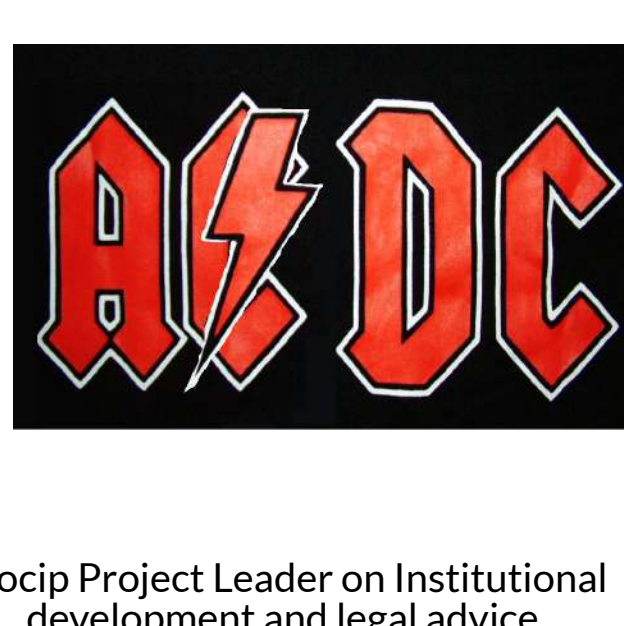




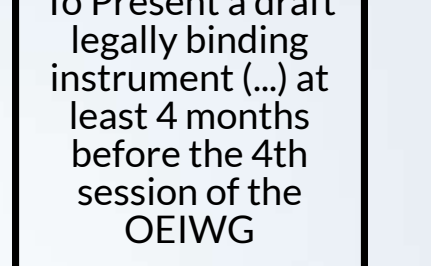
Andrés Del Castillo



Docip Project Leader on Institutional development and legal advice.

XI General Assembly of the **ICCA Consortium**. Sunday 26 November 2017
Geneva, Switzerland

