

PROGRESS REPORT 2020

BUSINESS and HUMAN RIGHTS in ASIA

ENABLING SUSTAINABLE ECONOMIC GROWTH THROUGH THE RESPECT,
PROTECT AND REMEDY FRAMEWORK

PROJECT INFORMATION

Project name: Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework

Project ID: 00110712

Duration: 48 months

UNDP Regional Programme Document: Outcome 2 – Accelerate structural transformations for sustainable development

UNDP Strategic Plan Component: Accelerate structural transformations for sustainable development

Total Budget: EUR 6,500,000

Annual Budget: USD 1,530,236.33

Sources: European Union Partnership Instrument

Unfunded Amount: N/A

Implementing Partner: United Nations Development Programme (UNDP)

Project Manager: Sean Lees

Project Advisor: Livio Sarandrea

ACRONYMS

AWP	Annual Work Plan
B+HR Asia	Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework
BHEUU	The Legal Affairs Division, Prime Minister's Department of Malaysia
BHR	Business and Human Rights
BRH	Bangkok Regional Hub
CEJ	Centre for Environmental Justice
CO	Country Office
CrCF	Cross Cultural Foundation
CSO	Civil Society Organisation
CSR	Corporate Social Responsibility
EOP	the Executive Office of the President
ESG	Environmental, Social and Governance
EU	European Union
FORUM-ASIA	the Asian Forum for Human Rights and Development
GIACC	National Governance, Integrity and Anti-Corruption Centre, Prime Minister's Department
GCNSL	Global Compact Network Sri Lanka
GCNT	Global Compact Network Thailand
HRD	Human Rights Defender
HRDD	Human Rights Due Diligence
URLA	Human Rights Lawyers Association
IBCSO	Indonesia Business Council for Sustainable Development
IGCN	Indonesia Global Compact Network
ILO	International Labour Organization
KASA	Ministry of Environment and Water
MCA	the Ministry of Corporate Affairs (India)
MCRB	Myanmar Centre for Responsible Business
MNHRG	the Myanmar National Human Rights Commission
MOFA	Ministry of Foreign Affairs
MoHR	Ministry of Human Resources
MOLHR	Ministry of Law and Human Rights
MONDP	Ministry of National Development Planning
NAP	National Action Plan
NHRI	National Human Rights Institution
NS-BHR	National Strategy on Business and Human Rights
OHCHR	Office of the United Nations High Commissioner for Human Rights
OECD	The Organisation for Economic Co-operation and Development
RLPD	the Rights and Liberties Protection Department
SLAPP	Strategic Lawsuit Against Public Participation
SUHAKAM	the Human Rights Commission of Malaysia
TRBN	Thailand Responsible Business Network
UMFCCI	The Union Federation of Myanmar Chambers of Commerce and Industries
UNDP	United Nations Development Programme
UNGPs	The United Nations Guiding Principles
UNW	United Nations Entity for Gender Equality and the Empowerment of Women

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY	1
II. INTRODUCTION – REGIONAL VIEW	2
III. PROJECT PROGRESS UPDATE	4
COUNTRY PROFILES	6
INDIA	6
INDONESIA	10
MALAYSIA.....	15
MYANMAR	21
SRI LANKA	26
THAILAND	31
REGIONAL ACTIVITIES	37
IV. GENDER.....	42
V. PARTNERSHIPS	43
VI. PROJECT RISKS AND ISSUES	46
VII. LESSONS LEARNED	50
VIII. SOUTH-SOUTH COOPERATION	52
IX. COMMUNICATIONS AND VISIBILITY	53
X. FUTURE PLANS.....	55
ANNEX 1: WORKSHOP AND EVENTS	56
ANNEX 2: PARTNERS ENGAGED.....	59
ANNEX 3: POLICY AND KNOWLEDGE PRODUCTS PRODUCE	61
ANNEX 4: SPECIFIC OBJECTIVES AND EXPECTED RESULTS	62

I. EXECUTIVE SUMMARY

Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Respect, Protect and Remedy Framework (B+HR Asia) is a joint action of the European Union (EU) and the United Nations Development Programme (UNDP). The action promotes and facilitates the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs), and in the process, contributes to better human rights conditions, inclusive economic growth, and environmental sustainability. The project is implemented over the period of 48 months starting from January 2020. Project programming countries include India, Indonesia, Malaysia, Myanmar, Sri Lanka and Thailand. This progress report covers the period from 4 August 2020, the date from which the project Inception Report was filed, to 31 December 2020, the end of the financial reporting period.

The **B+HR Asia** project faced considerable headwinds during the reporting period in the face of a global pandemic and coupled with the region's most painful economic downturn in a lifetime. Despite this, the project was successful in **driving policy work forward** on Business and Human Rights (BHR), as provided for under Output 1. Policy momentum was achieved by engaging policymakers in dozens of closed-door meetings, providing expert-level technical support, and keeping multiple stakeholders involved in public discourse. Over a short period of time, and during crisis circumstances, approximately 1,700 targeted stakeholders were reached through 29 awareness raising events.

Under Output 2, **strong visibility and engagement with the public was achieved** through a wide array of communication and public diplomacy actions. A focus on social media and web-based platforms at the national and regional levels through 107 communication products and 17 communication campaigns resulted in higher visibility of the EU-UNDP partnership. For example, the project designed and then widely disseminated the *Human Rights Due Diligence and COVID-19: Rapid Self-Assessment* tool throughout the region, translating it into Bahasa, Chinese, Hindi, Japanese and Thai.

Under Output 3, the project **promoted solutions for rightsholders** through Human Rights Due Diligence (HRDD) practice trainings and workshops, and awareness raising on the UNGPs. Small grants were awarded to three civil society organizations (CSOs) to support access to remedy for people and communities negatively impacted by business operations.

As outlined above and clarified further below, the **B+HR Asia** project made appreciable, even surprisingly large gains. The commitment made by partners at all levels, and the **resilience demonstrated by UNDP's Country Offices**, prevailed over multiple and varied challenges during a tumultuous programming period.

II. INTRODUCTION – REGIONAL VIEW

B+HR Asia promotes the uptake of the business and human rights (BHR) agenda through the implementation of the UNGPs in six countries in Asia: India, Indonesia, Malaysia, Myanmar, Sri Lanka and Thailand. In 2021, BHR programming will begin in Mongolia, bringing the total number of programming countries to seven.

At its core, the **BHR agenda** aims to enforce a standard of what is considered acceptable business behavior. That standard is defined by internationally recognized human rights instruments including the International Bill of Rights and the eight ILO core conventions. For its part, the UNGPs provide practical guidance to government and business on how to give life to international human rights standards in the context of business operations.

