



## AFRICAN BUSINESS AND HUMAN RIGHTS FORUM

ACCRA, GHANA, 12-13 OCTOBER 2022

# Concept Note

## African Business and Human Rights Forum

**Brief:** The African Business and Human Rights Forum will bring together stakeholders from across Africa to take stock of progress and discuss challenges and opportunities for promoting responsible business and human rights conduct and corporate accountability in the region. The Forum will be held during 12 – 13 October 2022, with 11 October 2022 (referred to as “Day 0”) dedicated to pre-Forum sessions, including private meetings before the official start day of the Forum. The Forum will be convened by the African Union (AU) and co-organised by the AU, the United Nations Development Programme (UNDP), the Office of the UN High Commissioner for Human Rights, the UN Working Group on Business and Human Rights and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, in close collaboration with local and regional, continental and international actors, such as the African Coalition for Corporate Accountability (ACCA), the Network of African National Human Rights Institutions (NANHRI), the Danish Institute for Human Rights (DIHR), Friedrich Ebert Stiftung (FES), the UN Global Compact (UNG), and the Global Business Initiative (GBI), with support from the Government of Japan and the Government of Switzerland. The Forum will be hosted by the Government of the Republic of Ghana.

### African Business and Human Rights Forum

Experience in other regions has shown that regional Forums provide an invaluable opportunity for stakeholders, including States, human rights actors, businesses, and civil society, to learn about progress and challenges, to share best practices, to identify needs and engage in peer-learning through constructive dialogue. The African Business and Human Rights Forum is envisioned as a coherent annual continental platform for discussing how to promote and ensure business respect for human rights.

Bringing together all actors with a role and an interest in advancing the business and human rights agenda in the region, the Forum has the following goals:

- Offer a dynamic regional multi-stakeholder platform for dialogue on business and human rights;
- Lay the groundwork for future peer-learning sessions and collaborative initiatives and programmes on business and human rights in Africa;
- Assess progresses made on implementing the United Nations Guiding Principles on Business and Human Rights (UNGPs) and promote collaboration and networking between and among governments, businesses, civil society, National Human Rights Institutions (NHRIs), human rights defenders and other stakeholders;
- Discuss the national and regional efforts to implement the UNGPs, including through National Action Plans (NAPs), human rights due diligence (HRDD) laws and practices, and ensuring access to effective remedies;
- Exchange and learn from positive practices and challenges, including in the context of the African Continental Free Trade Area (AfCFTA) and responsible business, respecting human rights in the informal economy, resource governance, business, and technology, and in the context of the situation of individuals or groups at heightened risk of abuses, including women, indigenous peoples, youth, persons with different sexual orientation and gender identity, and persons with disabilities.

**Format:** The African Business and Human Rights Forum will combine an in-person format to foster active networking and build constructive relationships, with an online format to provide opportunities for remote participation for those unable to travel. COVID-19 protocols, including social distancing and Government of Ghana public health measures will be strictly adhered to.

**Venue:** The Forum will be held at the Accra Marriott Hotel in Accra, Ghana.

**Participants:** The Forum will gather civil society representatives, business enterprises and associations, labour organisations, governments, NHRIs, and other human rights actors, think tanks, international organisations, and institutions active in business and human rights from across Africa and beyond. Registration for the Forum is free of charge. The co-organizers will not cover the costs of travel and accommodation in Accra for in-person participants.

**Languages:** The regional Forum will be conducted in English and French with simultaneous interpretation.

### **Background**

The African Union (AU) is an inter-governmental organisation guided by a vision of “An Integrated, Prosperous and Peaceful Africa, driven by its citizens and representing a dynamic force in the global arena”. As part of its effort to promote sustainable development rights on the continent, the AU has developed a draft Business and Human Rights Policy to, among other things, promote sustainable development and the implementation of the UNGPs. The AU is currently working with relevant UN agencies and other development partners to accomplish these objectives. In line with the vision of the African Human Rights System, the AUC and Human Rights Organs are leading

the continental agenda on Business and Human Rights in collaboration with relevant international, continental, and regional stakeholders in this regard. The UNDP, the Office of the UN High Commissioner for Human Rights, the UN Working Group on Business and Human Rights and GIZ have all engaged actively in support of efforts to implement the UNGPs in Africa. As part of these efforts and intending to promote corporate accountability in Africa, they join AUC to co-organise the African Business and Human Rights Forum.

In recent years, African governments, national human rights institutions (NHRIs), civil society actors, and businesses increased their focus on promoting responsible business conduct, including accountability frameworks. Kenya became the first country in Africa to develop a National Action Plan on business and human rights (NAP) in 2019, followed by Uganda in 2021. Furthermore, several NHRIs have become active in this field. For instance, the Sierra Leone Human Rights Commission has developed Guidelines for Monitoring Business and Human Rights and has conducted public inquiries into business-related abuses. More than ten countries in the region have made policy commitments or initiated consultations on developing national baseline assessments on business and human rights. Côte d'Ivoire, the Democratic Republic of Congo, Ethiopia, Ghana, Liberia, Mozambique, Nigeria, Sierra Leone, Tanzania, Zambia, and Zimbabwe have started NAP processes. The African Coalition for Corporate Accountability (ACCA), a coalition of 136 organisations from 32 African countries, seeks to mobilise civil society across the continent to hold businesses accountable for human rights abuses. Business actors have also demonstrated increased interest in living up to their responsibility to respect human rights as per the UNGPs. Unanimously endorsed by the UN Human Rights Council in 2011, the UNGPs are directed at States and companies and clarify their respective duties and responsibilities to protect and respect human rights in the context of business activities and the need to ensure access to an effective remedy for those whose rights have been adversely affected by such activities.

At the regional level, the African Union (AU) is conducting a continental baseline research survey on the state of Business and Human Rights in Africa and has developed a Policy Framework on Business and Human Rights, which stands to be adopted in 2022. The AU's current institutional framework enables it to address business-related human rights abuses through its organs, such as the African Commission on Human and People's Rights (ACHPR) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). The ACHPR has a Working Group on Extractive Industries, Environment and Human Rights Violations in Africa that monitors adverse human rights impacts in natural resources extraction. Relatedly, the ACERWC Working Group on Children's Rights and Business is mandated to promote the integration of child rights-based approach to business practices with a view to addressing business-related child rights challenges in Africa. The establishment of the African Continental Free Trade Area (AfCFTA) in 2020 represents a significant milestone on the journey to African integration and development. The AfCFTA stands as a catalyst for new ways of doing business, producing, working, and trading within Africa and the rest of the world, which has implications for human rights.

While recent developments are encouraging and prove how fast the momentum to scale-up efforts to promote responsible business has been picking up in the region, concerns remain that commitments on paper have not been followed by action with positive impact on the lives of rights holders. The UNGPs are starting to become better known in the region. Yet, lack of awareness among all stakeholder groups and a need for government and business actors to understand expectations regarding their respective duties and responsibilities to protect and respect human rights remain some of the biggest challenges in the region.