



Concept Note

11th United Nations Forum on Business and Human Rights

28 - 30 November 2022

Rights holders at the centre:

Strengthening accountability to advance business respect for people and planet in the next decade

Overview

Since its creation in 2011, the annual UN Forum on Business and Human Rights has brought together thousands of participants from governments, international organizations, business, trade unions, civil society, communities, lawyers, and academia from around the world. Centred on the UN Guiding Principles on Business and Human Rights (UNGPs) – the global framework for States and businesses to prevent and address the impacts of business-related activities on human rights – the Forum has provided a unique multi-stakeholder platform for discussing trends and challenges in implementing the UNGPs and realizing a more sustainable global economy. As the UNGPs turned 10 in June 2021, the convergence of the COVID-19 and climate crises, amid a number of other major global challenges, underlined why the need to bridge the gaps between economic actors and respect for people and the planet is more pressing than ever. Set against this backdrop, and with the UNGPs as the central reference point for efforts toward bridging these gaps, the 11th annual Forum **takes stock of efforts at securing accountability and access to remedy, in order to focus on how the implementation of the UNGPs can be accelerated from a rights holder perspective.**

Due to the ongoing worldwide challenges posed by the COVID-19 pandemic, the Forum will most likely take place in a hybrid format, virtually and in person at the Palais des Nations in Geneva, subject to public health regulations.

Established by the UN Human Rights Council, the Forum is guided and chaired by the UN Working Group on Business and Human Rights. It is organized by the Office of the UN High Commissioner for Human Rights (OHCHR).



Focus of the 2022 Forum: Rights holders at the centre

The unanimous endorsement of the UNGPs in 2011 represented a major step forward in efforts to prevent and address business-related human rights abuse. The Guiding Principles provide a common platform for action as the global authoritative framework for State duties and business responsibilities to achieve "tangible results for affected individuals and communities, and thereby also contributing to a socially sustainable globalization".

By emphasizing that access to effective judicial mechanisms is “at the core of ensuring access to remedy,” with non-judicial mechanisms as an essential complement, the UNGPs have positioned **rights holders and accountability as central elements of the State duty to protect and the business responsibility to respect human rights.**

[June 2021 marked the tenth anniversary](#) of the [unanimous endorsement](#) by the Human Rights Council of the [UNGPs](#). This milestone provided an opportunity to look back at the progress and challenges to date and has fuelled a renewed push for scaled-up global implementation by States and businesses in the decade ahead. This review came at a time of converging crises – the ongoing human and financial costs of COVID-19, climate and environment emergency, growing inequality, systemic gender and racial discrimination, shrinking civic space, and the human consequences of technological developments. Against this backdrop, the Working Group [took stock of the first ten years of implementation of the Guiding Principles](#) and developed a [roadmap](#) for the next decade which was launched in November 2021. The roadmap set out benchmarks and action areas for States, businesses and other stakeholders to address existing gaps and seize current opportunities identified by the UNGPs 10+ stocktaking.

The stocktaking report clearly explains the extent to which, many – if not most – of the barriers for rights holders with respect to their ability to access both judicial and non-judicial mechanisms identified in the UNGPs still remain. This includes for basic issues such as access to information. These challenges are also clearly identified by the Accountability and Remedy Project (“ARP”) launched by OHCHR in 2014.¹ Addressing these challenges should be considered by States, businesses and all stakeholders as an urgent priority and key component for tackling inequalities and realizing a sustainable future for all.

In relation to accountability for harm caused by irresponsible business practices, the UNGPs 10+ roadmap identifies the key action areas, priority goals and targets for increasing the pace in realizing better remediation of adverse impacts, by putting rights holders at the centre of any meaningful accountability initiative. The 2017 report of the Working Group to the UN General Assembly (A/71/162) unpacked the concept of access to effective remedies under the UNGPs. It clarified the interrelationship between the right to effective remedy, access to effective remedy, access to justice, and corporate accountability. It examined the issue of effective remedies from the perspective of rights holders and proposed that remedial mechanisms should be responsive to their diverse experiences and expectations.²

¹ <https://www.ohchr.org/EN/Issues/Business/Pages/OHCHRaccountabilityandremedyproject.aspx>

² <https://www.ohchr.org/EN/Issues/Business/Pages/AccessToRemedy.aspx>



In view of this, the 11th Forum will provide a key global platform for stakeholder dialogue on how to enhance accountability and remedy mechanisms for business-related human rights abuses, accelerate the pace of implementation by States and businesses, and incentivize the participation of other actors, in alignment with the recommendations from the UNGPs 10+ roadmap. It will also catalyse much needed conversation around reparations, putting people and the planet at the heart of solutions.

The 11th Forum provides a timely opportunity to look at implementing the Guiding Principles in the second decade of business and human rights. The focus will be on **taking stock of efforts at securing accountability and access to remedy, to focus on how the implementation of the UNGPs can be accelerated from a rights holder perspective.**

A broad participation of governments, businesses, civil society, trade unions, indigenous peoples, human rights defenders, academics, national human rights institutions, international organizations, and others is expected. Forum discussions will allow participants to share their perspectives on what has and has not worked, in relation to securing accountability and access to remedy for rights holders impacted by business-related human rights abuses. They will also consider what should come next by building on the coherence and implementation gaps and recommendations identified in the UNGPs 10+ assessment and roadmap.

In addition to the plenary sessions and regional dialogues on the key trends, challenges, and opportunities for the implementation of the UNGPs, Forum discussions will consider what effective avenues exist to ensure accountability through a rights holder-centred approach. This includes ensuring that a “smart mix” of legal and policy measures to promote responsible business, including effective [mandatory human rights due diligence](#), are designed to deliver justice when harm occurs; understanding the need to integrate human rights considerations in all policy areas that shape economic activity; and developing better and more systematic tracking of State and business performance to evaluate efforts to improving [access to remedy for rights-holders](#) affected by business-related harm. The discussions will also consider ways in which a [legally binding instrument](#) can potentially help to secure accountability and remedy for victims of business-related human rights abuses.

Access to effective remedy, remediation and reparations will, moreover, be discussed as a means to address the root causes of marginalization and discrimination, as well as the growing threats faced by groups and individuals at heightened risk of corporate abuse, such as [human rights defenders](#) speaking up against business-related harm to people and the planet, indigenous peoples, persons with disabilities, and persons with different sexual orientation or gender identity.

The draft agenda will be posted on the Forum webpage by the end of September 2022.



Participating in the 2022 Forum

The agenda of the 2022 Forum will continue the trend of the past two years in offering a leaner agenda compared to previous editions of the Forum, also considering that the Palais des Nations has been under renovation. While the event will still cover a broad range of issues and hear from a diverse group of actors from all regions, the more condensed format will enable focused discussions on key issues. The 2022 Forum will continue to serve as the leading UN platform for multi-stakeholder dialogue on business and human rights. Subject to public health regulations relating to the pandemic, the Forum will take place in a hybrid format, which will include in person and virtual participation, as the situation allows. Information about the agenda, registration process and any other relevant information will be posted on the Forum dedicated webpage in due course.

In view of the above, no open call for session proposals and side events will be issued.