During the reporting period, the COVID-19 pandemic remained a potent force shaping UNDP's operating environment. Though difficult to quantify, programming was clearly impacted by public health and related economic and political factors. In some countries, opportunities and communications with stakeholders shut down, quickly reopened, then quieted again. These circumstances effected work planning and project delivery rates significantly.

Despite the fluctuations in engagement, the BHR agenda remained highly relevant in the region, as decision makers became increasingly aware of the links **between responsible business practices, public health, and economic recovery**. Migrant worker health rights abuses in Malaysia and Singapore, brought both unwanted attention to longstanding labor practices, but also shut down manufacturing facilities in some instances. These events were then punctuated by the decision of the US government to refuse market entry to large shipments of medical and palm oil products that were allegedly made with forced labor in Indonesia and Malaysia.

The links between responsible business and economic recovery was further underscored by messaging from large institutional investors that attracting high-value FDI requires countries in Asia to pay closer attention to their environmental and human rights risk profiles.¹ The growing size of the ESG asset class has certainly encouraged business and government leaders to review their labor and environmental risk profiles more carefully.

In pursuit of investment, India and Indonesia undertook drastic and controversial amendments to labor and environmental regulations, as a means to see their country advance

¹ See, for example, open letter from 36 investors representing approximately USD \$4.1 trillion to the Government of Indonesia criticizing those provisions reducing labor rights and Environmental reporting. Accessed at <https://www.greencentury.com/wp-content/uploads/2020/10/Indonesian-Omnibus-Investor-Letter.pdf>

up the ease-of-doing-business rankings. These same governments also made public commitments to the UNGPs as a means perhaps, to address investor concerns and consumer sentiment abroad. Malaysia also took steps, quietly but deliberately, towards a NAP on business and human rights, despite political and economic uncertainty.

Furthermore, there was growing appreciation during the reporting period of the **emerging regulatory pressures** on MNEs with operations or supply chains in Asia. The EU Justice Commissioner's call for mandatory HRDD legislation in April 2020, dramatically increased interest in Asia in the UNGPs and its guidance on HRDD. Uptake of UNDP's trainings on HRDD were well-subscribed in Indonesia, Sri Lanka and Thailand.

While support for responsible business has held fast in the face of political and economic uncertainty, national commitments to improve human rights conditions in business operations cannot be taken for granted.

Governments in the region continue to face the economic fallout of second and third waves of COVID-19 infections. A drop in trade and foreign direct investment (FDI) levels, already on the wane before the COVID-19 outbreak, is resulting in steep drops in GDP² and tax receipts.³ Medical systems continue to be put to the test with political consequences for some governments. And discussions in western capitals of the need to shorten supply-chains only serve to dim the mood further.

Meanwhile, both the middle class and low-income groups suffer significantly from depletions in personal savings and food security. And civic space necessary to hold perpetrators to account for business-related human rights abuses continues to shrink.

Thus, while the programming environment has stabilized, it remains far from optimal. Going forward, UNDP will increase efforts to cultivate in-country collaboration with multilateral partners, while providing more focused support to champions of BHR among civil society organizations and businesses.

The section below gives a more detailed picture of the status of BHR in programming countries, and the project programming accomplishments during the reporting period.

² ADB forecasts South Asia economies contracting to 6.1%. Southeast Asia is forecasted to contract by 4.4% for 2020 and for 2021 to 5.2%. Asian Development Outlook (ADO) 2020 Supplement: Paths Diverge in Recovery from the Pandemic. December 2020. <https://www.adb.org/publications/ado-supplement-december-2020>

³ Recent evidence suggests that a robust rebound in trade flows may be upon us. According to the World Trade Monitor compiled by the CPB Netherlands Bureau for Economic Policy Analysis, cross-border flows of goods in August 2020 have already snapped back to the level seen in March. As coronavirus vaccines become available, the trade rebound is unlikely to be reversed.

III. PROJECT PROGRESS UPDATE

The action promotes the uptake of the BHR agenda and the implementation of the UNGPs through the development of policy instruments (Output 1), communications and visibility efforts (Output 2), and access to remedy (Output 3) initiatives. During the reporting period, the EU-UNDP partnership on this action realized its first substantive programming gains.⁴ Six policy initiatives were reinvigorated or kick-started. A total of 51 partners were engaged. Together with these partners, 29 events and 107 communication products enhanced a common understanding and awareness of the UNGPs and BHR agenda.⁵

The following highlights provide an at-a-glance view.

In **India**, the Ministry of Corporate Affairs reaffirmed its commitment to BHR with action on the country's NAP on BHR. A final draft version is tentatively scheduled to launch on 31 March 2021.



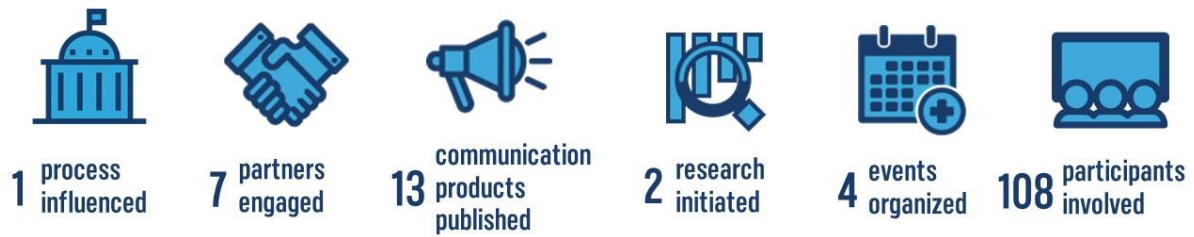
In **Indonesia**, the *First Draft of the National Strategy on Business and Human Rights (NSP)* was announced on 25 November 2020. A final draft of the NSP is tentatively scheduled to be launched in August or September of 2021.



In **Malaysia**, too, consultations were hosted around a NAP on BHR detailing a focus on labor, the environment and governance. A NAP on BHR is tentatively scheduled to be completed by January 2022.

⁴ Contributing to Specific Objective 1 (SO1) as described in [Annex 4](#)

⁵ Contributing to SO2 as described in [Annex 4](#)



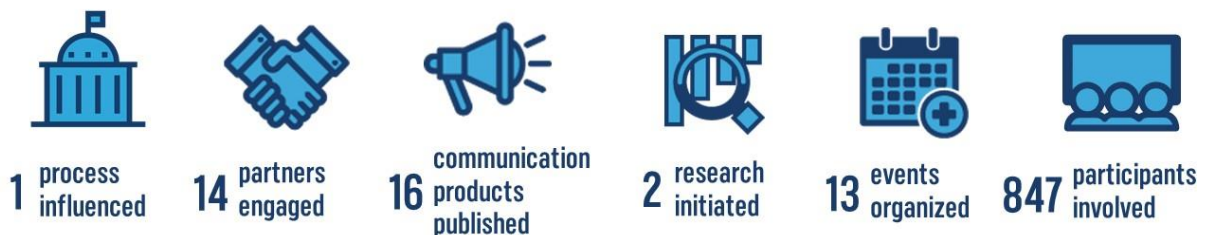
In **Myanmar**, UNDP engaged in land law reform discussions as a means to alleviate adverse impacts of land rights abuses by business interests. In parallel, nascent steps were made towards the development of a BHR policy framework with government. **In light of recent political events in Myanmar these efforts are on hold.**



In **Sri Lanka**, the business community demonstrated strong willingness to commit to the BHR agenda despite the government's hardened attitude towards human rights topics. Public events addressing BHR topic areas including HRDD were well-attended.



