



Business and Human Rights in Asia:  
Promoting Responsible Business  
Practices through Regional Partnerships

# ANNUAL REPORT 2022



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## ACRONYMS AND ABBREVIATIONS

BHR	Business and human rights
CSO	Civil society organization
HRD	Human rights defender
HRDD	Human rights due diligence
NAP	National Action Plan on Business and Human Rights
NHRI	National human rights institution
Sida	Swedish International Development Cooperation Agency
UNDP	United Nations Development Programme
UNGPs	United Nations Guiding Principles on Business and Human Rights
EHRDs	Environmental human rights defenders
ESG	Environmental, social and governance
EU	European Union
FISI	Foreign Investment Screening Instrument
ILO	International Labour Organization
IOM	International Organization for Migration
LDC	Least Developed Country
OHCHR	UN Office of the High Commissioner for Human Rights
SLAPP	Strategic lawsuit against public participation
SMEs	Small and medium-sized enterprises
South Asia Forum	UN South Asia Forum on Business and Human Rights (South Asia Forum)
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UN ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNICEF	United Nations Children's Fund
UN RBHR Forum	UN Responsible Business and Human Rights Forum
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNWG	UN Working Group on Business and Human Rights
VCCI	Viet Nam Chamber of Commerce and Industry
YECAP	Youth Empowerment in Climate Action Platform

# About the Project

Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) is a project funded by the Swedish International Development Cooperation Agency (Sida) and implemented by the United Nations Development Programme (UNDP). The project aims to accelerate momentum on business and human rights (BHR) and the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) in Asia through five overarching outputs:



Output 1: Strengthening regional momentum toward implementation of the UNGPs through advocacy, regional dialogue and South-South exchange on opportunities, priorities and challenges of implementation.



Output 2: Supporting the development and implementation of regional and national legislative and policy frameworks, including National Action Plans on Business and Human Rights.



Output 3: Strengthening regional partnership architecture, made up of UN system, NHRI, CSO, and private sector actors working on business and human rights and bringing greater coherence to awareness-raising and technical assistance efforts, while facilitating innovative practices.



Output 4: Increasing the awareness of all regional stakeholders of the UNGPs and strengthening access to effective remedy for business-related human rights violations and abuses.



Output 5: Strengthening policy coherence between regional trade agreements, international investment agreements and the UNGPs to enhance the region's competitive positioning in attracting investment and increasing trade flows.

Key activities and progress in 2022 under these five headings are outlined in the following sections.





2022  
RESULTS





## OUTPUT 1

### STRENGTHENING REGIONAL MOMENTUM THROUGH ADVOCACY, REGIONAL DIALOGUE AND SOUTH-SOUTH EXCHANGE

B+HR Asia continues to create and nurture platforms for dialogue and exchange on business and human rights in Asia. In 2022, the project brought together and coordinated a broad coalition of UN agencies by leading the organization of the UN South Asia Forum on Business and Human Rights and the UN Responsible Business and Human Rights Forum, reaching over 1,750 participants from all stakeholder groups, including civil society organizations, human rights defenders, Indigenous Peoples, governments, national human rights institutions, businesses, industry associations, and journalists, among others. As is outlined below, these forums were instrumental in facilitating South-South exchange, pushing government action on business and human rights and securing several government commitments to develop national action plans on business and human rights. Moreover, these regional forums strengthened the capacity of civil society actors and businesses through safe space sessions and trainings and created a platform for discussion of a broad range of business and human rights issues. Finally, B+HR Asia also highlighted rights holder perspectives at the global Forum on Business and Human Rights in Geneva, bringing learning and challenges from the Asia-Pacific region to the global business and human rights stage.



## 3<sup>rd</sup> UN South Asia Forum on Business and Human Rights highlights rising momentum in the sub-region

28-30 MARCH 2022 | DHAKA, BANGLADESH

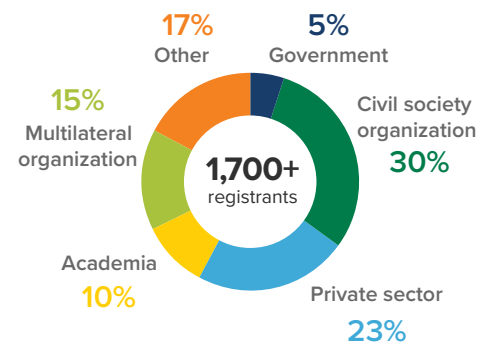
“Human rights are everyone’s business”, said Alexandra Berg von Linde, Ambassador of Sweden to Bangladesh at the opening of the 3<sup>rd</sup> UN South Asia Forum on Business and Human Rights.

The forum – which brought together more than 500 people from civil society, government, trade unions, and business in Dhaka, Bangladesh, and online – proved an important space to raise the voices and concerns of rights holders, to share experiences, and to identify solutions to shared challenges in improving business respect for human rights (BHR).

During several sessions, participants explored pathways for action on BHR in the region. For example, one session showcased cases that successfully sought remedy through avenues extending beyond national borders. Throughout the forum, speakers emphasized the importance of data, inclusive stakeholder engagement, and bottom-up approaches to understand and better meet the needs of people experiencing the impacts of business activities and to develop policies that translate human rights standards into the context of different countries in South Asia. One session focused specifically on how to build momentum through bottom-up action by strengthening connections between different social movements and strategies under the umbrella of business and human rights.

Throughout discussions at the forum, there was clear recognition that business and human rights has emerged as an inevitable component of the business environment in South Asia. Indeed, speakers and participants discussed the emergence of mandatory human rights due diligence and developments pertaining to responsible trade and investment, and how such trends will affect policymakers, business decisions, rights holders, the economy and sustainable development in the sub-region.

The South Asia Forum – organized together with the UN Working Group on Business and Human Rights and the International Labour Organization – featured 11 plenary sessions, as well as four safe space sessions for civil society organizations and human rights defenders, national human rights institutions, trade unions and employers’ organizations. In the week before the forum, country sessions explored developments, challenges and opportunities in Bangladesh, India, Nepal, Pakistan and Sri Lanka, and 13 side sessions were organized in collaboration with 40 partners.





