



Can non-judicial remedy be effective?

Evening session (parallel)

27 November

18:15-19:45

Organized by the Global Alliance of National Human Rights Institutions and the German Institute for Human Rights

Brief description: This session, in the style of a parliamentary (“Oxford Union style”) debate, will give forum participants the opportunity to discuss the strengths and weaknesses of various remedy mechanisms as well as relate examples of best and worst practice in an innovative, challenging format focused on participation and dialogue.

Rather than represent their institutions (or indeed without necessarily totally subscribing to the opinion they’re representing), speakers will bounce arguments and theses off one another in an experimental, academic space. What should emerge are strengthened arguments, examples and case studies otherwise not mentioned at the forum, and a collection of expertise and perspective too often buried in the traditional panel-discussion format.

Session objectives:

- Break away from the familiar panel-discussion format
- Develop arguments about the proper role of non-judicial remedy in a critical discussion atmosphere rather than as representatives of organizations
- Challenge experts to represent and defend views they may not hold themselves
- Engage the broad range of representatives at the UN Forum in active debate

Key discussion questions:

- What alternatives to judicial proceedings are already available to those seeking remedy in your jurisdiction?
- How can human rights be leveraged before a mechanism that may not have an explicitly human-rights-based mandate?
- What are the deciding factors that determine whether or not effective remedy is achieved with these mechanisms?

Speakers:

- Moderator: Christopher Schuller, Policy Adviser, German Institute for Human Rights
- Speakers: TBA

Format: A public debate (in the style of the Oxford Union or similar), with some prepared speakers in favour of and against a particular motion, and an opportunity for spontaneous speeches from the attendees as well.

The proposition put to the room is that “this House believes that non-judicial remedy is ineffective.” Two pre-arranged speakers will then each give a ca. 7-minute speech in favour of or opposing the proposition, alternating between sides.

Following the initial development of arguments, there will be 20–30 minutes to call on the audience, always alternating between speakers for the proposition and speakers against.

At the end of the audience phase, two final pre-selected speakers sum up and hammer home each side of the debate. After that, the audience “votes” by an instant online mechanism. A drinks and canapes reception follows the debate.

Background: “This takes me back to my school debating days,” said one of the speakers as she confirmed her participation, “only I didn’t debate at school.” At schools and universities around the world, debating is an educational tool, used to work through colliding arguments to teach both the underlying concept and the art of disagreement itself.

At the Forum, we want to use this debating culture to capture the disagreement surrounding non-judicial remedy mechanisms and channel it into something productive: a chance for the Forum participants with their wealth of expertise and experience to reconsider and refine their positions on this question by bouncing arguments off one another in the spirit of critical inquiry for its own sake. The atmosphere will be different from the daytime panel discussions—relaxed, we hope, but also with more fundamental questions at stake, electrified by reconnecting all of us to the reasons we do this work in the first place.

This event will be followed by a reception in the [Serpentine bar](#).

ANNEX. SPEAKERS SHORT BIOS.

Christopher Schuller

Policy Adviser



Christopher Schuller is a Policy Adviser for Business and Human Rights in the International Human Rights Policy department of the Institute. He deals with issues of access to remedy for victims of business-related human rights violations, human rights and agricultural investment, human rights in the internet and telecommunications sectors, extraterritorial state obligations and the human rights impact of German economic policy. He read Law and German Law at Oxford and is a member of the New York Bar. He also serves as Assistant Editor of the Oxford University Comparative Law Forum. Prior to joining the German Institute for Human Rights, he was Lecturer in English Law at the Humboldt University of Berlin and a consultant lawyer for the European Center for Constitutional and Human Rights (ECCHR).