In **Thailand**, implementation of the Thai NAP is taking shape at the provincial level through implementation planning efforts. Furthermore, a number of high-profile criminal defamation suits were dropped against human rights defenders (HRDs) signaling, perhaps, a recalibration by companies of the risk-benefit equation against the use of strategic lawsuits against public participation (SLAPP).



COUNTRY PROFILES



INDIA

Context

The COVID-19 pandemic continues to buttress the India subcontinent with recent surges of COVID cases in New Delhi, the State of Maharashtra, and elsewhere. In response to the continuing crisis, the Government of India has issued a relief package of INR 20 trillion (USD 260 billion) covering food, health care, social protection, and other forms of support.

Movement restrictions, store closures and factory shutdowns had a significant impact on the economy. Reports indicate that India's GDP growth rate declined from 6.1 percent in FY19 to 4.2 percent in FY20, the slowest in 11 years. In May, the Government of India (GOI) responded to the deepening economic crisis with a pro-growth economic strategy roughly translated into English as "Self-Reliant India" which would focus on transforming education, infrastructure, agriculture, among other sectors.

By September, legislation was tabled aimed at simplifying laws to enhance employment and investment, including the Labour Codes on Occupational Safety and Health, Industrial Relations, and Social Security. These laws were heavily criticized by trade unions, CSOs and farmers and led to widespread protests in the months that followed. Critics claimed that the laws undermined fair wage standards, the right to strike and the right to collective bargaining. Challenges to the constitutional validity of the laws were lodged with the Supreme Court of India.⁶

At or around the same period, discussions between UNDP and the Ministry of Corporate Affairs (MCA) on plans to release a draft version of the National Action Plan on Business and Human Rights had quieted considerably, perhaps understandably given the deepening economic crisis. Ministry budgets had also reportedly been re-directed to COVID-19 response efforts. The BHR agenda in India looked moribund.

As the public health emergency stabilized, the GOI turned its attention to attracting FDI to kick start the economy. In a speech before large institutional investors in November, Prime Minister Modi reiterated the country's commitment to sustainability. "Today, investors are moving towards companies which have a high Environmental, Social and Governance [ESG] score," he stated. "India already has systems and companies which rank high on this. India

⁶ <https://indianexpress.com/article/explained/an-expert-explains-farm-acts-and-federalism-6622769/>

believes in following the path of growth with equal focus on ESG.”⁷ In this emerging context, the MCA has reinitiated conversations on the NAP on Business and Human Rights.

Despite this welcome change in direction, continued restrictions on civil society act as a cap on enthusiasm. India continues to witness shrinking civic space for Human Rights Defenders and rights-based organisations to do their work. Many human rights activists including Tribal Rights Activist, Prof. Stan Swamy, have been arrested on a range of charges, particularly under the Unlawful Activities (Prevention) Act. In September, the human rights organization, Amnesty International was compelled to shut down its India operations.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.2: Reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments

Activity 1.2.2: Provide technical assistance to government ministries responsible for drafting the NAP

During the reporting period, UNDP focused on maintaining engagement with the MCA on NAP development despite COVID-19 related restrictions. These efforts paid off at the end of the year with a commitment from the MCA to launch a final draft of the NAP by 31 March 2021. To expedite this process, two technical consultants (senior and junior) are providing expert-level advice and support to the ministry in advancing the draft. They are also supporting the MCA in designing and facilitating multi-stakeholder consultations for feedback on the NAP and other related documents and increasing awareness among relevant stakeholders on BHR in the country through workshops, seminars and other events.⁸

Supporting expert consultants has given UNDP a strong understanding of MCA priorities and challenges, as they provide sustained technical support to NAP development necessary to ensure policy results.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communications products to enhance understanding of the UNGPs

⁷ <https://www.hindustantimes.com/india-news/at-roundtable-with-global-investors-pm-modi-pitches-atmanirbhar-bharat/story-K7xERqmNrvoE19UEh2yHtK.html>

⁸ Contributing to SO2 as described in [Annex 4](#)

Communication products produced at regional level were translated into Hindi to reach wider audiences. Communication products include a project brief (designed for decision makers, business sector, partners) and an animated video on the UNGPs (targeting businesses,



industry associations, civil society actors and the general public). These products have been published online and they will be further distributed in the project events in 2021.

Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy

Activity 2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and the broader BHR agenda

In the wake of the recent amendments to the labour and environmental frameworks in India, UNDP commissioned expert-level analysis to contextualise them within the business and human rights framework, alongside India's constitutional and international legal commitments on the topic. The aim of the studies is to undertake a thorough review of the existing labour and environment law frameworks to identify areas of reform and to enhance capacity of the State to protect and remedy businesses abuses. The key target audiences include relevant Government Ministries including Ministry of Labour and Employment, Ministry of Environment, Forests and Climate Change and Ministry of Corporate Affairs. The briefs would also be circulated among civil society actors to raise awareness on the legal gaps in India's labour and environment framework.

To convey the importance of BHR issues to the general public and to enhance the understanding of the topics unpacked by these research products, UNDP is creating short, animated videos that present these issues to the public in an easy-to-digest manner. The videos will be introduced to the general public through social media campaigns, also directing the audience to related knowledge products.

Output 3: Access to Remedy

Output 3.1: Access to remedies for parties subject to adverse human rights impacts is strengthened through awareness raising and rights provision

Activity 3.1.1: Provide grants to civil society actors working with human rights defenders and women's rights activists seeking innovative approaches

UNDP India assigned a grant to a CSO that support women workers and indigenous communities impacted by the COVID-19 pandemic. The grant recipient, Change Alliance Private Limited (CAPL), "is a socially driven organisation providing consultancy and advisory services with a mission to create social impact". Under the terms of the grant, the CSO will conduct a baseline assessment of the impact of COVID-19 in the Indian Ready-Made Garment (RMG) industry. CAPL will foster greater awareness of rights, and information on access to remedies for adverse human rights impacts on women migrant workers in the RMG industry, including from indigenous communities. The implementation will take place during the first 6 months of 2021.



