

## **2nd UN Pacific Forum on Business and Human Rights**

**22-24 November 2021, hybrid format, Pacific region**

### **Concept Note**

#### **Background**

The [UN Guiding Principles on Business and Human Rights](#) (UNGPs) provide the authoritative global framework for the respective duties and responsibilities of governments and business enterprises to prevent, mitigate and address business-related human rights abuses. They also offer a blueprint for how business respect for human rights can [support](#) the implementation of the [Sustainable Development Goals \(SDGs\)](#) in line with international human rights standards.

Pacific countries face both common and unique challenges – e.g., low level of awareness about business and human rights (BHR) standards, governance gaps including related to corruption, gender-based violence, irresponsible exploitation of natural resources, exploitation of migrant workers, disproportionate impact of climate change, unsustainable tourism, and barriers to access to remedy – in implementing the UNGPs and harnessing the power of businesses to contribute to the 2030 Agenda.

With a view to understand these challenges and identify opportunities to promote responsible and sustainable business conduct in the Pacific, on 27 November 2019, the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for the Pacific\* and the UN Working Group on Business and Human Rights (UNWG) organised the first ever session focusing on BHR issues in the Pacific region at the [2019 UN Forum on Business and Human Rights](#). The session entitled [‘Advancing the business and human rights agenda in the Pacific’](#) brought together representatives of various stakeholders such as States, UN agencies, businesses, and civil society organisations (CSOs) to discuss the challenges and opportunities in promoting business respect for human rights in the Pacific region in line with the UNGPs, build linkages between the SDGs and the UNGPs, and encourage Pacific governments to develop [National Action Plans on Business and Human Rights](#).

Building upon this session, the OHCHR Regional Office for the Pacific and the UNWG organised the [1st UN Pacific Forum on Business and Human Rights on 1 – 2 December 2020](#). The Pacific Forum provided a [programme](#) for a number of [individual sessions](#) that provided fruitful discussions from various stakeholders: from States to national human rights institutions (NHRIs), UN agencies, civil society, academia, business leaders and affected communities. These sessions proposed ways in which international standards and mechanisms could be utilized in the local context to better address the negative impacts of business activity and provided the opportunity for businesses to showcase best

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\* The OHCHR Regional Office for the Pacific was established in Suva, Fiji in August 2005. It covers 16 countries: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

practices. A [summary report](#) of the 2020 Pacific Forum provides a good overview of these sessions and the recommendations made therein.

## **Business and human rights in the Pacific**

The Pacific region has made some progress in raising awareness about the UNGPs and promoting business respect for human rights. The OHCHR Regional Office for the Pacific and the UNWG, in collaboration with partners such as the Diplomacy Training Program (DTP), the Business & Human Rights Resource Centre (BHRRC), the Pacific Islands Association of NGOs (PIANGO) and the Citizens Constitutional Forum (CCF), organised several in person workshops in Fiji and Papua New Guinea (PNG) during 2018-19 to raise awareness about BHR issues and standards and to build capacity of various stakeholders to implement the UNGPs. Due to the ongoing pandemic, such capacity building workshops were conducted virtually during 2020-21. The OHCHR Regional Office for the Pacific has also worked with, and provided training to, the Pacific Business Resilience Network (PBRN), the Fiji Business Disaster Resilience Council (FBDRC) and Fiji Commerce & Employers Federation (FCEF) around the UNGPs.

The Government of Fiji has adopted the ‘Green Growth Framework’ and recently ratified the ILO’s Violence and Harassment Convention 2019 (No. 190). The Markets for Change (M4C) project of UN Women and the UNDP aims at ensuring that marketplaces in rural and urban areas in Fiji, Solomon Islands and Vanuatu are safe, inclusive and non-discriminatory, promoting gender equality and women’s empowerment. The Pacific Island Forum is also developing the ‘2050 Strategy for the Blue Pacific Continent’. Moreover, Australia enacted the Modern Slavery Act, which requires large Australia companies to report on the risks of slavery in their operations and supply chains as well as the steps taken (e.g., human rights due diligence and remediation processes) to respond to the identified risks.

However, despite all these initiatives, the Pacific region continues to experience significant challenges in addressing adverse human rights impacts of business activities, especially those related to extractives (including deep sea mining), fishing, and infrastructure projects. Individuals and communities across the Pacific have experienced loss of livelihood, forced displacement, environmental pollution, labour rights abuses, intimidation of human rights defenders, the loss of traditional knowledge and biodiversity, increased risks of community conflicts, and gender-based violence. Moreover, the Pacific region is disproportionately affected by the climate crisis which directly and indirectly threatens the effective enjoyment of a range of human rights, including the rights to life, water and sanitation, food, health, housing, education, self-determination, culture and development. Individuals and communities continue to face significant barriers in seeking effective remedies and holding the involved businesses accountable for human rights abuses.