## FORUMS TRIGGER GOVERNMENT INTEREST IN RESPONSIBLE BUSINESS

The UN South Asia Forum has been a significant catalyst for action on business and human rights in the region. As a place for people to network and learn from each other, it has been a source of inspiration and motivation, for example, on the development of national action plans on business and human rights (NAPs). Following the first forum in 2019, the Government of India launched the Zero Draft of its NAP. The forum also triggered the Government of Pakistan to start developing a NAP, and with continued support from UNDP it became the first South Asian nation to adopt a NAP in September 2021.

In line with this trend, the Maldives made a commitment during the 2022 South Asia Forum to develop a NAP through a consultative process over four years. Signaling progress for the business and human rights agenda in Bangladesh, the chair of the National Human Rights Commission invited the chair of the Bangladesh

Investment Development Authority to join hands in promoting the development of a Bangladesh NAP during the event's closing session.

Following the forum in Bangladesh, these efforts have continued under the leadership of the Prime Minister's Office in collaboration with B+HR Asia. Building on the momentum generated through the South Asia Forum and the interest demonstrated by Bangladeshi stakeholders, B+HR Asia organized trainings for stakeholders from government, business and the legal industry to strengthen their understanding of business and human rights and the importance of responsible business conduct in Bangladesh in light of emerging global trends. The trainings were organized alongside complementary trainings for businesses by International Labour Organization, with a national dialogue on the topic slated for March 2023.



## 4<sup>th</sup> UN Responsible Business and Human Rights Forum takes stock of business and human rights in Asia

20-22 SEPTEMBER 2022 | BANGKOK, THAILAND

Sessions at the 4th UN Responsible Business and Human Rights Forum covered a range of themes revolving around ‘levers of change’ – areas of work with the potential to be catalysts for wide-ranging change in the business and human rights agenda. The levers identified ranged from international frameworks for action like the Children’s Rights and Business Principles and UN Guiding Principles on Business and Human Rights to global trade policy, environmental human rights defenders, and gender-responsive procurement.

The forum, held in Bangkok in September, brought together more than 400 people in Bangkok, with an additional 850 people tuning in online. Throughout the three-day event, speakers and participants explored strategies that have been effective in promoting business respect for human rights and the environment and spotlighted novel approaches that can be further leveraged to accelerate progress.

One session introduced the strategy of leveraging ‘pressure points’ to trigger action on the part of business leaders to take seriously the concerns of affected rights holders and try to address these concerns in a meaningful manner. Another session explored the important role that consumers play in promoting responsible business practices, where preliminary findings of B+HR Asia’s behavioral science work on youth and consumerism were shared. The forum also hosted safe space sessions for civil society, businesses, and governments, which continue to be a critical space for exchange.

Serving as the forum secretariat, UNDP convened a group of eight other UN agencies to co-host the forum – the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Children’s Fund (UNICEF), the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Entity for Gender





Equality and the Empowerment of Women (UN Women), the United Nations Environment Programme (UNEP), the UN Office of the High Commissioner for Human Rights (OHCHR), and the UN Working Group on Business and Human Rights (UNWG). Through the planning of the forum, the co-organizers were able to identify shared priorities and potential areas for collaboration and improve coherence on planned activities.

This year, the forum was supported by the Government of Sweden, the Government of Japan and the European Union, reflecting the growing momentum and interest among development partners in advancing the business and human rights agenda in Asia.

Recordings of all the forum's sessions can be viewed [online](#). A forum [report](#) was also published, highlighting key insights and recommendations shared by the speakers, including expert practitioners, government representatives, business leaders, Indigenous Peoples and representatives of civil society.



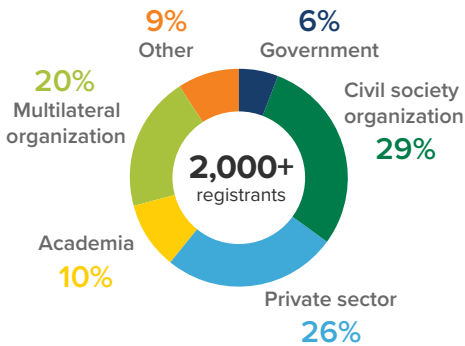
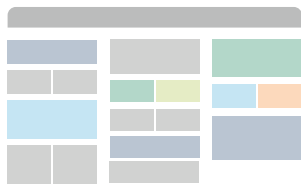


# UN Responsible Business and Human Rights Forum

BY THE NUMBERS

**87** speakers 

**17** sessions



## CIVIL SOCIETY AND HUMAN RIGHTS DEFENDERS JOIN CLOSED-DOOR SESSION WITH UN SPECIAL PROCEDURES

Across Asia, progress is being made on business and human rights. However, the scale of the challenges remains immense, particularly for vulnerable and marginalized groups such as children, women, Indigenous Peoples, persons with disabilities, or those displaced or affected by migration. Civil society organizations and human rights defenders play a pivotal role in both understanding the needs of these groups, sharing lived experiences, and advocating for action.

The 2022 UNRBHR Forum saw many first-time attendees, with a growing number of civil society organizations and Indigenous groups. During a safe space session organized in partnership with a range of civil society actors, participants had the opportunity to interact with current and former representatives of UN Special Procedures, including the Special Rapporteur on issues of modern slavery and the Member of the UN Working Group on Business and Human Rights representing the Asia-Pacific region.

In addition to providing an overview of the UN Special Procedures and other UN mechanisms that civil society can leverage to hold corporations accountable for human rights abuses, it was also an opportunity for civil society actors, human rights defenders and Indigenous Peoples to outline the challenges they face and their expectations and ideas for improving the implementation of the UN Guiding Principles on Business and Human Rights in the Asia-Pacific region.

## Asia Session at the Annual Forum on Business and Human Rights

20-22 SEPTEMBER 2022 | BANGKOK, THAILAND

This year, the UN Annual Forum on Business and Human Rights brought attention to gaps in implementation of the UNGPs from the perspective of rights holders, as well as the approaches needed to have tangible impacts in their lives.