INDONESIA

Context

As of December 2020, the Indonesian Health Ministry registered over 557,000 confirmed COVID-19 cases, with over 17,000 lives lost. Adding to these grim statistics, the government announced in November that 2.67 million people lost their jobs to COVID-19.⁹

As a means of attracting international investment and boosting employment, Indonesian President Joko Widodo proposed sweeping changes to existing labor codes. On October 5, the Omnibus Bill on Job Creation was tabled proposing amendments to 73 laws, amidst 15 chapters and 174 articles.¹⁰ Indonesia's deregulation efforts would also roll back environmental protection laws regulating illegal timber sales and other sectors. On 5th October 2020, the Omnibus Bill on Job Creation was passed into law by the government and the House of Representatives.

The Omnibus bill immediately sparked controversy as labor leaders and environmentalists alleged that the new law would marginalize workers, threaten the sovereignty of indigenous peoples, and accelerate environmental damage. Similar to the scenario in India, civil society disaffection manifested in violent street protests in several cities in Indonesia.¹¹ Separately, investor groups criticized the bill, noting that it provided insufficient guarantees for environmental and labour standards, heightening risk considerations.¹²

During the COVID-19 pandemic, communications between government and UNDP slowed considerably regarding progress towards the NAP on BHR. Efforts were complicated further by the need to appoint a new focal point Ministry on BHR, which transferred authority from the Coordinating Ministry of Economic Affairs (CMEA) to the Ministry of Law and Human Rights (MOLHR).

⁹ "Unemployment surges to decade high as COVID-19 causes millions to lose jobs - Business - The Jakarta Post". Click to read: <https://www.thejakartapost.com/news/2020/11/05/unemployment-surges-to-decade-high-as-covid-19-causes-millions-to-lose-jobs.html>.

¹⁰ <https://www.thejakartapost.com/news/2020/02/21/guide-to-omnibus-bill-on-job-creation-1028-pages-in-8-minutes.html>

¹¹ <https://www.hinrichfoundation.com/research/article/sustainable/indonesia-sustainable-trade/>

¹² <https://www.hinrichfoundation.com/research/article/sustainable/indonesia-sustainable-trade/>

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: Dialogue, training and knowledge sharing to encourage policy convergence with the UN Guiding Principles on Business and Human Rights

Activity 1.1.1: Facilitate tripartite discussions involving relevant policymakers, prominent civil society groups and European and Asian business associations on the UNGPs

As the COVID-19 pandemic struck, UNDP Indonesia hosted a 6-session webinar series running from April to June, to raise awareness of the UNGPs and promote respect for human rights within business operations, with a special emphasis on the COVID-19 context. The webinar series conducted by UNDP, the Indonesia Global Compact Network (IGCN) and the Indonesian Chamber of Commerce (KADIN), facilitated knowledge exchange between stakeholders from government and businesses on BHR and HRDD.¹³ The webinar demonstrated UNDP's *Human Rights Due Diligence and COVID-19: Rapid Self-Assessment* (C19 Rapid Self-Assessment) to a wide range of business actors. Though the series were organized during the inception phase of the project, the webinars were key to building partnerships and raising awareness among business stakeholders to the relevance of BHR issues.

Activity 1.1.2: Training for the private sector on UNGPs and Human Rights Due Diligence

On 15 December 2020, UNDP conducted a training on UNGPs and HRDD targeted the private sector. The training was organised in collaboration with the Indonesia Business Council for Sustainable Development (IBCSD) and the EU Chambers of Commerce, with a total of 75 people participating online.¹⁴

The trainings raised awareness and knowledge of the UNGPs among members of the Indonesian business community, while facilitating peer-to-peer learning. The trainings also facilitated partnership building between UNDP, government and business important to scaling up action to respect human rights.



¹³Contributing to Result 1 (R1) as described in [Annex 4](#)

¹⁴Contributing to R1 and R4 as described in [Annex 4](#)

The event garnered significant media coverage among the general public through coverage in multiple news platforms, including: [Republika.co.id](https://republika.co.id), [Beritasatu.com](https://beritasatu.com), [Merahputih.com](https://merahputih.com), [Kontan.co.id](https://kontan.co.id) and [RMOLid](https://rmolid.com).

Activity 1.1.3: Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments

In addition to the events, **B+HR Asia** in Indonesia employed expert-level feedback and review on key processes and documents leading up the draft National Strategy on Business and Human Rights (NS-BHR). Expert level review included feedback on the draft *Roadmap on Business and Human Rights* and on the *Draft Decree on the Establishment of a NS-BHR Task Force*, analysis of the *Omnibus Bill on Job Creation from a BHR perspective*, and feedback on the *Business and Human Rights Legislative and Regulatory Frameworks Assessment*.¹⁵

The analysis on the draft *Omnibus Bill on Job Creation from a BHR perspective* was tabled for discussion at a Coordination Committee meeting with government and other key stakeholders. On the basis of this discussion, members of the Coordination Committee—which included representatives of the Ministry of Law and Human Rights, Ministry of National Development Planning, and the Executive Office of the President— suggested a study to be conducted to seek the gaps of the Bill to better inform and strengthen the NS-BHR.¹⁶

Output 1.2: Skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments is reinforced.

Activity 1.2.2: Provide technical assistance to government ministries responsible for drafting and implementing National Action Plans

UNDP provided technical assistance to government ministries responsible for drafting and implementing NS-BHR through coordination meetings with the Ministry of Law and Human Rights, Ministry of Foreign Affairs, Ministry of National Development Planning, and the Executive Office of the President. The technical assistance facilitated through the coordination meetings contributed to the finalization and the launch of the first draft of the NS-BHR and the formulation of the NS-BHR Task Force that consists of key ministries, business associations and CSOs. The Task Force will be responsible for finalising the first draft into a legitimised policy and work on its implementation.¹⁷

With UNDP's support, the first draft of the NS-BHR was disseminated to the wider public. On 25 November 2020, UNDP also supported the MOLHR in conducting a National webinar of

¹⁵ These knowledge-based products have not been published.

¹⁶ Contributing to R2 as described in [Annex 4](#)

¹⁷ Contributing to R2 as described in [Annex 4](#)

General Public Consultations. At the National Webinar MOLHR also unveiled the Business Risk and Human Rights Assessment Website, known in Bahasa as PRISMA.

Importantly, the event allowed the government to publicly commit to the BHR agenda among an international audience of investors, journalists, human rights advocates and other stakeholders.¹⁸

A total of 140 participants attended the national webinar online from UNDP (Indonesia and the Regional Hub), ministries, businesses (associations and companies), CSOs, and academia.

The event contributed to increased public awareness also through extensive news media coverage. Several newspapers published articles on the topic (for more details, please see the event evaluation report).¹⁹ The first draft



of the NS-BHR is an opportunity for the government to review its legislative framework at the national level to increase coherence with its human rights commitments across business-related legal and policy frameworks and programs. At the launch event the wider public was invited to provide feedback to the draft. Public consultations with key government ministries, businesses, business associations, civil societies and academics will follow.

