



Leveraging the Money: Engaging Investors, Lenders and Buyers to Ensure Effective Remedy for Communities

Monday November, 14, 16:40-18:00, Room XX
Organised by: Accountability Counsel

Moderated by Surya Deva, Asia-Pacific representative, UN Working Group on the issue of human rights and transnational corporations and other business enterprises

Speakers

1. Anirudha Nagar, South Asia Director, Accountability Counsel

Accountability Counsel supports communities to defend their human and environmental rights by bringing complaints to non-judicial complaint offices, including those at multilateral development banks and at the OECD National Contact Points.

2. Harpreet Kaur, Senior South Asia Researcher & Representative, Business and Human Rights Resource Centre

The Business and Human Rights Resource Centre assists communities and civil society organizations to press companies to address human rights concerns. It also provides companies an opportunity to present their responses to allegations in full.

3. Prabin Shakya, Human Rights Programme Coordinator, Asia Indigenous Peoples Pact

The Human Rights Campaign and Policy Advocacy Programme at the Asia Indigenous Peoples Pact aims to increase capacities of indigenous organisations and human rights defenders at the national, regional and international levels to promote, protect and defend their individual and collective rights.

4. David Simpson, Project Complaint Mechanism Office, European Bank for Reconstruction and Development (EBRD)

The Project Complaint Mechanism is the EBRD's accountability mechanism that has been established to assess and review complaints about Bank-financed projects. It provides individual(s) and local groups that may be directly or adversely affected by an EBRD project, as well as civil society organisations, a means of raising complaints or grievances with the Bank, independently from banking operations.

Focus of the Panel

Communities who suffer human rights abuses at the hands of companies often have few meaningful options for redress, especially in countries where courts are either ineffective or out of reach. Tracing the investment and supply chains in such cases can help to uncover important links for communities' ability to access remedy. Moving upstream, there may be parent companies, investors, shareholders, and lenders, including commercial and multilateral banks, providing finance to the company. Moving downstream, there might be buyers of the company's products and end consumers.



The presence of these actors may provide communities with new advocacy strategies, including the option of approaching non-judicial grievance mechanisms, such as the accountability office of a multilateral development bank or a National Contact Point under the OECD Guidelines for Multinational Enterprises. While offering affected communities the opportunity to voice their concerns, these mechanisms often do not have binding powers, and ultimately operate via persuasion, pressure, and good faith that investors, lenders and buyers will comply with their findings.

In order to make the most of these strategies, it is crucial that communities and their supporting organisations engage with those who have the leverage to induce change on the ground. Drawing on the experiences of Panel members of exercising leverage on lenders, investors and buyers, this Panel seeks to generate practical and creative ideas for companies, States and civil society organizations to ensure effective remedy for communities.