Building on the forum's theme, the regional session on Asia-Pacific identified key trends in the persecution of rights holders and explored different principles, tools, and strategies that can be leveraged to better protect them – whether they be individuals at heightened risk of business-related human rights abuses, workers, or human rights defenders.

During the session, speakers brought attention to rising cases of intimidation of women and environmental defenders in Asia, SLAPP cases in the Pacific, red-tagging and union busting in the Philippines, informal and child labour in the Maldives, and migrant workers in ASEAN, as well as the intersectional considerations that have led to disproportionate impacts on women and Indigenous Peoples. Speakers also brought attention to the increased attacks on CSOs, non-governmental organizations and others who support human rights defenders.

“The name of the company may change, the name of the nation may change, but the techniques and tactics to attack human rights defenders are all the same, everywhere.”

– Chantell Khan, Executive Director, Social Empowerment and Education Program (SEEP Fiji)





The session also reflected on how action by States, businesses, and rights holders themselves can be galvanized to safeguard human rights at the local, national and regional levels. B+HR Asia's Project Manager, who spoke during the session, identified opportunities and good practices that can be leveraged to accelerate change. She discussed various formal, informal, national, international, institutional, and social routes, and provided examples. Other speakers highlighted the importance of engagement with NHRIs and regional institutions and the need to connect and build upon existing agendas and movements.

The discussion also touched on what needs to be done to ensure rights holders across the region are able to access effective remedy. Lack of awareness and understanding of available grievance mechanisms was identified as a key barrier. In this context, B+HR Asia brought attention to its new Routes to Remedy Toolkit, which provides an overview to human rights defenders on how to access grievance mechanisms and secure remedy in Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand and Viet Nam.

During the session, the Permanent Mission of China to the United Nations expressed commitment to engage, exchange and collaborate with all stakeholders in UNGPs implementation, bringing attention to China's Human Rights Action Plan, 2021-2025 which makes explicit commitment to promote responsible business conduct in global supply chains and to encourage Chinese companies to fulfil their social responsibilities to protect and promote human rights.

A representative from the National Human Rights Commission of India took the floor to highlight the role of NHRIs in promoting business respect for human rights in India, and to advocate for peer learning and exchange among NHRIs to push BHR discourse in Asia.

Remedial mechanisms and remedies should be responsive to the diverse experiences and expectations of rights holders – to engage with rights holders, to understand their perspectives, opinions and interests, and to learn from their experiences to develop and implement remedial mechanisms.

– Harpreet Kaur, UNDP





## OUTPUT 2

### SUPPORTING THE DEVELOPMENT AND IMPLEMENTATION OF REGIONAL AND NATIONAL LEGISLATIVE AND POLICY FRAMEWORKS

In 2022, technical and advisory support from B+HR Asia has helped advance the business and human rights agenda in Asia and influence action by a range of stakeholders. Following training and advocacy efforts by the project, the Maldives has committed to developing a NAP. In Bangladesh, B+HR Asia built the capacity of various stakeholders in the country and revived interest in the business and human rights agenda from the government. Finally, B+HR Asia provided concrete support to the Ministry of Justice in Viet Nam in improving the NAP in terms of structure, substance, and implementation and monitoring mechanisms.

B+HR Asia also developed knowledge products that seek to influence government policy makers, businesses, and actors working with youth. These products anticipate and respond to future trends including ensuring key human rights risks are addressed in the development of smart cities; educating business about common pitfalls in corporate measures to respect human rights and ensuring that they make a tangible impact on rights holders; and employing behavioural science to nudge Asian youth to be responsible consumers.





### Maldives embarks on journey to develop national action plan business and human rights

In response to growing interest on business and human rights, B+HR Asia facilitated a four-day training on business for staff of the Human Rights Commission of the Maldives (HRCM) organized by the UNDP Maldives Country Office. The training helped to establish a baseline level of knowledge and understanding of the human rights-based approach and BHR frameworks. Through advocacy and engagement with other key stakeholders, including the Attorney General, the Maldives Chamber of Commerce, and civil society representatives, UNDP was able to raise interest among government stakeholders in developing a policy framework on business and human rights.

This momentum was carried forward to the UN South Asia Forum in Dhaka, Bangladesh, where the deputy chair of the HRCM made a formal commitment to develop a NAP within the next four years. Looking ahead to 2023, the Maldives is planning to host a national dialogue, and the project will continue to support a scoping study to further support the NAP development process.



## Supporting momentum on business and human rights in Bangladesh

The conversation on business and human rights is gaining momentum in Bangladesh, thanks in part to the 2022 South Asia Forum, which revived interest and commitment to the topic and B+HR Asia’s work. Opening a workshop on sustainable development and business and human rights organized by B+HR Asia in November, Zuena Aziz, Principal Coordinator for SDG Affairs from the Prime Minister’s Office, reiterated the government’s commitment to pursuing a path of sustainable development that respects people and the environment, and acknowledged that, in this respect, promoting responsible business is imperative.

Government officials from the agencies in attendance – including the Ministry of Planning, Ministry of Commerce, Ministry of Finance, Ministry of Labour and Employment, Ministry of Environment, Forest and Climate Change, and Ministry of Law as well as the Bangladesh Economic Zones Authority, SME Foundation and National Association of Small and Cottage Industries Bangladesh – identified responsible business practices as a need. To ensure a smooth transition as the country prepares to graduate from the Least Developed Country status in 2026, greater alignment of government policies and plans with international standards such as the UNGPs provide a path to ensure that development is sustainable and respects people and the environment.

Throughout the workshop, participants emphasized the need for greater coordination among government agencies and collective action with civil society, lawyers, trade unions, and scholars to encourage and incentivize businesses to act responsibly. The need for collaboration was echoed in additional sessions organized for lawyers and civil society organizations, which both play an important role in advocating for responsible business.

The session for lawyers armed attorneys from prominent law firms in Bangladesh with a better understanding of business and human rights, and how they can not only promote respect for human rights in their own law practices, but also advise clients on the expectations set by the UNGPs, including conducting human rights due diligence and providing access to remedy. For workshop for civil society representatives covered ways in which they can leverage the UNGPs and tools such as the UNDP Handbook for Reporting on Business and Human Rights in their own work in terms of advocacy, thought leadership, and bridging the gap between government agencies, UN agencies, and businesses to promote responsible business.