In the reporting period, UNDP also hired an expert-consultant to facilitate further inputs on NS-BHR development and to finalize the NS-BHR into a legal document between December 2020 and mid-2021.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

In Indonesia, UNDP developed communication materials that promoted attendance at key events. These have included social media posts, a press release, a summary article and visibility items such as a bumper video for the National Dialogue on Business and Human

¹⁸ Contributing to R1, R2, R4 and R5 as described in [Annex 4](#)

¹⁹ Contributing to R1 as described in [Annex 4](#)

Rights. These communication materials also contributed to increased visibility for the **B+HR Asia project** and heightened awareness of the NS-BHR among members of the general public.



Output 3: Access to Remedy

Output 3.1: Access to remedies for parties subject to adverse human rights impacts is strengthened through awareness raising and rights provision

The activities planned under this output were not implemented as the project focused the bulk of its attention on government relations to ensure that it would follow through with its policy commitment on BHR. Substantial efforts were also made to develop research and communication products to demonstrate the relevance of the BHR agenda during COVID-19 period. Importantly, the project will engage with Komnas HAM, the Indonesian National Human Rights Institution (NHRI) as a priority in the 2021 programming period.



Context

In 2020, Malaysia was embroiled in a prolonged period of political instability, exacerbated by COVID-19's impact on the country's public health and economy. Inter-party clashes signaling leadership challenges, were coupled by intense intra-party dynamics. The state of Sabah held a snap election on 26 September, adding to the turmoil, but also to a significant outbreak of COVID-19 in the state. By December 2020, parliamentary members from the United Malays National Organization (UMNO) party publicly called for UMNO's withdrawal from the Perikatan Nasional (PN) coalition government. Other politicians openly questioned the legitimacy of the PN government and called for a general election.

In parallel, the average number of daily COVID-19 cases rose significantly across the country. For example, in December alone, daily average cases increased by 34 percent. At the end of the year, there were approximately 220,000 confirmed infections. Consequently, the Malaysian government launched and then extended Conditional Movement Control Order in its major states, with deep implications for the country's economy. Analysts from Nomura forecasted a 6.3 percent drop in GDP in 2020.

Making economic matters worse, Malaysia's rubber and palm oil industries came under intense international scrutiny for allegations of forced labour practices. Pulitzer prize winning journalists released a major investigative report on the presence of forced labor in palm oil products exported from Indonesia and Malaysia. Coincidentally, this story was followed by the issuance of a Withhold Release Order by the U.S. government against TopGlove forcing shipments back to Malaysia. US Customs and Border Protection (US CBP) found "reasonable evidence" that the company was using forced labor in the production of rubber gloves, according to a statement. US CBP said that the evidence revealed instances of "debt bondage, excessive overtime, retention of identification documents, and abusive working and living conditions." Intensifying pressure, COVID-19 cases then surged among TopGlove workers, reaching over 5,000 cases²⁰, with a disproportionate number involving the migrant worker population. Cases were also found in other glovemaker sites. In response, the Malaysia government announced plans to file dozens of charges under a new worker housing law against TopGlove and Brightway.

Separately, but in parallel to the above developments, the Legal Affairs Division of the Prime Minister's Department (BHEUU)—the government body mandated to draft a NAP on BHR—

²⁰ <https://www.reuters.com/article/health-coronavirus-malaysia-gloves/malaysian-glovemaker-kossan-to-cut-capacity-after-reported-covid-19-outbreak-idINL4N2IW1ZF>

was appointed a new Director-General. The change in leadership in June 2020 slowed down momentum considerably. Today, caution is the guiding principle as the Malaysian government approaches any and all issues of controversy carefully. Still, significant progress was made in the final months of the year, as detailed below.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: Dialogue, training and knowledge sharing to encourage policy convergence with the UN Guiding Principles on Business and Human Rights

In the midst of the COVID-19 response, UNDP and BHEUU initiated the first steps in the implementation of the NAP drafting process through a series of multi-stakeholder engagements with relevant government ministries and agencies, regulatory and enforcement bodies, national human rights institutions, and CSOs. The objective of these meetings was to socialize the aims of the NAP, set up the necessary governance structures and mechanisms and formulate a roadmap leading to the development of a draft NAP.²¹

Activity 1.1.2: Conduct trainings on a range of standard setting guidelines including the UNGPs

In preparation of these activities, an initial skill-building event was conducted on 6 November 2020, targeting key government ministries or agencies and the Human Rights Commission of Malaysia (SUHAKAM). The event ensured greater familiarity with important concepts under the UNGPs.

Participants from government ministries were successfully socialized on key BHR concepts and the UNGPs during the training. Participants were also briefed on their role/functions in the development process of the NAP to ensure that the officers will be ready to act as moderators in their respective area of expertise in the planned multi-stakeholder consultative workshop in December 2020.

As a result, and in preparation for stakeholder consultations, BHEUU set up a core group that would be supporting them in the development of the NAP. In addition to SUHAKAM, the training targeted the following government ministries and agencies:

1. Ministry of Human Resources (MoHR)
2. Ministry of Environment and Water (KASA)
3. National Governance, Integrity and Anti-Corruption Centre, Prime Minister's Department (GIACC)

²¹ Contributing to R1 and R2 as described in [Annex 4](#)

In total, five officers from the ministries/agencies and four officers from SUHAKAM attended the training delivered by Professor Aishah Bidin, a widely recognized BHR national expert.

It was decided that the NAP would address the thematic areas of: (i) labour, (ii) environment and (iii) governance. Gender will be treated as a cross-cutting theme under the three thematic areas. Issues concerning indigenous communities, on the other hand, would come under the environment heading.

Output 1.2: Reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments

Activity 1.2.1: Raise awareness of the UNGPs with governments; host and facilitate peer learning events

The first of the multi-stakeholder engagement, the *Business and Human Rights Consultative Workshop 2020: Towards Malaysia's National Action Plan*, reviewed three proposed thematic areas under Malaysia's NAP. The workshop achieved high-level buy-in from the relevant government ministries, agencies, regulatory and enforcement bodies, NHRIs, trade associations and CSOs.

In total, 103 participants from academia, government agencies, CSOs, business and other backgrounds attended the workshops organized on 7, 8 and 14 December 2020, some of them attending more than one event of the series. The workshop generated initial content and provided insight into key areas for the development of the draft National Action Plan.

The first workshop, focused on labour and migrant worker rights, was moderated by the Ministry of Human Resources. Topics highlighted included: corporate due diligence, the rights of children, judicial grievance mechanisms, forced labour and trafficking, ESG policies, labour rights of migrant workers, refugees and undocumented persons, rights of people living with disabilities, labour legislation, and immigration policies.

