

**Proposed Side Event at the UN Forum on Business & Human Rights  
3-4 December 2013**

**Perspectives and Challenges: Business and Human Rights Defenders in Asia**

**Topic**

Given the increasing importance of human rights defenders and their work in pursuing corporate accountability and preventing business related economic, social and cultural (ESC) rights abuses, the proposed side events will focus on issues and challenges facing defenders working on ESC rights.

Defenders working on ESC rights in Asia face particular challenges unique to the nature of their work, which is usually community-based and at the grassroots. One of the most common experiences in the Asian region is that of defenders being targeted for their work on land rights issues and for defending natural resources, often while fighting against foreign corporations operating with state complicity. Many such defenders belong to indigenous and minority groups and are susceptible to many vulnerabilities. Furthermore, there is an added gender dimension where women defenders find themselves particularly vulnerable to discriminatory inheritance laws and customary practices which deprive them of their equal right to own, inherit and control property, including land and housing.

The Working Group on business and human rights noted in its report to the Human Rights Council's 23rd session (A/HRC/23/32), that 'conflicts between communities and businesses had led to the harassment and persecution of human rights defenders investigating, protesting, seeking accountability and access to remedies for victims of alleged abuses linked to business activities.' This also includes cases of restrictions of the freedoms of assembly and expression, threats, arbitrary detention, disappearances and killings of human rights defenders. Asian defenders working on ESC rights regularly face these threats.

For this side event, FORUM-ASIA will draw from civil society's conclusions at the 5<sup>th</sup> Asian Regional Human Rights Defenders Forum in 2012 which focused on ESC rights defenders and from the Peoples' Forum on Human Rights and Business, co-organised with ESCR-Net, 5-7 November 2013 in Bangkok, Thailand.

**Objectives**

This side event gives an opportunity to discuss challenges and threats faced by ESC rights defenders in Asia. This interactive discussion will provide participating stakeholders a better understanding of the extent of risks posed by these challenges and threats. Dialogue and exchange of best practices and strategies between panellists and participants will, its hoped, lead to working methods that enhance support for ESC rights defenders, in particular with regard to access to remedies for victims.

**Format**

The side event will begin with presentations by ESC rights defenders. This will be followed by a moderated discussion where participants and presenters will explore the risks states and corporations pose to ESC rights defenders. In particular, views of the panelists and participants will be sought on suggested proposals for follow up actions that can be undertaken by states, businesses, civil society, affected peoples' and UN WG member(s) on presented cases.

## **Organizers**

The Asian Forum on Human Rights and Development (FORUM-ASIA) will be the organizer for this side event and approach other international organisation to co-organise the side event with.

## **Potential speakers**

This panel will focus on the challenges and risks faced by the threats faced by ESC rights defenders. In this regard, we intend the side event to feature ESC rights defenders, one of them, Ng Sui-Meng, wife of disappeared Laos development worker, Sombath Somphone and human rights experts, the UN Independent Expert on Environment or UN Special Rapporteur on the Right to Freedom of Peaceful Assembly and Association are to be confirmed. The Permanent Mission of Norway will be approached as well. FORUM-ASIA will moderate the session.