10 things you don't know about UN Forum Bizhrr



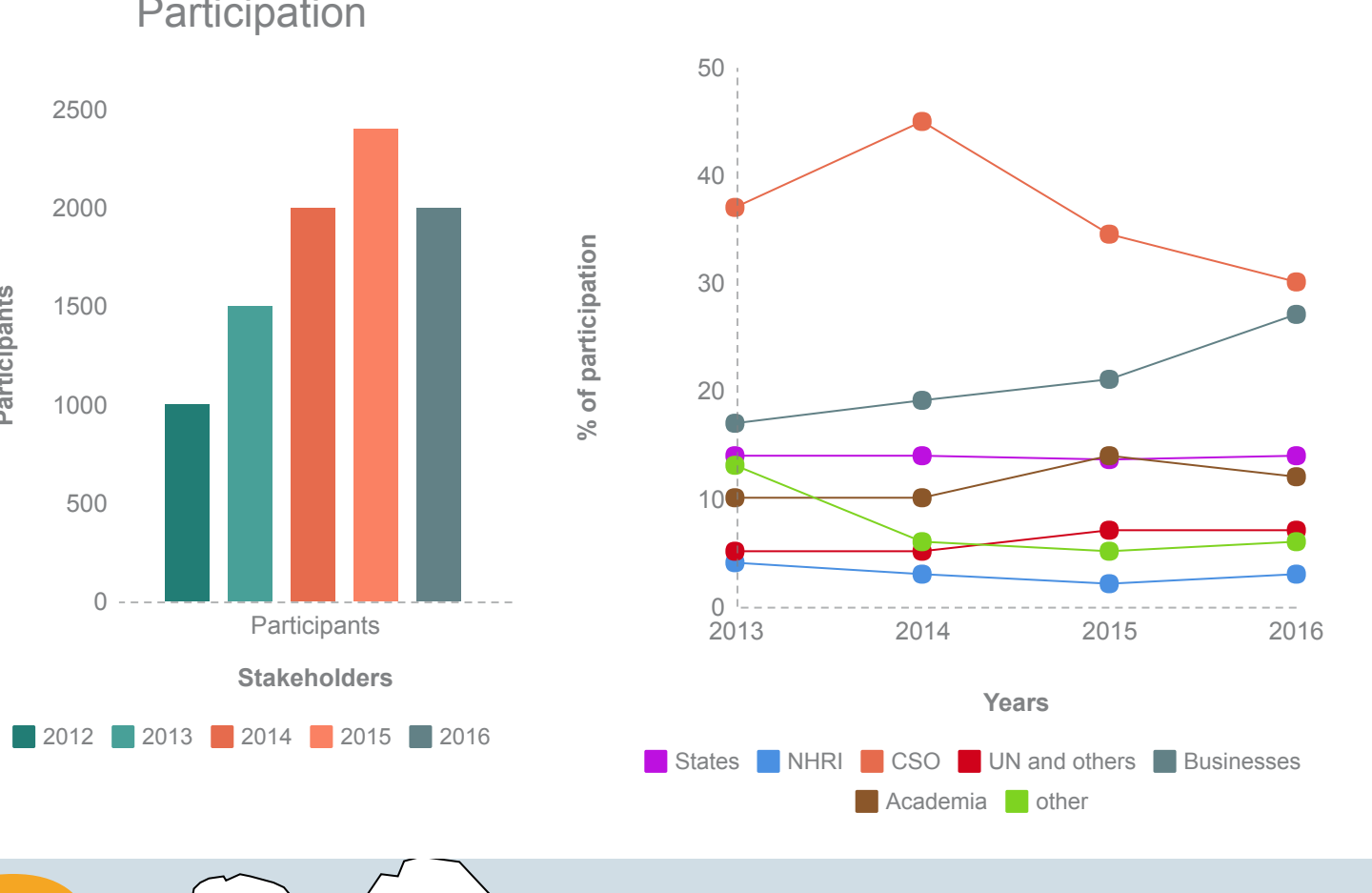
1 RECENT TIMELINE

2005 **2011** **2014** **2017**

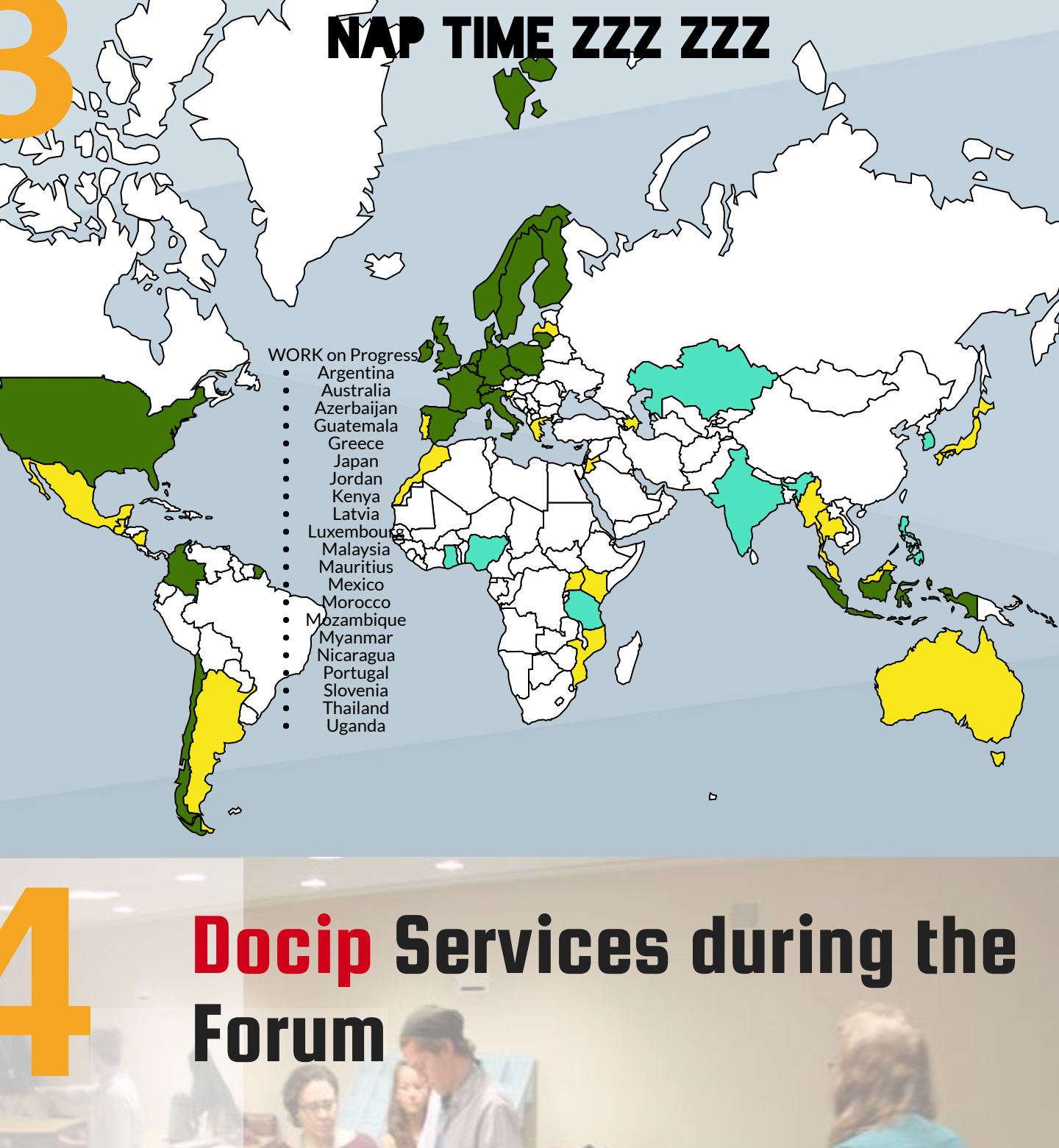
To Present a draft legally binding instrument (...) at least 4 months before the 4th session of the OEIWWG