## Technical and advisory support to Viet Nam’s National Action Plan on Responsible Business

In 2022, Viet Nam made significant advances toward finalizing its National Action Plan on Responsible Business (NAP). This is due, in part, to technical and advisory support provided by B+HR Asia to the Viet Nam Ministry of Justice. With UNDP support, the Government of Viet Nam organized two workshops on responsible business for the committee drafting the NAP as well as and 10 consultation events that sought input on drafts of the NAP from approximately 250 people representing ministries, businesses and industry associations, and civil society organizations. The Government of Viet Nam also launched a national baseline assessment, which informed the NAP’s development alongside the [Preliminary Assessment of the Regulatory Framework on Responsible Business Practices in Viet Nam](#) which was published in 2020.

Through a series of engagements, B+HR Asia facilitated the sharing of experiences of other countries in developing NAPs, highlighted international legislative trends that might impact the country, and provided guidance to the government on how to ensure that the NAP is developed inclusively and transparently.

For example, the project supported the visit of a representative of the Rights and Liberties Protection Department of the Government of Thailand to attend the Capacity Building and Peer-Learning Workshop for the Drafting Team of the Project Proposal on Advancing Responsible Business Practices in Viet Nam. During her interventions, she shared Thailand’s experience in developing, implementing and updating its NAP. In particular, she discussed how to develop priority areas in a NAP, challenges and opportunities when implementing and monitoring a NAP, and practical aspects of inter-ministerial coordination and policy coherence at all stages of NAP development and implementation. The South-South exchange triggered the Viet Nam Ministry of Justice, tasked with developing Viet Nam’s NAP, to seek additional clarifications and support from UNDP, including on the development of a smart indicator framework.





## Addressing the human rights risks of 'smart cities'

Across Asia, 'smart cities' promise to improve the quality of life of their residents. Among other things, technological innovation in urban planning and development has the potential to improve public services, deploy more transparent, fair solutions, and enhance efforts to tackle environmental challenges such as air pollution and climate change. But there are potential human rights risks that come along with the benefits of 'smarter' cities that must be carefully considered, including those related to data privacy and how technology may impact meaningful public participation.

A new toolkit developed by B+HR Asia and the Institute for Human Rights and Business (IHRB) guides governments and businesses on how to integrate human rights principles as they plan, develop, and operate smart cities. The toolkit uses a conceptual framework that maps the actors involved in smart city projects, the leverage points that can be harnessed to manage risks to individuals and communities, key elements that influence the implementation of smart cities, and the human rights dimensions at stake.

Developed through consultations with stakeholders from academia, civil society, business, government – and city administrations and urban planners in particular – the toolkit aims to shift the discussion on smart cities, putting human rights at the center of attention. The toolkit will be published in 2023. By promoting the toolkit with key stakeholders, B+HR Asia hopes to influence the governments and businesses behind Asia's cities of the future to integrate human rights principles and adhere to international human rights standards when designing and implementing smart cities.

## Recentering business respect for human rights: Overcoming Pillar II pitfalls

Building on the UNGPs 10+ Roadmap for the next decade of business and human rights developed by the UN Working Group on Business and Human Rights and the report Reflections and Directions – Business and Human Rights in Asia: From the First Decade to the Next developed by B+HR Asia, the project developed a report for BHR practitioners, especially those working for or with the private sector.

The report, entitled *Recentering Business Respect for Human Rights: Overcoming Pillar II Pitfalls* discusses lessons that the BHR community can take away from the COVID-19 pandemic. The report identifies common pitfalls and misperceptions by businesses when attempting to implement the second pillar of the UNGPs (the corporate responsibility to respect human rights) and outlines what businesses should be doing instead. Drawing on the human rights-based approach, the report aims to assist companies and other stakeholders in recalibrating business and human rights efforts in the private sector to ensure that such corporate actions not only benefit businesses but, first and foremost, rights holders.

The report's findings can be integrated into existing and future programming, including the B+HR Academy which has been set up by UNDP and provides training and advisory support to businesses and other stakeholders.

## Understanding the behavior and preferences of the next generation of consumers

As the next generation of Asian consumers comes of age, the choices they make when shopping has the potential to drive sustainable consumption, shape fairer production patterns, and reduce the environmental impact of consumption.

In 2022, B+HR Asia partnered with BIAS Inc. – a behaviour change research company – to investigate the ways in which young people consider and purchase products. Using data collected in online surveys and focus group discussions reaching more than 4,300 young people aged 18-25, and behavioural experiments with a selected cohort in Bangladesh and India, the study maps the purchase journey across three categories of goods: cosmetics, fashion, and technology. Initial findings reveal key behaviours and attitudes related to sustainability, the kind of information young people consider before making purchases and what ultimately influences their consumer behaviour.

Promisingly, the research signals that many young people want to be seen as environmentally conscious and mindful consumers. However, while it is common for them to seek information on sustainability before making a purchase, they do not always want to pay for it. Price, popularity, and available discounts are the top three factors used to make purchase decisions.

The reasons behind these consumption patterns are complex, but with a better understanding of these factors, the project and its partners can identify areas where informational nudges, interventions to improve knowledge, and partnerships – for example, with sustainability influencers – could lead young people to adopt more responsible consumer behaviours. The findings will be published as a policy brief with a complementary outreach campaign.



## STUDY OUTLINES THE SITUATION OF CONSTRUCTION WORKERS IN BANGLADESH

The construction sector in Bangladesh has rapidly expanded in recent years, providing much-needed work opportunities for some of the country's poorest and most vulnerable people. However, over 90% of employment in the sector is informal, with workers vulnerable to labor and human rights violations. Despite reported cases of violations, no one had undertaken a comprehensive study to understand the condition of the workers, incorporating legal provisions on workplace rights and their implementation.

To help fill this gap, B+HR Asia conducted a study to assess the situation of workers' rights in the construction sector of Bangladesh. It assesses the alignment of the nation's regulatory instruments with international human rights standards, the UN Guiding Principles on Business and Human Rights and ILO conventions.

