



Solid documentation as point of departure for access to remedy

Evening session (parallel)

27 November

18:15-19:45

Organized by the International Work Group for Indigenous Affairs (IWGIA) and Danwatch

Short description: The session will share case experiences of using solid documentation as a point of departure to access remedy by indigenous peoples towards realization of the ends of the UN Guiding Principles on Business and Human Rights. There will be presented examples of what investigating journalism based on solid documentation, are able to impact via a media setting agenda. Representatives of NGOs and indigenous communities, who have utilized strong and solid documentation as a starting point to access remedy will present those experiences, and a representative from a grievance mechanism will explain the minimum standards of documentation needed to claim remedy (tbc).

Session objectives:

- To draw attention to the urgent need in advancing the operationalization of the UN Guiding Principles on Business and Human Rights in relation to indigenous peoples human rights
- To share case experiences for and by indigenous peoples of producing and using solid documentation and data to access remedy for realization of human rights in business operations
- To exemplify what solid documentation can do, and why strong and valid documentation and monitoring is crucial in cases of violations of indigenous peoples rights
- To facilitate a multi-stakeholder dialogue on the concepts of documentation and data collection in business and human rights contexts
- To provide participants with practical tools and knowledge of the requirements of documentation in the redress processes.

Key discussion questions:

- How has the UN framework on business and human rights been used as a point of departure for focusing documentation and data collection efforts?
- How have indigenous peoples used solid documentation and data collection in promoting and protecting their human rights in business contexts?
- What is the praxis in collecting documentation today and is it sufficient?
- What can be the lessons learnt and further steps for various stakeholders (indigenous peoples, journalists, businesses, States, grievance mechanisms etc.) for ensuring access to remedy?

- What are the most important ingredients in solid documentation and data collection to be utilized for obtaining access to remedy?
- What are the steps forward and how can documenting and monitoring of violations of indigenous peoples rights be strengthened for further access to remedy?

Speakers:

- Moderator: Louise Voller, Editor in Chief, Danwatch
- Jesper Nymark, Director, Danwatch
- Joakim Demmer, filmmaker
- Gladson Dungdung, Indigenous human rights activist
- Julie Koch, executive Director IWGIA representing the Indigenous Navigator
- Karin Buhmann, Member of the Danish National Contact Point (NCP) under OECD's Guidelines for Multinational Enterprises

Format of the session: The session will engage with participants during the panel mainly through the use of audio/visual presentations (a trailer of the documentary film “Dead Donkeys fear no Hyenas” will be shown) and case-examples of journalistic investigations focusing on states’ and companies’ impacts on human rights and the environment, and what it has resulted in. Questions and answers will be following the presentations. The panelists will be presenting real case studies as well as practical tools and guidelines on how to produce solid documentation as point of departure for accessing remedy. The moderator will facilitate the final Q&A with the participants in the form of a roundtable discussion among them and the panelists.

Background to the discussion: Extractive industries, agribusiness, green energy investments and other large-scale business enterprises take place on indigenous peoples’ lands all over the world. Some of these lead to violations of indigenous peoples’ rights, and it is therefore important for indigenous peoples to be aware of and able to access remedy. Indigenous peoples, together with support NGOs/CSOs, other stakeholders (such as media, intergovernmental organisations and documentary film makers), have played a leading role in pushing for States to protect and businesses to respect human rights based on solid documentation.

Direct actions on the ground, strong engagements with National Human Rights Institutions, media-setting agendas and using safeguards systems of international financial institutions (IFI) are some of the examples whereby indigenous peoples have pushed for access to remedy. All experiences show that the best results and the fastest way to remedy have its point of departure in solid and clear documentation.

ANNEX. SPEAKERS SHORT BIOS.

Louise Voller (moderator)

Danwatch



Editor in chief at prize-winning, investigative media about states' and companies' impact on human rights and the environment

Twitter: @LouVoller

Jesper Nymark

Danwatch



Director for Danwatch, prize-winning, investigative media about states' and companies' impact on human rights and the environment

Twitter: @Jesper_nymark

Joakim Demmer

Filmmaker – WG Film



Swedish documentary filmmaker based in Berlin and Malmö, Sweden.

Gladson Dungdung

Indigenous human rights activist and General Secretary of the Jharkhand Human Rights Movement



Gladson Dungdung is a Human Rights Defender, Researcher and Writer. He has done fact finding in more than 500 cases and intervened legally in more than 200 cases of gross human rights violations. He is author of several books including *Endless Cry in the Red Corridor*, *Mission Saranda* and *Whose Country is it Anyway?*

Julie Koch

International Work Group for Indigenous Affairs (IWGIA)



With experience from top jobs in several Danish NGOs, Julie Koch brings competencies and knowledge about international organisations, advocacy and development to IWGIA. Julie Koch is known as an active commentator and public speaker, particularly on human rights, climate action

and global development. Since obtaining her Bachelor in Development Studies from the University of Sussex, Julie Koch has obtained a Masters in Latin America Studies from the University of Cambridge and a PhD from Roskilde University on gender and the labour market in Bolivia.

Twitter: @julie2300kochand global development. Since obtaining her Bachelor in Development Studies from the University of Sussex, Julie Koch has obtained a Masters in Latin America Studies from the University of Cambridge and a PhD from Roskilde University on gender and the labour market in Bolivia.

Karin Buhmann

Member of the Danish National Contact Point (NCP) under OECD's Guidelines for Multinational Enterprises

Professor (mso) of Business & Human Rights - Copenhagen Business School

Key areas of expertise: Business & Human Rights Public-private regulation of Corporate Social Responsibility (CSR) Sustainability, transnationalisation of law and international human rights law Governance & law reform (sectors: natural resources and extractives sectors (globally); countries: especially China and Vietnam) Sustainable development and regulatory governance (esp. Asia and the Arctic)