 June 2019 | WP1678

There is a prevailing view that the relationship between human rights defenders and companies is adversarial. Human rights activists and NGOs run campaigns targeted at affecting change in the behaviour of companies, for example: how companies acquire land; how their assets are protected by government or private forces; treatment of workers; interaction with local communities; how they respond to state laws which may curb activities of human rights groups. However, some companies argue that these campaigns are often not reflective of the complex reality faced by many businesses.

Some companies see NGOs as obstacles, and the process of consultation with them frustrating and time-consuming, interfering with the core functions of the organisation. Despite this, there are many examples of companies and NGOs working together to tackle human rights abuses towards a mutually beneficial goal. With the help of NGOs, civil society groups and human rights defenders themselves, many companies are working towards the mainstreaming of human rights concerns across their operations, whilst others are actively protecting human rights defenders and championing their causes.

This Wilton Park meeting will bring together a range of experts including human rights defenders, companies, academics and some international organisations and governments to discuss ways in which they can work together.

Discussion will include: land rights and the protection of indigenous persons; internal reporting systems and due diligence frameworks to provide adequate protections to human rights defenders; how companies can support and protect human rights defenders taking a controversial stance; and the role of trade unions in protecting the rights of workers in industries with complex global value chains; frameworks for cooperation and protection between business and human rights defenders.

Drawing on best practice from across sectors, industries and countries this conference aims to:

- Explore the barriers that limit discussions between Human Rights Defenders and Business.
- Identify strategies to overcome dilemmas facing businesses and human rights defenders in their interactions with one another.

In association with:



- Develop proposals for joint action that includes a range of stakeholders.

In association with the Institute for Human Rights and Business

(Speakers invited and themes proposed, ^ denotes expected to participate but not yet confirmed in this role)

Wednesday 05 June

1500-1600

Participants arrive. Tea and coffee on arrival

1600

Welcome and introduction

Julia Purcell

Programme Director, Wilton Park

1615-1700

1. Setting the scene: what are the common areas?

There has been a significant increase in awareness about the ways in which corporate decisions and actions impact on human rights. In particular, whilst there is widespread recognition of the role of human rights defenders, many of them continue to be harassed, threatened, and targeted for the work they do.

This session will introduce the overall themes for the conference and set out the current state of play: How can companies ensure they operate in a way that protects human rights at all levels? What are the prospects for further dialogue between NGOs and business to progress the protection of human rights defenders? How far do existing frameworks and mechanisms help in finding common ground? What needs to change? What is the business case for creating a safe space for Human Rights Defenders?

Moderator:

John Morrison

Chief Executive Officer, Institute for Human Rights and Business, London

Froydis Cameron-Johansson

Group Head, International and Government Relations, Anglo American, London

Nnimmo Bassey

Director, Home of Mother Earth Foundation, Benin City

Anita Ramasastry

Professor of Law and Member, United Nations Working Group on Business and Human Rights, University of Washington School of Law, Seattle

1700-1730

Tea/coffee

1730-1845

2. Understanding the context and challenges: developing trust and building confidence

There is growing consensus of the need to improve interaction between human rights defenders and businesses. In particular, where human rights defenders are displaced or harassed, there is scope for business to use its influence and leverage to aid and protect these individuals.

Human rights defenders work in complex situations which range from the risks in accessing and safeguarding communities to protecting themselves against danger and harassment. Companies with global non-discrimination policies often find themselves in confrontation with local realities, whereby they may be unable or unwilling to apply their international standards. Resistance to these policies could be due to cultural relativism, religion, local laws, and practices. Despite this, there have been a number of examples of companies championing human rights causes, working to protect human rights

defenders, especially in the area of LGBTI+ initiatives.

How can the environment be made safer for human rights defenders? In what ways can business interact with states in order to enhance protection of rights and provide more support to human rights defenders? How can companies self regulate their interactions with human rights defenders and populations that are susceptible to human rights abuses? How have companies leveraged their positions to effect real change on a human rights issue? What are the best practice examples highlighting successful collaboration between companies and other groups to protect human rights defenders – eg. campaigning for LGBTI+ rights.