A set of recommendations developed from the research findings will be published in 2023, with the aim of contributing to efforts to better protect the rights of construction workers.





## OUTPUT 3

### STRENGTHENING THE REGIONAL PARTNERSHIP ARCHITECTURE AND INCREASING COHERENCE ON AWARENESS-RAISING AND TECHNICAL ASSISTANCE EFFORTS

B+HR Asia progressed on perhaps the two most extensive business and human rights challenges in the Asia-Pacific region under Output 3 in 2022. First, the project completed a situational analysis and foresighting study on business and human rights in the informal economy, in which the majority of Asia's workers are situated. As detailed below, the report seeks to inform policy responses and programming of a wide range of actors working on informality. Moreover, B+HR Asia established an Access to Justice Lab in collaboration with Macquarie University. As a first step, the lab will develop briefs exploring so-called pressure points to facilitate access to remedy for rights holders



## Business and human rights and the informal economy

Nearly 70% of workers in the Asia-Pacific region are estimated to work in the informal economy. However, action to address business-related human rights abuses in the informal economy has been insufficient.

A new report from B+HR Asia and Pillar Two outlines key issues, policy challenges, key actors and spaces, and, importantly, how the UNGPs can be applied to human rights challenges in the informal economy. It combines desk research and consultation with people working on issues related to the informal economy in Asia.

The report sets out a preliminary, high-level overview of issues within the informal economy with the hopes of prompting further discussion regarding how – and to what extent – foundational BHR principles could help advance respect for human rights in the informal economy in Asia and beyond, and how formalization efforts should be implemented using a human rights-based approach.

After outlining key characteristics of the informal economy in Asia and the key human rights risks and challenges in the informal economy in Asia – the report explores ongoing policy responses to informality, maps the key stakeholders and initiatives working on business-related human rights issues in the informal economy, and assesses the role of the UNGPs in addressing related challenges.



## ACCESS TO JUSTICE LAB TO OUTLINE 'PRESSURE POINTS' TO FACILITATE ACCESS TO REMEDY

Access to justice for business-related human rights abuses remains a major challenge in the field of business and human rights. Despite progress on national action plans on business and human rights and other action by states and businesses to advance corporate respect for human rights, little has been done to remove well-documented barriers to accessing remedy. It also seems that affected rights holders are not making full use of existing, albeit imperfect, remedial mechanisms. They are either not aware of the full menu on the table, lack capacity to choose the most suitable option(s) in a given set of circumstances, or struggle to navigate through processes of different remedial mechanisms.

To help address this gap, B+HR Asia has partnered with Macquarie University Law School in Sydney to conduct the BHR Access to Justice Lab. The lab aims to help affected individuals and communities in identifying 'pressure points' – which may directly or indirectly facilitate access to remedy against corporate actors. The final output will be a series of open access issue briefs outlining the range of pathways available to facilitate access to remedy, with focus on five pressure points: (i) civil society advocacy, including social media campaigns, (ii) complaints to National Contact Points under the OECD Guidelines, (iii) communication to the UN Special Procedures; (iv) shareholder resolutions, and (v) strategic litigation. The briefs will explore formal, informal, national, international, institutional and social avenues, as well as those that go beyond the judicial and non-judicial mechanisms typically suggested to seek access to justice for business-related human rights abuses.

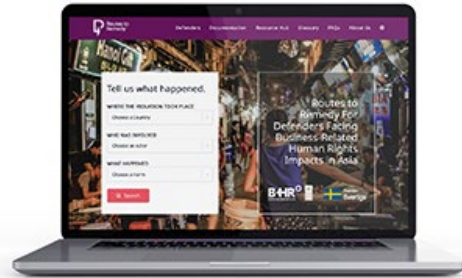




## OUTPUT 4

### INCREASING AWARENESS OF THE UNGPS AND STRENGTHENING ACCESS TO EFFECTIVE REMEDY FOR BUSINESS-RELATED HUMAN RIGHTS VIOLATIONS

The project allocated significant resources to awareness raising on business and human rights and promoting access to remedy under Output 4 in 2022. B+HR Asia launched the Routes to Remedy Toolkit to guide human rights defenders in navigating the pathways that can lead them to remedy, and also supported the development of the Environmental Human Rights Defenders Toolkit developed by a coalition of civil society and UN actors. Moreover, the project contributed to anchoring business and human rights in the newly established Youth Advisory Group, which is anchored in the Youth Empowerment in Climate Action Platform. B+HR Asia also produced business and human rights training modules for national human rights institutions with significant emphasis on facilitating access to remedy. Finally, the project leveraged the Reporting Business and Human Rights Handbook for media professionals developed in 2021 during trainings organized by partner organizations in 2022.



## New toolkit launched to support human rights defenders facing business-related human rights impacts in Asia

Human rights defenders play a vital role in promoting human rights and sustainable development. But in the Asia-Pacific region, attacks against defenders – in the form of harassment and intimidation, threats, criminalization and killings – are on the rise.

More action is needed to both protect human rights defenders and to ensure that, when their rights are violated, they have access to remedy and perpetrators are held accountable. Through consultation with civil society actors and human rights defenders across Asia, B+HR Asia identified access to information as one key barrier to accessing remedy.

To help bridge this gap, B+HR Asia developed the Routes to Remedy Toolkit. The toolkit is a digital portal ([www.routes2remedy.com](http://www.routes2remedy.com)) that consolidates information and provides practical, step-by-step guidance on how defenders can access the different national and international grievance mechanisms and substantive remedies at the disposal of defenders, in relation to the ten most common violations they face, namely: intimidation, SLAPPs, illegal arrest and detention, being stopped from protesting, being stopped from forming organizations or trade unions, wrongful accusations and prosecutions, surveillance, killing, torture and violence, and sedition.

The toolkit was developed in close consultation with defenders and a team of experienced lawyers and in partnership with Global Rights Compliance. It covers both State-based grievance mechanisms such as filing a complaint with the police, courts, national human rights institutions or international complaints mechanisms, as well as non-State grievance mechanisms such as those established by companies or financial institutions.

It also includes information how these different mechanisms can be combined through complementary strategies as well as tips on conducting investigations, collecting and preserving evidence, staying safe and other useful resources for defenders.

