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Accountability and Remedy Project III

Agenda

Geneva Multi-Stakeholder Consultation

28 November 2019
Palais des Nations, Room XXIV, 10:00 – 13:00, 15:00 – 18:00

Enhancing effectiveness of non-State-based grievance mechanisms in cases of business-related human rights abuse

28 November 2019	
10:00 – 11:00	**Welcome and Introduction**
11:00 – 12:00	**A. Current use of non-State-based grievance mechanisms in cases of business-related human rights abuse** A.1 Non-State-based grievance mechanisms are generally regarded by stakeholders as a welcome addition to the options available to remedy-seekers A.2 Non-State-based grievance mechanisms are viewed as a means by which flexibility and choice for rights-holders can and should be enhanced A.3 The quality of stakeholder engagement with respect to the design of a grievance mechanism is a strong indicator of that mechanism's effectiveness A.4 Non-State-based grievance mechanisms tend to be limited in the types of remedies they can provide *Discussion Questions* • *Do you agree with the observations made in this section? If not, why not?* • *Are there any further issues, challenges, trends, or opportunities that you would like to bring to the attention of the ARP III team? If so, what are these?*
12:00 – 13:00	**B. Notable trends relating to the design and performance of non-State-based grievance mechanisms** B.1 Growing sophistication of methodologies aimed at giving closer attention to the needs and perspectives of users B.2 Recognition of the importance and value of educational and training activities as an integral part of outreach B.3 Intensification of demands by rights-holders for "independent" grievance mechanisms B.4 Increasing use of binding approaches

	B.5 Rapid growth in technologies with the potential to improve accessibility, efficiency, and user experiences of grievance mechanisms *Discussion Questions* • *Do you agree with the observations made in this section? If not, why not?* • *Are there any further issues, challenges, trends, or opportunities that you would like to bring to the attention of the ARP III team? If so, what are these?*
13:00 – 15:00	*Break for Lunch*
15:00 – 16:15	**C. Legal, structural, and policy issues in need of further attention and prioritisation** C.1 Maintaining flexibility for rights-holders while avoiding fragmentation and duplication: Where should the balance be struck? C.2 Private grievance mechanisms in a public law setting: Understanding and appreciating the value and role of wider regulatory regimes C.3 Implications of the growth in non-State-based grievance mechanisms for domestic legal development C.4 Global, regional, or local?: Non-State-based grievance mechanisms as a response to cross-border business and human rights challenges C.5 Protection of people from retaliation and intimidation as a result of the actual or potential use of non-State-based grievance mechanisms: The distinct but complementary roles of State-based and non-State-based mechanisms C.6 Agency, autonomy, and effective representation of affected individuals and communities C.7 Rights-compatible outcomes: Understanding and addressing the short-, medium-, and long-term human rights implications of remedial outcomes *Discussion Questions* • *Do you agree with the observations made in this section? If not, why not?* • *Are there any further issues, challenges, trends, or opportunities that you would like to bring to the attention of the ARP III team? If so, what are these?*
16:15 – 17:30	**D. Practical implementation of the UNGP "effectiveness criteria"** *Discussion Questions* • *Do you have any concerns about the examples included in the table in the annex? If so, what are these?* • *What further examples should OHCHR be made aware of for the purposes of this illustrative list (and why)?*
17:30 – 18:00	**Next steps and closing**