



Harnessing the Power of National Human Rights Institutions in Facilitating Access to Effective Remedy

15:00-16:30 (Bangkok time, GMT+7), 9 June 2020

United Nations Virtual Forum on Responsible Business and Human Rights

New Challenges. New Approaches.

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Background

Access to effective remedy for business-related human rights abuses is a key component of the UNGPs. Pillar III envisages three types of remedial mechanisms: state-based judicial mechanisms, state-based non-judicial grievance mechanisms, and non-state-based grievance mechanisms. National human rights institutions (NHRIs), as a non-judicial mechanism, can play a key role in complementing other remedial mechanisms. Despite the potential of NHRs in facilitating remedy, the practice of various NHRIs in Asia is not uniform and rights holders across Asia continue to face significant challenges in obtaining effective remedy for business-related human rights abuses.

Session Description

The session will explore a range of ways in which NHRIs can facilitate access to effective remedy, e.g., by accepting complaints, investigating abuses, conducting public inquiries, raising awareness, providing legal assistance and supporting human rights defenders. Good practices undertaken by NHRIs in the region will be highlighted, challenges and barriers to access remedies linked to NHRIs will be identified, and potential ways to address these challenges and barriers will be discussed.

Session Objectives

This session aims to:

- Examine diverse pathways available to NHRIs to facilitate access to remedy in BHR cases;
- Identify means to overcome barriers to access effective remedy faced by rights holders in approaching NHRIs;
- Discuss common challenges faced by NHRIs access to remedy for victims of business-related human rights abuses;
- Discuss good practices adopted by NHRIs to overcome barriers faced by rights holders and the challenges faced by NHRIs.

Questions

- Explain how your NHRI has tried to facilitate access to remedy for business-related human rights abuses;
- Identify the barriers to access effective remedy faced by rights holders in the context of NHRIs;
- Identify common challenges faced by NHRIs and how these might be addressed to strengthen NHRIs' capacity and collaboration to enhance access to remedy for victims of business-related human rights abuses;
- Share good practices adopted by NHRIs and discuss how the barriers faced by rights holders and the challenges faced by NHRIs may be overcome in different contexts across Asia.

Speakers

- **H.E. Prof. Dr. Amara Pongsapich**, Thailand Representative to the ASEAN Intergovernmental Commission on Human Rights / Professor of Law at Chulalongkorn University
- **Ms. Mohna Ansari**, Member Commissioner, National Human Rights Commission Nepal
- **Mr. Ahmed Taufan Damanik**, Chairperson, National Commission on Human Rights Indonesia (Komnas HAM)
- **Dr. Kamal Uddin Ahmed**, Commissioner (Full Time Member), National Human Rights Commission Bangladesh
- **Mr. Andy Hall**, Migrant Worker Rights Specialist, Independent
- **Prof. Surya Deva (moderator)**, Member, United Nations Working Group on Business and Human Rights