The toolkit currently provides step-by-step guidance on how to access remedy in seven countries – Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand and Viet Nam – with strong interest and potential for expansion to other countries in Asia and beyond. To ensure more people can access and use the toolkit, translations into local languages are envisaged in the future.



## TWO TOOLKITS LAUNCHED AT WEBINAR ON ACTION TO SUPPORT DEFENDERS IN ASIA

To mark Human Rights Day, on 9 December B+HR Asia – in partnership with UNEP, Youth Empowerment in Climate Action Platform (YECAP), Asia-Pacific Network of Environmental Defenders (APNED), Center for Environmental Concern-Philippines (CEC), and Global Rights Compliance – organized a webinar focused on action to support human rights defenders in Asia. More than 150 people attended the virtual event, which featured discussion among human rights defenders and researchers from FORUM-ASIA and the Business and Human Rights Resource Centre. Two toolkits to support defenders were launched during the event: the Routes to Remedy digital portal and the Environmental Human Rights Defenders Toolkit.

In partnership with the APNED, CEC, UNEP, UN Human Rights, and YECAP, B+HR Asia supported the development of the Environmental Human Rights Defenders Toolkit. The toolkit includes resources to support the work of defenders in promoting environmental rights, to mitigate security issues, and to support overall mental health and wellbeing to ensure defenders stay healthy and can continue their important work in the long run.

The Routes to Remedy toolkit provides information on the available routes to accessing remedy available to defenders in seven Asia countries. The event included a presentation of why the toolkits were created and how they were developed, along with a short demonstration of the features of both toolkits.



## Business and human rights finds anchor in new Youth Advisory Group for climate action

Environmental human rights defenders in the Asia-Pacific are on the frontlines of efforts to protect the environment. They play a critical role in holding businesses accountable and protecting the human rights of their communities, and ultimately all those who depend on the environment.

The newly formed Youth Advisory Group, anchored in the Youth Empowerment in Climate Action Platform (YECAP), brings together a diverse group of 20 young people, including community and civil society representatives, to identify challenges and opportunities for action on climate and environmental justice. Through the group, these young human rights defenders will also connect and learn from other environmental and climate activists from around the world and bring greater visibility to their work on climate justice. The group is anchored in YECAP, which is convened by UNEP, UN Human Rights, UNFCCC and UNDP.

During a kick-off meeting, B+HR Asia provided an overview of business and human rights and the different strategies available under the umbrella of the business and human rights agenda that they can leverage to tackle issues of climate and environmental justice. Several members of the group indicated an interest in focusing on business and human rights as a part of their work and business and human rights is being integrated in the group's workplan.



### Course curriculum developed for National Human Rights Institutions

National Human Rights Institutions (NHRIs) can play a critical role in NHRIs in promoting business respect for human rights and facilitating access to remedy for business-related human rights abuses. Across Asia, NHRIs have varied levels of capacity and engagement with the business and human rights discourse, as noted in the capacity and needs assessment among Asian NHRIs conducted by B+HR Asia in 2021. NHRIs have consistently sought support for learning and exchange on business and human rights.

To support NHRIs, the project, in collaboration with the University of South Wales, developed a self-paced 'hybrid' course curriculum to build the capacity of NHRIs on business and human rights in Asia. The course aims to increase the understanding of NHRIs in addressing business and human rights issues while building their knowledge on relevant international frameworks that can be leveraged by NHRIs working on BHR. Divided into four modules, the course aims to help NHRIs improve their map, understand the role they can play in addressing BHR issues, engage with stakeholders and strengthen their role in bridging remedy gaps and overcoming barriers.

Delivered through an online platform, the self-paced course addresses the needs of NHRIs, while appreciating their limited capacity on business and human rights and routine workload. The trainees can continue to learn at their own pace, while the in-person modules provide opportunities to learn collectively, connect and exchange with peers. The platform aims to also foster a community of practitioners in the region.



## Promoting business and human rights reporting among journalists in Asia

In 2021, B+HR Asia launched [Reporting Business and Human Rights: A Handbook for Journalists, Communicators and Campaigners](#). Following the launch, UNDP piloted a short series of trainings using the handbook as a primary resource, and a training facilitation guide was drafted using feedback and learning from these trainings.

Although formal trainings for journalists were targeted for 2023, these resources have still been put to use, including during workshops with relevant stakeholders – like the workshop for civil society organizations held in Bangladesh in November – and through partners. During a five-day workshop for 22 Asia-based journalists organized by the [Hinrich Foundation's National Press Foundation Trade Fellowship 2022](#), B+HR Asia trained journalists on the nexus between trade, labour and human rights, and introduced participants to the handbook. Through another UNDP project funded by the Government of Japan, the Handbook was translated into Russian and used to design a training on business and human rights for more than 30 journalists in the Kyrgyz Republic.