The second workshop focused on adverse environmental impacts, and was moderated by the Ministry of Environment and Water (KASA). The workshop made clear linkages between the adverse effects of unsustainable business practices on the environment and the impact on human rights. Environmental laws at the federal and state level, effective grievance channels for civil society organizations, industry shifts to cleaner and safer production, due diligence mechanisms and implementation of the Polluters Pay Principle were thoroughly discussed.

The final workshop, moderated by the National Governance, Integrity and Anti-Corruption Centre (GIACC), focused on governance issues, in particular, anti-corruption. The discussion emphasized the role of financial and non-financial governance by the state, state-owned enterprises and private enterprises. State and private sector purchasing and tendering activities, alignment with the National Anti-Corruption Plan 2019, disclosure and sustainability framework by Bursa Malaysia, a mapping of complaints mechanisms and the Whistleblower Protection Act 2010 were also discussed.

Discussions of each session were captured “live” on Miro.



Comments provided by the participants on Miro board during the Workshop Session 2.

Activity 1.2.2: Provide technical assistance to government ministries responsible for drafting the NAP

To advance the NAP process in Malaysia, UNDP provided BHEUU with expert level advice offered by Prof. Aishah Bidin, a corporate law and human rights expert and former commissioner of SUHAKAM with over 30 years of academic experience at the National University of Malaysia.

Prof. Bidin finalized an inception report detailing the workplan and methodology for the NAP process while setting up the governance structure for the implementation of the NAP process and upcoming baseline assessment. Prof. Aishah's contributions to the project are meaningful on several levels but most importantly as a trusted resource by the Government of Malaysia and as a well-established figure with extensive and good working relationships with various stakeholders.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

The main objective of UNDP Malaysia's communication efforts was to raise awareness of the UNGPs and to position UNDP as a key partner in the area of BHR. Among other efforts, UNDP translated the C19 Rapid Self-Assessment into Bahasa-Malay and disseminated the product widely through social media channels.

Communications materials that were developed include a series of videos and digital campaign materials. Development of some of these materials are still in progress (please see

the details in the AWP in Annex 7). Translation of the 'The UN Guiding Principles on Business and Human Rights and the 2030 Agenda' video into Bahasa Malaysia was completed and the video has been disseminated through the UNDP Malaysia YouTube channel.

Communication results are currently based on the delivery of the digital campaign in conjunction with Human Rights Day. Three (3) of six (6) social media posts have been delivered on four platforms (Twitter, LinkedIn, Facebook and Instagram). Communication efforts also deepened engagements with key stakeholders including:

- H.E. Michalis Rokas, Ambassador of the European Union to Malaysia (newly appointed in September 2020)
- Panudda Boonpala, Deputy Regional Director, ILO Regional Office Asia Pacific
- Kendra Rinas, Head of Office, IOM Malaysia
- Dato' Mah Weng Kwai, Commissioner, Human Rights Commission of Malaysia (SUHAKAM)
- Cynthia Gabriel, Board Director, Centre to Combat Corruption and Cronyism (C4) and Human Rights Defender
- Adrian Pereira, Executive Director, North-South Initiative (NSI) and Human Rights Defender



Engagements with stakeholders were well-received and brought partners closer.

The development of a series of animated videos were initiated based on research products to be published in 2021.

Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy

Activity 2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and the broader BHR agenda

Research was initiated to complement the process of developing the National Action Plan, provide the groundwork for more in-depth assessments and build a knowledge-base and public awareness on key BHR issues in Malaysia.

These research products are tentatively titled, COVID-19 and Business and Human Rights in Malaysia; and Environmental, Social and Governance (ESG) Policies in Government-Linked Investment Companies. Research abstracts have been developed and used to inform two (2) animated videos on the research topics. When completed, these videos will be widely shared through social media platforms and during related events.

Output 3: Access to Remedy

Output 3.2: Reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms

The Malaysia CO was unable to undertake activities planned under Output 3 in the reporting period but laid the groundwork for future initiatives. The BHR National Specialist re-established discussions with the SUHAKAM on potential collaborations, including on an access to justice dialogue for 2021. Similarly, a Human Rights Due Diligence training planned for 2020 could not be implemented by Q4 due to time constraints faced by both the Malaysia CO and its partners. The HRDD training is thus postponed until 2021.



MYANMAR

Context

On 8 November, elections held in Myanmar handed a landslide victory to the National League for Democracy (NLD) and its leader Daw Aung San Su Kyi. On 1 February 2021, the senior general of the Myanmar military, known as Tatmadaw, led a coup against the democratically elected government, detaining President U Win Myint, State Counsellor Daw Aung San Su Kyi and other political leaders.

Efforts to engage with the government on BHR have understandably been put on pause at the time of drafting this progress report. Days before the coup, at the Human Rights Council's Universal Periodic Review, the Ministry of Investment and Foreign Economic Relations (MIFER) stated its intention to fully embrace the BHR agenda. In his opening, the MIFER representative noted that "this year marks the 10th anniversary of the adoption of the UN Guiding Principles on Business and Human Rights. Myanmar is committed to implement the UN Guidelines in fostering respect for human rights as well as promoting responsible businesses throughout the country." MIFER announcement to embrace the BHR agenda was further informed by efforts at land law reform, that only then beginning to gain attention and traction.

Progress below reflects activities and achievements before the coup period.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: Dialogue, training and knowledge sharing to encourage policy convergence with the UN Guiding Principles on Business and Human Rights

In Myanmar, UNDP focused on the linkages between business activity, land acquisition, corruption in land governance, displacement and accompanying human rights issues. Related efforts laid the groundwork for the potential development of a NAP on BHR.

Activity 1.1.2: Conduct training on a range of standard setting guidelines including the UNGPs

UNDP initiated a series of orientation sessions for the Myanmar National Human Rights Commission (MNHRC) which provided strong background for MNHRC Commissioners and staff, and kickstarted a discussion on human rights issues as applied to the Myanmar context.

The orientation sessions also strengthened partnerships between the MNHRC and UN agencies, and non-governmental organizations.²²

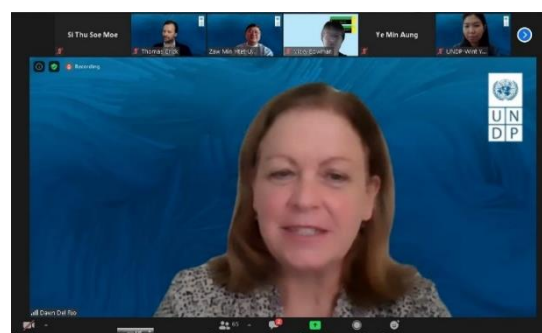
The first session was organised on 15 December 2020 for MNHRC commissioners with 20 participants in total. The session provided a foundational introduction to BHR, introduced the roles of NHRIs with regards to BHR, offered good practice examples of NHRI work on BHR in South East Asia and examined BHR issues, partnerships, and case examples from Myanmar. The speakers included representatives from Myanmar National Human Rights Commission, National Human Rights Commission Thailand (NHRCT), Myanmar Centre for Responsible Business and UN Working Group on BHR. In addition, the Oil and Gas Sector and Asia Pacific Forum attended the event as observers.