Moderator:

Salil Tripathi

Senior Adviser - Global Issues, Institute for Human Rights and Business, London

Respondents:

Jostein Hole Kobbeltvedt

Executive Director, Rafto Foundation for Human Rights, Bergen

Luis F de Angulo

Executive Director, CREER, Bogotá

Nathalie Komatitsch

Head, Human of Rights Department, Total S.A., Paris

Michael Ineichen

Programme Director, International Service for Human Rights, Geneva

1845

Breakout group facilitators briefing (meet in library)

1900

Reception followed by dinner

Thursday 06 June

0800-0900

Breakfast

0915-1045

3. Transparency and accountability

Governments often facilitate foreign investment by making acquisition of land easier, sometimes resulting in loss of livelihoods for farmers dependent on small-holdings. This can create local resentment and often leads to protests, including the use of violence. In most cases, the situation is exacerbated by lack of transparency from companies and governments, in particular: nature of use, length of tenure, revenue-sharing models, nature of compensation, rehabilitation policies, and lack of prior informed consent. There have been tragic instances of human rights defenders being executed (Nigeria in the 1990s) or murdered (Honduras, 2016). In some instances, companies have been alleged to be complicit in these human rights abuses, however, remedy and accountability remain elusive. In many other instances, companies find it challenging to reconcile their policy of defending human rights defenders who are questioning the very presence of companies.

What practical steps can companies take without undermining human rights defenders?

How to develop meaningful land use policies? How to ensure the security and protection of human rights defenders are taken into account?

Moderator:

Gerald Pachoud

Managing Partner, Pluto Advisory, Geneva

Respondents:

Margaret Wachenfeld

Senior Research Fellow, Institute for Human Rights and Business, Brussels

Chitragada Choudhury

Independent Journalist and Researcher, New Delhi

Moira Oliver

Head of Policy and Chief Counsel, Human/Digital Rights, BT plc, London

Antoine Madelin

Director for International Advocacy, International Federation for Human Rights (FIDH), Paris

1045-1130

Photograph followed by tea/coffee

1130-1245

4. The role of business in relation to state violations

The ICT sector is seen as both a tool used to protect human rights defenders and amplify their messages and as a weapon for state and non state actors to target them, attacking and undermining their activities. There is a strong perception of the ICT sector as the harbinger of freedom, in particular the use of social media platforms to promote freedom from oppression. However, this is offset by government crack downs and compliance of companies with government requests, which have exposed many human rights defenders to increasing risks. In response, major companies in the sector are working to tackle the issue, including through innovative uses of their technologies to prevent human rights abuses.

How can companies apply internal policies on protecting human rights defenders in jurisdictions where these policies are at odds with domestic laws and regulations? What are the roles and responsibilities of stakeholders to provide adequate protection? How can companies protect human rights defenders when domestic laws are at odds with global principles? What support do companies require to prevent their tools from being deployed by state and nonstate actors against human rights defenders?

Moderator:**Andrew Anderson**

Executive Director, Front Line Defenders, Dublin

Respondents:**Jason Pielemeier**

Policy Director, Global Network Initiative, Washington DC

Usha Ramanathan

Independent Law Researcher, Delhi

Laura Okkonen

Senior Manager, Human Rights, Vodafone Group, London

Bennett Freeman

Principal, Bennett Freeman Associates LLC, Washington

1300-1400

Lunch

1400-1445

Optional garden tour

1400-1500

Free time

1500-1615

5. Collective action to protect human rights defenders

Megasporting events are major opportunities for cities (and countries) to boost infrastructure spending and redevelop urban areas. Such events also pose enormous human rights challenges, from the perspective of access, land acquisition, relocation of affected communities, conditions in which infrastructure is built, and ways in which products are produced, procured, and services provided. Key human rights concerns, including the use of migrant labor, become critical. Games organising committees have paid substantial attention to sustainability issues. But is sufficient regard being paid to human rights concerns, and are the rights of human rights defenders protected?