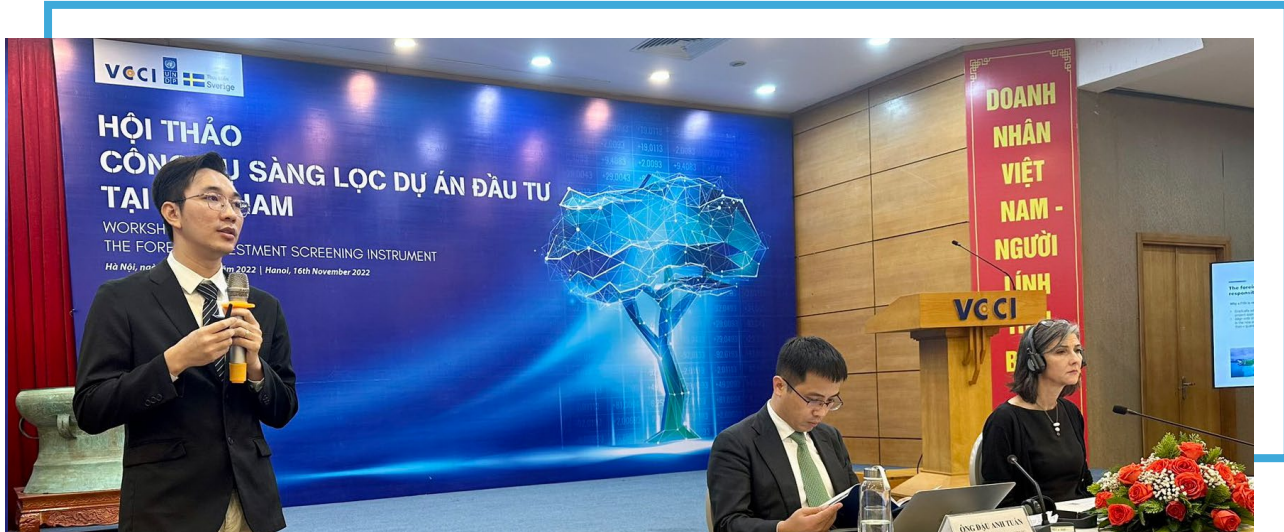


## OUTPUT 5

### STRENGTHENING POLICY COHERENCE BETWEEN REGIONAL TRADE AGREEMENTS, INTERNATIONAL INVESTMENT AGREEMENTS AND THE UNGPS

Under the heading of responsible trade and investment, B+HR Asia collaborated with the Viet Nam Chamber of Commerce and Industry and the Stock Exchange of Thailand to promote responsible business among companies, investors and business regulators under 2022. The results of this work shows promise for continued results and sustainability, as both partner organizations and the Government of Viet Nam have signaled a desire to further build upon and/or institutionalize the toolkits developed in 2022.





## Tool developed to help local governments in Viet Nam screen foreign investment projects

The Viet Nam Chamber of Commerce and Industry (VCCI) and B+HR Asia developed a [Foreign Investment Screening Instrument \(FISI\)](#) to provide local governments with practical steps to screen and assess whether investment projects and investors integrate responsible business practices. The FISI outlines a three-step process to guide the approval or rejection of incoming foreign investments, accompanied by criteria that local governments can use in their assessments. The first step entails an assessment of fundamental criteria that any investor doing business in Viet Nam should comply with based on Viet Nam's investment law. The second step entails the identification of economic, social and environmental risks that a foreign investment might cause, combined with an assessment of the investor's proposed prevention and mitigation strategies. Finally, the third step provides a framework for local governments to assess responsible business.



During two launch events in Hanoi and Ho Chi Minh City in November, B+HR Asia highlighted the importance of responsible investment to representatives from government, business, industry associations, and academia. Stakeholders at the events discussed how local governments can integrate the FISI in their investment appraisal processes. The interest of the government to institutionalize this instrument is encouraging, and will ensure that the FISI will continue to have positive impacts on the responsible business environment in Viet Nam for the years to come.

During the launch event in Hanoi, a team member from B+HR Asia [provided remarks on the importance of responsible investment and the FISI to reporters from ANTV](#), which aired on national television on 18 November.



## Business and human rights standards integrated into the Thai ESG Health Check

With support from B+HR Asia and UNDP Thailand, the Stock Exchange of Thailand made important updates to its [Economic, Social and Governance \(ESG\) Health Check](#) that will encourage companies to reflect on how their operations affect human rights and other responsible business issues. The self-assessment tool – which helps small and medium-sized enterprises, as well as enterprises considering listing on the stock exchange to measure their the environmental, social, and governance performance – now includes additional components and is more aligned with international standards.

Using the tool will enable companies to identify areas for improvement and see where they stand against other companies in their industry. It is hoped that the toolkit will continue to evolve, with additional guidance and resources to support responsible business practices among Thai companies.





# CORE FUNCTIONS

## COMMUNICATIONS

In 2022, communications continued to play an important role in sharing key messages and positioning B+HR Asia as a leader in the region on business and human rights. Below is a summary of key communications activities.

### Website

In 2022, the B+HR Asia underwent a website redesign and migration to a new content management system along with a UNDP-wide update. The [B+HR Asia website](#) was regularly updated throughout the year, with increases in key metrics across the board. The website had more than 9,780 users in 2022, a 28% increase from 2021. The website was accessed from more than 140 countries, and a large percentage of total visitors continue to be from South Asia and Southeast Asia – where B+HR Asia’s primary target audiences are located. Content and updates from B+HR Asia are also being shared through a new website on the [global UNDP webpage](#) under the Global Rule of Law, Security and Human Rights Programme, which was created to showcase the global portfolio of UNDP’s work on business and human rights.

Through quarterly newsletters produced in collaboration with the EU-funded B+HR Asia project, news, blogs and upcoming events were consolidated and shared with an audience of more than 7,500 subscribers, driving traffic to the website. The 2022 newsletters are accessible through the following links: [Quarter 1](#), [Quarter 2](#), [Quarter 3](#) and [Quarter 4](#).

### Flagship Products

A flagship product for B+HR Asia this year was a digital toolkit to facilitate access to remedy for human rights defenders and others seeking redress when their rights are violated. The Routes to Remedy toolkit was launched on 9 December during a webinar marking Human Rights Day organized by B+HR Asia in partnership with UNEP, Youth Empowerment in Climate Action Platform (YECAP), Asia-Pacific Network of Environmental Defenders (APNED), Center for Environmental Concern-Philippines (CEC), and Global Rights Compliance. More than 150 people attended the virtual event, which featured discussion among human rights defenders and researchers from FORUM-ASIA and the Business and Human Rights Resource Centre.

Two reports were published in 2022: [Reflections and Directions: Business and Human Rights in Asia](#) and the [UN Responsible Business and Human Rights Forum Report](#). The forum report has been downloaded 136 times since it was published in November, and the report on the status of business and human rights in Asia has been downloaded nearly 450 times.

The publication [Reporting Business and Human Rights: A Handbook for Journalists, Communicators and Campaigners](#) continues to be an important flagship publication for B+HR Asia and was downloaded 323 times in 2022, bringing the total unique downloads to more than 1,100. In 2022, through the Japan-funded B+HR project, a team in Kyrgyzstan translated the publication for use in journalists training. The [Russian version of the publication](#) was published in early January 2023, and the project will continue to monitor its use, as well as encourage translation into other languages to maximize its impact.