As a result of discussions, the MNHRC leadership reconfirmed its commitment to make BHR and the UNGP's a priority of their work. In pursuit of this, the MNHRC Chairman appointed a Commissioner as a BHR lead and focal person. In addition, the MNHRC declared its willingness to actively support a NAP development process in Myanmar. **B+HR Asia** colleagues in Bangkok arranged for Dr. Surya Deva of the UN Working Group on BHR, to make an intervention at the event providing for concrete steps and actions for MNHRC's consideration. The event also strengthened the relationship between MNHRC with NHRCT. MNHRC commissioners had been unaware of NHRCT's contribution to the recent NAP on BHR in Thailand.



Activity 1.1.3: Further policy convergence with UNGPs and other internationally recognized instruments

Myanmar's current land framework is considered weak by many measures, with adverse consequences for land rights throughout the country. The application and administration of laws can foster corruption and conflict with local stakeholders, leading to violence and abuse. A new National Land Law may help alleviate risks.



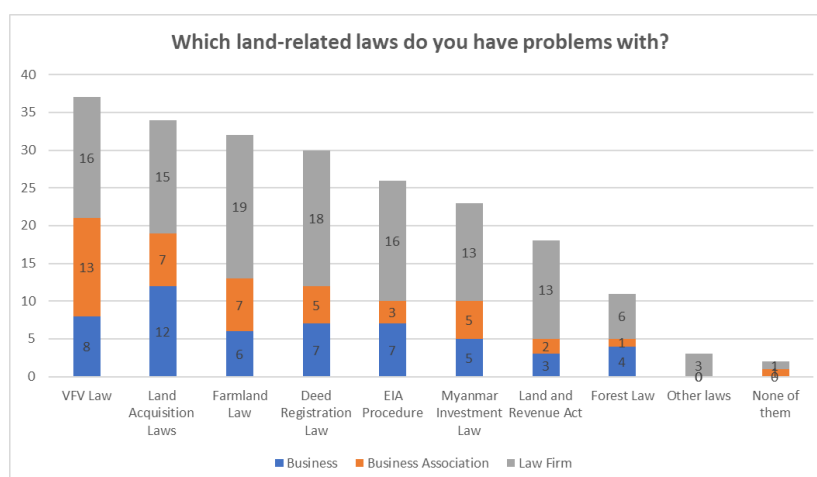
²² Contributing to R1 and R2 as described in [Annex 4](#)

In December, UNDP collaborated with the Union of Myanmar Federation of Chambers of Commerce and Industries (UMFCCI) and the Myanmar Centre for Responsible Business (MCRB) to host an online discussion titled, “Myanmar land laws: current problems, possible solutions”. The outcome of these business consultations will be compiled in a report which will be shared at the appropriate time with the relevant authorities.

The virtual event was successful in raising business awareness of the process and status of Myanmar’s land governance reform and demonstrated how business can engage. The event also resulted in feedback from the business community on current laws relating to land and their administration.²³

The workshop was conducted in two separate online sessions on 17 December 2020. The English session took place with 70 participants and the Myanmar session with 100 participants. The sessions were joined by representatives from local and international business associations, companies, law firms, development partners, and civil society organizations. Participants were briefed on current land laws, the National Land Use Policy, and the National Land Law process. They also had an opportunity to provide comments and inputs during the consultation.

The Virgin Land Management Law, the Land Acquisition Laws, and the Farmland Law were considered the most problematic by the private sector, followed by the Deed Registration Law and the EIA Procedure.



The consultation resulted in several recommendations, for government authorities to take up, including the following:

1. Coordinate between relevant departments and comply with, and enforce the law consistently
2. Ensure environmental and social issues are fully considered in all laws and their application and consistent
3. Disclose land-related information to the public and investors
4. Create a digital Land Registry to support verifying land ownership

²³ Contributing to R2 as described in [Annex 4](#)

5. Simplify and reduce the number of steps in procedures, particularly for land transfer and change of land use
6. Reduce taxes, which need to be paid for the transfer of land, to reduce evasion
7. Reduce the number of government bodies involved in land administration processes to reduce delays and corruption
8. Revise and harmonize land laws in line with international best practices
9. Include business, business associations in regular consultations on land

Output 1.2: Skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments is reinforced.

The national election process leading up to elections on 8 November, made it difficult to conduct planned high-level dialogues, or “Roundtable discussions”, on a potential NAP. Thus, this planned activity was postponed.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

In Myanmar, various social media posts were developed to support events and global campaigns on BHR. These include, among others, participation in the #PartnersAtCore Campaign, translation of the video on the UNGPs and the 2030 Agenda. A BHR Quiz was also promoted on Human Rights Day as part of the 16 Days of Activism against Gender based Violence Campaign on Facebook. The quiz received answers from 66 participants.



Communication activities in progress

UNDP partnered with Yangon Film School (YFS) to produce an animated video on BHR. The short film aims to provide information and guidance to vulnerable communities and people such as ethnic minorities, rural populations and internally displaced people, who frequently become victims of land related human rights abuse. The concept for the film was finalized in October and the script was reviewed by the EU Delegation in Myanmar. It will be produced in four local languages and English for dissemination through social media channels. Audio versions will also be produced in four languages for dissemination via radio.

The development of an 18-month podcast and web article series exploring BHR and land issues has also been initiated. First products will be published in 2021. The workplan includes:

- A series of podcasts exploring the human rights impacts of land injustice, with one audio and one video podcast each month, in Myanmar language. Podcasts may take the form of documentaries exploring the inter-connected causes and effects of land problems, and each episode will feature a land-rights related issue from a particular State or Region. The 10-minute episodes will be broadcasted online from the media company's website and distributed via Facebook, You Tube and other websites in Myanmar.
- Twelve web articles with photos on issues that link Housing Law and Property rights and human rights abuses, migration, business activity, discrimination, corruption, violence against women, children, youth, people with disabilities, and ethnic minorities. At least four of these articles should directly cover BHR issues. The articles will be produced in English and Myanmar language.

Output 3: Access to Remedy

Output 3.1 Access to remedies for parties subject to adverse human rights impacts is strengthened through awareness raising and rights provision

A media company was hired to develop a resource book for journalists and editors and to train regional journalists in investigative reporting. The resource book aims to support journalists and editors as they cover land rights, land law and related aspects of the BHR in an accessible way. The resource book will cover cross-cutting themes of gender and marginalised groups. Drafting of the book is currently in progress.