Given the multitude of BHR challenges as well as different levels of progress in implementing the UNGPs in different world regions, it is critical for all relevant stakeholders to work together in a regional setting to prevent, mitigate and remediate the adverse impact of business activities on human rights. Doing so will contribute to achieving inclusive and sustainable development in the Pacific.

## **The impact of COVID-19 in the Pacific region**

The COVID-19 pandemic has decimated economies in the Pacific region and pushed healthcare facilities to a breaking point. It has furthermore increased unemployment rates, pushed people into poverty, disrupted supply chains, affected normal business operations, enhanced risks of gender-based violence, and dried up tourism in the Pacific region. These unprecedented challenges have affected the

ability of States and businesses to comply with their respective obligations and responsibilities under the UNGPs. Effective implementation of the UNGPs should be seen critical to turn the current crisis into an opportunity to “build back better”, as the UNGPs provide a roadmap for both States and businesses to achieve a more just, inclusive, and sustainable economy. OHCHR has provided a [number of policy briefs](#) that address individual rights and ways in which the [business community can help to engage in the global recovery from the Covid 19 pandemic](#). The Working Group has also issued an information note, [A Roadmap for Responsible Recovery in Times of Economic Crisis](#).

### **The next decade of business and human rights**

June 2021 marked the tenth anniversary of the [unanimous endorsement](#) of the UNGPs by the Human Rights Council. A major step forward in efforts to prevent and address business-related human rights abuse, the UNGPs provide a global authoritative framework for State duties and business responsibilities to achieve the vision of “tangible results for affected individuals and communities, and thereby also contributing to a socially sustainable globalization”. As part of its mandate to promote the UNGPs, the UNWG launched a [project](#) in July 2020 to take stock of implementation of the UNGPs to date and chart a course for action in the decade ahead. Known as the “UNGPs 10+” or “next decade BHR” project. The Working Group’s stocktaking was presented to the [Human Rights Council in June 2021](#), the during the anniversary month of the UNGPs. The “roadmap for the next decade” of implementation will be launched in November 2021 and it is key that Pacific states move forward with this initiative so that they are not left out of the conversation and future action.

It is in this context that the OHCHR Regional Office for the Pacific and the UNWG are organising the 2<sup>nd</sup> UN Pacific Forum on Business and Human Rights to highlight key BHR issues as well as identify opportunities for effective implementation of the UNGPs in the region. This regional forum will build on past BHR workshops as well as the 2020 UN Pacific Forum. It aims to foster races to the top in the Pacific region, similar to the UNWG’s strategy in other world regions and help push Pacific states toward committing towards the development of a [National Action Plan on Business and Human Rights](#). There will be a number of innovative sessions on frontier human rights issues that present new challenges for Pacific states and it is in this context that the 2nd UN Pacific Forum on Business and Human Rights will advance pioneering solutions.

### **Objectives**

The 2<sup>nd</sup> UN Pacific Forum seeks:

- to raise awareness and build capacity of various stakeholders around BHR standards, especially the UNGPs;
- to take stock of the key challenges, opportunities and progress made in the Pacific in implementing the UNGPs;
- to instigate the process towards developing national action plans on business and human rights;
- to explore linkages in the implementation of the UNGPs and the 2030 Agenda in times of COVID-19;
- to encourage peer-learning amongst States, NHRIs, businesses, industry associations, international organisations, trade unions, CSOs and academics in the Pacific facilitating the regional exchange of good practices in implementing the UNGPs and the SDGs; and
- to explore ways to strengthen access to effective remedy for business-related human rights abuses.

## Programme

The organisers will develop the programme of the 2nd UN Pacific Forum in consultation with the relevant stakeholders. We envisage issues such as the following to feature in the programme:

- Land and territorial issues
- Climate change, the environment and reaching net-zero
- The Role of National Human Rights Institutions
- Mandatory Human Rights Due Diligence
- Human rights defenders and Access to Remedy
- Extractives industries
- Diversity, gender, and inclusion
- Labour, decent work and modern-day slavery
- Banking, and Pacific financial inclusion
- New technology, the digital space and artificial intelligence

## Forum format

In view of travel restrictions related to COVID-19, the organisers envisage that the 2<sup>nd</sup> UN Pacific Forum will be organised on 22–24 November 2021 in a hybrid form with some joining in national hubs in Pacific countries and others joining online (participants from Pacific countries without community transmissions joining in person as per the social distancing rules, while participants from other countries joining virtually). Alternatively, the Forum may be organised completely in a virtual form. A draft programme of the Pacific Forum will be available in October 2021.

## Forum secretariat

Queries related to programme, sessions, speakers, participation, side events etc.

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Or

Ms Hee Eun Ahn, Climate Change and Environment Associate, OHCHR: [heeeun.ahn@one.un.org](mailto:heeeun.ahn@one.un.org)

Assistance with logistics, invitation letters, travel information etc.

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