The project also supported the production of additional products targeting national-level audiences in collaboration with UNDP country offices, including a short series on human rights defenders in Sri Lanka, profiling two prominent human rights defenders, Ashila Dandeniya ([read interview](#) and [watch video](#)) and Hemantha Withanage ([read interview](#)). The project also supported the development of an [interpretive guide on human rights due diligence](#) in both Thai and English, the [Foreign Investment Screening Instrument in Viet Nam](#), and the updated digital [ESG Health Check](#) in Thailand.

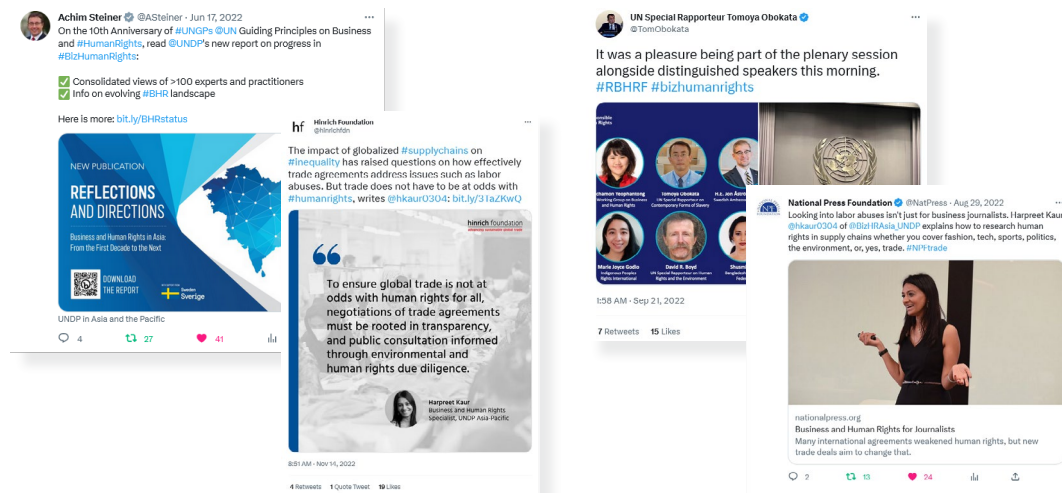
## Social media

Social media is an important tool for B+HR Asia to increase its visibility, share news and events, and monitor and engage in discourse on BHR issues. In 2022, the project grew its presence on social media by increasing engagement and followers on existing platforms and creating new accounts.

B+HR Asia's primary social media platform is [Twitter](#), with content targeting governments, businesses, academics and others in the business and human rights space. The account, managed jointly with the EU-funded B+HR Asia project and the Japan-funded global B+HR project, saw a 23% increase in followers, from 2,835 in 2021 to 3,479 in 2022.

Importantly, in November the project created a [LinkedIn account](#). In the two months since the creation of a LinkedIn company account in November, UNDP B+HR has gained 576 followers. This account provides new avenues to reach out within the business and human rights community and other professional networks.

The B+HR YouTube account saw an impressive increase in subscribers in 2022: from 215 on the 1st of January to 665 at the end of December. The number of views rose exponentially, from 9,900 in 2021 to 111,256 in 2022. A secondary account dedicated to hosting livestream content for forums with multiple partners also saw an increase in views, from 498 to 2,826 and now has 86 subscribers.





## KEY PARTNERSHIPS

### DEVELOPMENT

UN Working Group on Business and Human Rights  
UN Special Rapporteur on Contemporary Forms of Slavery  
UN Special Rapporteur on Human Rights and the Environment  
UNEP  
UNICEF  
ILO  
IOM  
UNESCAP  
UN Women  
OHCHR  
BetterWork (ILO)  
Youth Empowerment in Climate Action Platform (YECAP)

### GOVERNMENT

**Viet Nam**  
– Ministry of Justice

**Bangladesh**  
– Bangladesh Investment Development Authority  
– National Human Rights Commission of Bangladesh  
– Public Works Department  
– Ministry of Planning  
– Ministry of Commerce  
– Economic Relations Division, Ministry of Finance,  
– Ministry of Labour and Employment  
– Ministry of Environment, Forest and Climate Change  
– Law and Justice Division, Ministry of Law  
– Bangladesh Economic Zones Authority  
– SME Foundation  
– National Association of Small and Cottage Industries Bangladesh

### Maldives

– National Human Rights Commission of the Maldives

### Thailand

– Ministry of Justice

### BUSINESS

Stock Exchange of Thailand  
Viet Nam Chamber of Commerce and Industry  
Business and Human Rights Academy  
Global Business Initiative on Human Rights  
UN Global Compact  
International Chamber of Commerce  
International Organization of Employers (and national chapters)  
Amfori  
Elite Group  
Partners in Change  
Praxis India  
Gethu Group  
Shanta Holdings  
National Development Engineers  
ABC Construction

### THINK TANKS, UNIVERSITIES, CONSULTING FIRMS

University of New South Wales  
Macquarie University  
Global Rights Compliance  
Institute for Human Rights and Business  
Forum for the Future  
Pillar Two  
Article30  
Behavioural Insights Architecture & Strategy (BIAS)  
The Centre for Research on Multinational Corporations (SOMO)

### CIVIL SOCIETY

Thomson Reuters Foundation  
FORUM-ASIA  
Indigenous Peoples' Rights International  
Manushya Foundation  
Community Resources Centre Foundation  
Asia Indigenous Peoples' Pact  
Business & Human Rights Resource Centre  
Korean Transnational Corporations Watch  
Human Rights Now  
ALTSEAN-Burma  
Asia Task Force on the Legally Binding Instrument  
INSAF  
Right Energy Partnership  
Asia Indigenous People's Network on Extractive Industries and Energy  
ESCR-Net  
Fair Wear Foundation  
Asia Indigenous Peoples' Pact  
Traidcraft Exchange  
Oxfam  
TROSA-Oxfam  
Social Compact  
Corporate Responsibility Watch  
Safety and Rights Society  
Dasra  
Irac  
Kapaeeng  
LAHURNIP  
Indigenous Peoples Human Rights Defenders Network  
Sagar Seba