2008

2 THE WORLD'S BIGGEST EVENT ON #BIZHUMANRIGHTS



3 NAP TIME ZZZ ZZZ



4 Docip Services during the Forum

Technical Secretariat: Room E-3001 from 9:00am to 6:00pm

- translations (English/Spanish/French/Russian)
- interpretation (English/Spanish)
- computers, printers & photocopier
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5 Indigenous Peoples' Preparatory Meeting

DRAFT Agenda

9:30 Opening Prayer /Opening Remarks and adoption of agenda / Roundtable of Introductions/ Election of Co-Chairs

10:00 Discussion of the current report of the WG and preparation of the visit of the Chair of the WG

11:00 Presentation of WG Chair, Mr. Surya Deva; discussion on his current report and other relevant issues

12:45 Discussion and inputs for Drafting: Overview of the main theme of the Forum and key issues: realizing access to effective remedies

13:45 Concluding Remarks and Wrap-up

14:00 Closing of Caucus

6 Indigenous Peoples and the Forum

2012	2013	2014	2015	2016
<p>Session on Business affecting indigenous peoples</p> <p>"there is high level acceptance of the GPs, but limited understanding of indigenous peoples' rights." James Anaya</p> <p>challenges For companies: decentralized organization; lack of initial impact assessment; legal pluralism; significant engagement as ambiguous concept; and promoting cultural sensitivity across all levels of the company. "Businesses</p> <p>"The WG's report to the GA in 2013 would focus on indigenous peoples." Pavel Sulyandziga</p>	<p>Opening session</p> <p>the importance of FPIC to guarantee the rights of IPs</p> <p>Sessions IPs & business operations implementing the GPs</p> <p>(a) more NAP; (b) the engagement of regional organizations (c) integrating the Agenda & IOs; (d) A global fund for capacity building; and</p>	<p>Session Spotlight on effective strategies by affected stakeholders and advocates</p> <p>Involve IPs when developing NAPs. Problem of Criminalization of IPs.</p> <p>The GPs and UNHRN</p> <p>The impact of trade and investment agreements on IPs as an area where the WG complement the work of the SR</p>	<p>Opening session</p> <p>the impact of investment projects and free-trade agreements on IPs; (L) Effective due diligence transparency and protection of rights in the context of investments are instrumental to reducing abuses and community conflicts in resource-rich areas.</p> <p>Groups at risk</p> <p>3 types of community-driven initiatives: community-based HRIA, operational-level grievance mechanisms, and community-led environmental impact monitoring. Also use of technology.</p>	<p>Taxation and corruption</p> <p>consequences for human rights. On land investment, corruption is rampant. FPIC is essential</p> <p>Responsible land-based investments</p> <p>the way to achieve responsible landbased investments involves GPs and land-rights-specific instruments and guidance. Communities and companies are able to benefit when there is clear recognition and respect for communities' land and natural resource rights, and trust among all stakeholders.</p>

7 MEMBERS OF THE WG

<p>Mr. Surya Deva is an Associate Professor at the School of Law of City University of Hong Kong.</p>	<p>Ms. Anita Ramasanta is Professor of Law and the Director of the Graduate Program in Sustainable International Development at the University of Washington School of Law.</p>	<p>Mr. Dante Pesce is the Founder and Executive Director of the VINCULAR Center for Social Responsibility and Sustainable Development at the Catholic University of Valparaíso</p>	<p>Mr. Pavel Sulyandziga is Chairperson of the Board of the International Development Fund of Indigenous Peoples in Russia (BATANI)</p>	<p>Mr. Michael K. Addo is Professor of Law at the University of Notre Dame</p>
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8 WHAT'S UP WITH THE OEIWWG?