Sporting companies often find themselves under scrutiny when their brand ambassadors take a stance advocating for better protection of rights or controversial social stances. How can sports companies use their corporate position to aid human rights defenders in this context?

Moderator:

Mary Harvey

Chief Executive Officer, Centre for Sport and Human Rights, London

Respondents:

Federico Addiechi

Head of Sustainability and Diversity, FIFA, Zurich

Francess Alghali

Minister of State, Government of Sierra Leone, Freetown

Gigi Alford

Sport and Rights Alliance, Nyon

Frank Mugisha

Executive Director, Sexual Minorities Uganda, Kampala

1615-1645

Tea/coffee

1645-1815

6. Breakout groups: working together to defend human rights defenders.

The breakout groups will focus on practical ways in which businesses and human rights defenders can work together.

What best practice for collaboration has been identified? Where are states most effective in their support of businesses and human rights defenders working together? What opportunities for future collaboration have been identified? Who is best placed to lead on these collaborations? What are the 'red lines' for human rights defenders?

Co-facilitator:

Catie Shavin

Director, Global Business Initiative on Human Rights, Eastbourne

Rémy Friedmann

Senior Advisor Business and Human Rights, Swiss Federal Department of Foreign Affairs, Bern

Lene Wendland

Chief of Section, UN Human Rights, Geneva

Jason Pielemeier

Policy Director, Global Network Initiative, Washington DC

Jonathan Jacoby

Programme Officer, Business and Human Rights, Human Rights Initiative, Open Society Foundations (OSF), Washington, DC

Sarah Boardman

Head, Modern Slavery Unit, Foreign and Commonwealth Office, London

Chris Anderson

Director, Yirri Global, Greenwood Village

Elizabeth Wilde

Ambassador Deputy Head of Mission, Australian Permanent Mission and Consulate-General Geneva, Geneva

1815

Breakout group facilitators debrief (meet in library)

1845

Reception followed by dinner

Friday 07 June

0800-0900

Breakfast and checkout

0915-1030

7. Business and Human Rights Defenders: towards more sustainable relationships

Major brands rely on contracted suppliers to manufacture products that meet their standards. While the standards are exacting for manufacturing processes and health and safety, sometimes they become ambiguous when the standards deal with workers' rights, in particular the right to form trade unions/free association and collective bargaining. Reliance on migrant work force poses significant and unique challenges.

What are the roles of civil society groups and NGOs in ensuring the protection of human rights defenders in global supply chains? How can companies ensure that those in their supply chains have robust mechanisms for protecting human rights defenders? How can trade unions reconcile the protection of both domestic and migrant workers?

Moderator:

Ineke Zeldenrust

International Coordinator, Clean Clothes Campaign, Amsterdam

Respondents:

Sanyu Awori

Project Lead for Workers' Empowerment, Business and Human Rights Resource Centre, London

Nazma Akter

General Secretary and Executive Director, Awaj Foundation, Dhaka

Ajda Cevc

Sustainability Development Leader, IKEA of Sweden AB, Älmhult

Sanchita Saxena

Executive Director, Institute for South Asia Studies, University of California, Berkeley

1030-1100

Tea/coffee

1100-1110

8. Evaluation survey

Completion of online survey

1110-1155

9. Breakout group feedback: opportunities for collaboration.

1155-1245

10. Next steps: what is the way forward?

Roundtable reflections and concluding remarks

John Morrison

Chief Executive Officer, Institute for Human Rights and Business, London

Anita Ramasastry

Professor of Law and Member, United Nations Working Group on Business and Human Rights, University of Washington School of Law, Seattle

1300

Lunch

1400

Participants depart

This is a preview programme and as such may be subject to change.

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