

How could the peculiarities of indigenous women be included in the three pillars of the Guiding Principles?

Open dialogue between the Working Group and indigenous women from the Americas

Parallel event prior to the 2nd Forum on Business and Human Rights

Palace of the Nations, Geneva, 2nd December 2013

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With the financial support of:



Open dialogue organisers

The session is promoted, organised and funded by the following convening international organisations:

International Platform against Impunity. This platform includes 6 non-government international agencies, namely: Hivos, ICCO, Cordaid, Diakonia, Impunity Watch and Mensen met een Missie. Its purpose is to bring about attention, debate and articulated actions in order to halt impunity stemming from human rights violations in Central America. It acts in alliance with change agents in the field reinforcing its local actions with its international presence. Two of its members, namely Hivos and Diakonia, will provide funding for this activity.

The World Lutheran Federation (WLF) is a global fellowship of Christian churches of a Lutheran tradition founded in 1947. Its membership consists of 140 churches across 70 countries representing 70 million Christians from all over the world. It acts on behalf of its church members in common areas of interest, among them, international issues, human rights, and development. The secretariat of the WLF is located at the Ecumenical Centre in Geneva, Switzerland.

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Allies

Women representing organisations or indigenous communities from the USA, Mexico, Guatemala, Honduras, Nicaragua, Panama, Ecuador, Bolivia, Colombia, Peru and Chile. Furthermore, the event will be carried out in alliance with the following organisations and networks: Indigenous Peoples Assembly from Tehuantepec Isthmus (Mexico), Western Peoples Council and Mayan Lawyers Association (Guatemala), Ofraneh (Honduras), and Ceadesc and Coica (Bolivia). This network can still be enhanced in the months prior to the event.

Description and background

The UN Human Rights Council endorsed unanimously the Guiding Principles on Business and Human Rights in its resolution 17/4 on 16th June 2011, whose pillars are “protect, respect and remedy”(A/HRC/17/31). These were presented by the Special Representative of the Secretary General for business and human rights, John Ruggie, after an ample process of research and consultations that lasted six years.

Even though the Guiding Principles are not binding, they provide with relevant orientations in terms of the human rights-related norms and legal implications as far as both national governments and businesses are concerned. Chief among those the measures that States ought to adopt in order to guarantee the respect of human rights by businesses. They also provide with a model for the companies that allow them to know and let the public know that they comply with the human rights legislation and reduce the risk to violate or contribute to violate human rights. The Guiding

Principles indicate the steps to be taken by the States and companies in order to guarantee an effective remediation to those whose rights have been impaired and constitute a reference that interested parties can use to evaluate, adopt and promote the respect for human rights by commercial companies as well as accountability mechanisms.

But, to what extent is this complied with in communities in the Americas where new business projects are being implemented? Do the Guiding Principles constitute a breakthrough or, at least, a tool that may contribute to strengthen human rights enforcement among women from indigenous communities in the continent vis-à-vis corporate interests in their territories? Under what conditions? And, can the Guiding Principles contribute to strengthen on-going regional mechanisms to deal with business-driven human rights violations involving indigenous peoples? How can gender concerns be integrated, in practice, within the Guiding Principles?

We'd expect that this panel allowed for an open dialogue amongst indigenous women, Working Group members, and officials. In order to achieve the latter, we'll have two indigenous women presenting two cases (ideally one about negative impacts and one on good practices), two female international experts (one of them from the Inter-American System) and one female indigenous scholar acting as moderator. At least two Working Group members will be encouraged to engage with the panel. Furthermore, there will be women from different countries in the Americas participating in the plenary invited by the organisers.

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General Objective

To debate on the Guiding Principles from an indigenous women perspective from the Americas seeking to identify in the future implementation of such principles opportunities and challenges for a gender-sensitive use of the three pillars with particular attention to the needs of indigenous women.

Specific objectives

- a) To present a compilation of business-related experiences that have impacted the lives of indigenous women and a preliminary analysis of those through the lens of the three pillars.
- b) To debate current challenges for the three pillars implementation in the aforementioned contexts.
- c) To submit to the Working Group members, officials and business representatives for their consideration a number of proposals for the future implementation of the Guiding Principles factoring in indigenous women.

Target groups

- Women from indigenous communities in all continents
- Working Group members
- Officials, particularly those from States with presence of indigenous peoples
- NGOs in favour of accountability mechanisms in issues related to business and human rights

- National institutions of human rights

Description

This session is foreseen to last for two and a half hours in order to allow enough time for exchange between the panel and Working Group members, as well as the interactive engagement with the audience.

Opening. Welcome and objectives presentation (5 minutes). The moderator will be sitting at the table along with two women representing indigenous communities and two female experts.

First leg. A panel consisting of two indigenous women from the Americas share concrete cases and their reflections upon those (20 minutes) on the grounds of pre-defined questions.

Q &A, and comments from the plenary (20 minutes).

Second leg. Analysis and recommendations from two female international experts (one from the Inter-American System and one from the UN) based on the cases previously presented (30 minutes) and comments from the plenary.

Open dialogue between the panel and the Working Group. The Working Group formulates their comments and/or questions with regard to the cases and recommendations hitherto made (30 minutes) from their mandate perspective and its potential.

Interactive dialogue with the plenary. Other participants are encouraged to engage (30 minutes) formulating their comments and recommendations to the Working Group members in dialogue with them.

Conclusions and closing remarks (10 minutes)

Languages

Organisers will provide at least with simultaneous interpretation in English-Spanish, Spanish-English, English-Russian, Russian-English, Spanish-Russian, Russian-Spanish