



National Action Plans on Business and Human Rights: Global Perspectives, Lessons Learned, and Next Steps

A Side Session at the 2015 UN Annual Forum on Business and Human Rights

17 November 2015

16:40 to 18:00

Palais des Nations

Room XXIV

Co-organized by:

Asia Business and Rule of Law Program, Singapore Management University

Asia Indigenous Peoples Pact (AIPP)

Centre for Applied Legal Studies (CALs) at the University of Witwatersrand

Centre for Human Rights, University of Pretoria

Danish Institute for Human Rights

European Network on Indigenous Peoples (ENIP)

Institute for the Study of Human Rights, Columbia University

International Corporate Accountability Roundtable (ICAR)

THEME AND OBJECTIVES

Since the adoption of the UNGPs in 2011, momentum has quickly gathered in support of National Action Plans (NAPs) as a basis to hold governments to account for progress on implementation of business and human rights frameworks, including the UNGPs.

In June 2014, the UN Human Rights Council called on all States to develop NAPs. At the same time, the International Corporate Accountability Roundtable (ICAR) and the Danish Institute for Human Rights (DIHR) launched a “NAPs Toolkit,” which provides structured guidance for States and other stakeholders on the stages of NAPs development, implementation, and review. In December 2014, the UN Working Group on Business and Human Rights launched its NAPs guidance after selecting a coalition, led by the Centre for Applied Legal Studies (CALs) at the University of Witwatersrand and the Asia Business and Rule of Law Program at Singapore Management University (CALs-SMU Coalition), to develop guidance on the integration of Global South perspectives into NAPs. The UN Global Compact has also recently published guidance for its Local Networks on how to engage with NAPs processes. Currently, nine countries have published final or draft NAPs, and governments in nearly forty other countries have launched NAPs processes.

Meanwhile, civil society organizations (CSOs), indigenous peoples, national human rights institutions (NHRIs), and business have launched activities to support the development of NAPs. For example, in February 2015 the CALs-SMU Coalition held two workshops – in Bali and in Pretoria – to garner Asian and African perspectives on the promise, opportunities, and challenges of NAPs in these regions. The workshops were an important opportunity for regional peer-to-peer learning and served to identify individuals and institutions to lead on NAPs work in their countries. Moreover, ICAR produced a “Shadow” National Baseline Assessment (NBA) for the U.S. government, including 220 recommendations intended to inform the U.S. NAP on Responsible Business Conduct. CSOs and NHRIs in Kazakhstan, Germany, Malaysia, Mexico, the Philippines, Tanzania, South Africa, and Zambia, among others, have initiated studies and dialogue towards NBAs and NAPs in their respective countries. At the same time, ICAR and DIHR, along with partners such as UNICEF, are developing “thematic templates” to address top-priority issues to be addressed in NAPs, including children’s rights.

In other areas, there remains an urgent need for enhanced peer-to-peer learning and concrete guidance in relation to NAPs. For example, there remains a notable gap in terms of NAPs guidance for States and other stakeholders in relation to emerging economies, gender, conflict, and indigenous peoples’ rights that are consistent with relevant international and regional frameworks. Some States have developed NAPs that include reference to these substantive issue areas. However, there is a lack of consistency as to the nature and extent of these references and the process to enable informed and meaningful participation of vulnerable stakeholders and rights holders in the drafting of these NAPs. In other cases, no reference is made to these issues, despite the profound impact of business activities in these areas.

This side session on NAPs will combine a summary of NAPs developments and experiences to date with perspectives on the way forward, followed by multi-stakeholder open dialogue on implementation

trends, progress made, and areas for improvement. In line with the objective of the Forum to “discuss trends and challenges in the implementation of the UNGPs,” the side session aims to provide a space for stakeholders to learn about implementation of available guidance and lessons learned in order to explore strategies for more effective and inclusive NAPs going forward.

FORMAT

Part 1

- **Introductory Remarks** (5 minutes) – Sara Blackwell, International Corporate Accountability Roundtable (ICAR)
- **Topic 1: Implementation of Existing NAPs Guidance** (15 minutes)
 - Josua Loots, Centre for Human Rights (CHR), University of Pretoria
 - Claire Methven O’Brien, Danish Institute for Human Rights (DIHR)
 - Mark Hodge, Global Business Initiative on Human Rights (GBI)
- **Topic 2: Integrating Global South and Gender Perspectives into NAPs** (15 minutes)
 - Joanne Bauer, Institute for the Study of Human Rights, Columbia University
 - Thomas Thomas ASEAN CSR Network (CAN)
 - Nomonde Nyembe, Centre for Applied Legal Studies (CALs), University of Witwatersrand
- **Topic 3: Indigenous Peoples** (10 minutes)
 - Prabindra Shakya, Asia Indigenous Peoples Pact (AIPP)
 - Luis Vittor, Andean Coordinator of Indigenous Organizations (CAOI)

Part 2

- **Identification of Common Themes and Commentary** (5 minutes) – Bonita Meyersfeld, Centre for Applied Legal Studies (CALs), University of Witwatersrand
- **Multi-Stakeholder Open Floor Dialogue** (25 minutes)
 - Progress to date, by country and region
 - Lessons learned in developing NAPs and implementing NAPs commitments
 - Thematic guidance in relation to NAPs
 - Next steps and the way forward, including at the regional and international levels
- **Concluding Remarks** (5 minutes)