2015	2016	2017	2018
<p>Deliberations on:</p> <ul style="list-style-type: none"> • Content • Scope • Nature • Form 	<p>The Chairperson-Rapporteur of the OEIWWG prepared elements for a draft legally binding instrument</p> <p>Preamble Reaffirmation of relationship with other instruments such as UNDRIP</p> <p>Principles Recognition of special protection to victims, particularly to IPs;</p> <p>Access to Justice State Parties shall guarantee access to justice (...) specially to IPs taking into account their specific reality, circumstances and culture.</p>	<p>To Present a draft legally binding instrument (...) at least 4 months before the 4th session of the Working Group</p>	

9 ACCOUNTABILITY AND REMEDY PROJECT (ARP)

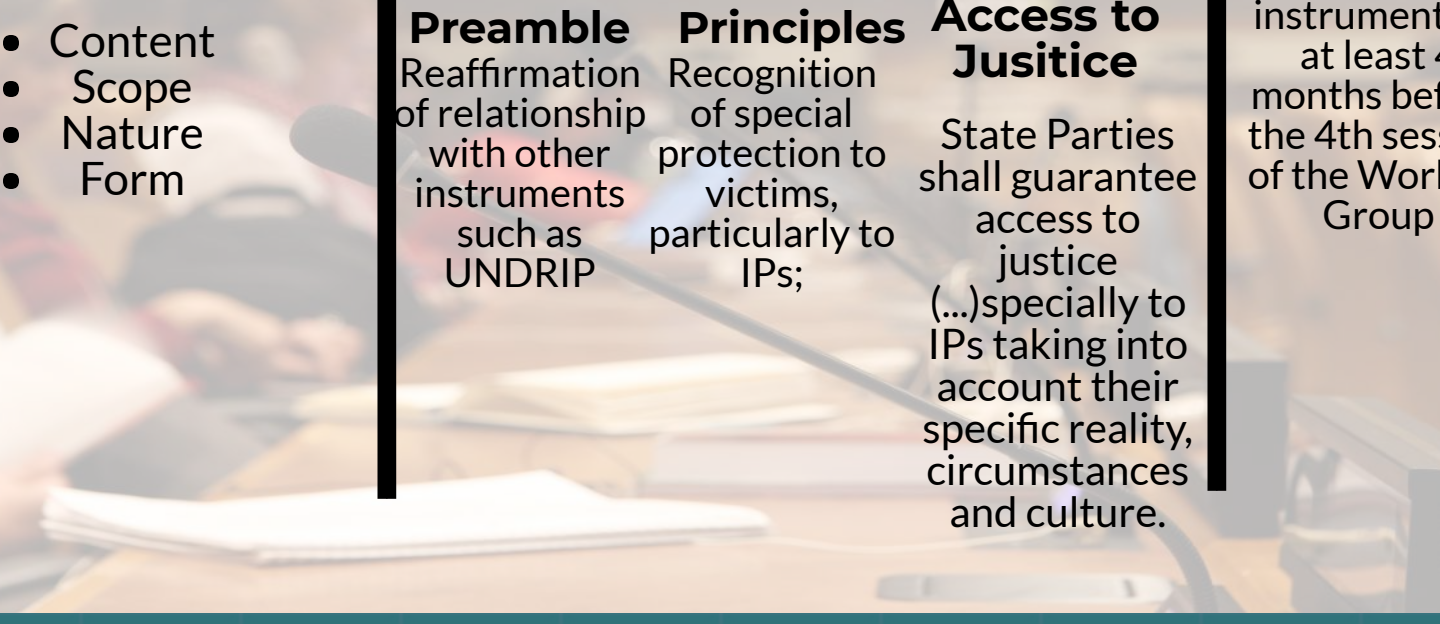
2014	2016	2017- 2018
MANDATE	ARP I	ARP II

State-based non-judicial mechanisms

10 UNEP CONSULTATION

Towards a Sustainable Development Licence to Operate for the extractive sector

Consultation paper from the International Resource Panel Working Group on mineral resource consultation for sustainable development, November 2017



THANKS andres@docip.org

Wisdom comes to us when it can no longer do any good



-Gabriel García Márquez-