Context

On 5 August, elections were held to appoint 225 members to Sri Lanka's 16th Parliament. Nearly 60 percent of the vote went to the Sri Lanka People's Freedom Alliance amid strict public health measures. The results of the elections raised concerns about the broader human rights trajectory in the country. Previously, in February, the Sri Lanka government withdrew its commitments under Human Rights Council resolution 30/1.

Amendments to the Constitution that would restore powers to the Executive were discussed at length in cabinet meetings in early September. Among the many changes, the draft 20th amendment proposed to restore full legal immunity to the President. The constitutional council that appointed members to independent commissions would be replaced with a parliamentary council, according to the draft. Furthermore, amendments proposed would ensure that the parliamentary council will only be allowed to exercise observational powers. Important judicial appointments can only be made by the President, including the Chief Justice, Justices of the Supreme Court, Chairman and justices of the Court of Appeal, and members of the Judicial services commission. The President would be allowed to dissolve Parliament in a year, as opposed to the limit of four-and-a-half years set out in the 19th amendment.²⁴

Today, the space for Human Rights Defenders and civil society groups working on human rights has become more heavily restricted.²⁵ Informing these circumstances, Human Rights Commission (HRCSL) Chairperson Dr. Deepika Udagama resigned from her post with effect in September.

Unrelatedly, Mike Pompeo, U.S. secretary of state visited Sri Lanka in October, and met with the President urging his government to align itself to democratic powers in the region and beyond. U.S. advocacy and diplomacy may not have had its intended effect. Thus, in December, the U.S.-funded Millennium Challenge Corporation (MCC) withdrew a proposed Rs. 89 billion (USD 480 million) grant assistance package for Sri Lanka. This news came just days after Moodys and Fitch Ratings downgraded Sri Lanka's Long-Term Foreign-Currency Issuer Default Rating (IDR) to 'CCC' from 'B-'. The downgrade was reportedly justified on

²⁴ <https://www.newsfirst.lk/2020/09/03/draft-20th-amendment-gazetted-dual-citizens-allowed-to-enter-parliament/>

²⁵ <https://www.hrw.org/world-report/2021/country-chapters/sri-lanka#>

account of Sri Lanka's challenging external-debt repayment position and other economic growth limitations on account of COVID-19 factors.

In the midst of these developments, businesses struggled to stay afloat in a stalled economy. Unsurprisingly perhaps, many business leaders and government officials were not as open to engaging the BHR agenda as they had been before the reporting period. That sentiment shifted in the later months as a second wave of COVID-19 infections broke out in Sri Lankan garment factories. Red flags were raised over the treatment of workers and the quarantine process that followed. Concerns also grew over the government's allegedly tepid response to the repatriation of migrant workers unable to return to Sri Lanka. In December, several business associations and their membership expressed interest in learning more about the UNGPs and human rights due diligence.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: Dialogue, training and knowledge sharing to encourage policy convergence with the UN Guiding Principles on Business and Human Rights

Activity 1.1.1: Facilitate tripartite discussions involving relevant policy makers, prominent civil society groups and European and Asian business associations on the UNGPs

A virtual panel discussion titled 'Business in Times of Disruption – Leading by Example During and After the COVID-19 Crisis' was organized on 4 December 2020 in co-operation with UN Global Compact Network and the EU Chamber of Commerce. The panel had representatives from five leading listed businesses, and it was moderated by the BHR Specialist from the Bangkok Regional Hub.

The examples presented by the panel were well-received. The feedback of participants was overwhelmingly positive. The second training will be organized in 2021.



On 25 November 2020, UNDP Sri Lanka organized a training for businesses on responsible supply chains and introduced the concept of Human Rights Due Diligence, titled 'The United Nations Guiding Principles on Business and Human Rights and their Implications for Business'. The training was organised in collaboration with Delegation of German Industry and Commerce in Sri Lanka and Löning, a consultancy firm on human rights and responsible business.

The training was effective in providing an introductory understanding of the UNGPs and in helping businesses to understand how to identify and prioritize human rights risks. The

training also broadened understanding of liabilities towards supply chain partners and outlined ways that businesses can integrate human rights into their management processes.

Of the 138 participants that registered, and approximately 70 participants earned certificates of completion. Participants include large conglomerates such as Aitken Spence, to SMEs like Target Agriculture. Among these the following sectors were represented including, logistics, tourism/DMC, food/beverage, rubber, energy, agriculture, and textile/apparel. Based on the post-event evaluation, more consideration will be given to identifying participant cohorts (e.g. sector-based, size-based, subject-based) to ensure deeper engagement on business and human rights.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

UNDP ran a social media campaign on Human Rights Day raising awareness on BHR principles and their relevance to the environment, gender, access to justice and COVID-19 issues. An animated video was shared on the importance of labour and human rights in the context of building back better. UNDP Sri Lanka also participated in the #PartnersAtCore campaign by sharing key messages on the **B+HR Asia** project on Twitter and Facebook and disseminated the COVID-19: Rapid Self-Assessment through social media channels.



UNDP produced a story on the role played by the Centre for Environmental Justice, a CSO funded by the project, in advocating for responsible waste management. A story of the distribution of 250 hygiene kits to women workers in the FTZs is being developed.



Additionally, the following products are being developed:

- 1) Two short videos under the CSO grant deliveries, which has been carried forward to 2021.
- 2) A documentary and photo story highlighting a good business response to COVID-19, also carried forward to 2021.

UNDP also designed a communication campaign in collaboration with Women's Centre Sri Lanka to distribute 250 hygiene kits to women workers in the free trade zones during the

COVID-19 pandemic together with awareness-raising materials on their rights and contact information of legal aid organizations.

Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy

Activity 2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and the broader BHR agenda

Research has been initiated on the linkages between Human Rights, Sustainable Development and International Trade and Investment. The objective is to examine international trade and investment issues and how they relate to the UNGPs and the broader BHR agenda in Sri Lanka. The research will inform policy dialogues on BHR in Sri Lanka and will also be developed into a think piece as part of the project's communication activities.

Two gap analysis studies have been initiated in 2020 and will be finalized and published in 2021. One of the research pieces is looking broadly at the legislative gaps that exist in the context of BHR in Sri Lanka. The other research piece explores legal gaps in the context of environment management and climate actions (see also under output 3.1).

Output 3: Access to Remedy

Output 3.1: Access to remedies for parties subject to adverse human rights impacts is strengthened through awareness raising and rights provision

Activity 3.1.1: Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approaches

A CSO grant was awarded to the Centre for Environment Justice (CEJ) an environmental watchdog organization which promotes environmental sustainability and environmentally sound community activities in Sri Lanka.

Key objectives and expected results of the cooperation include the following:

1. Produce a communication strategy targeting policy makers, business leaders and the general public involving mass media and social media platforms in promoting the UNGPs in the context of environmental management in Sri Lanka
2. Develop communication products including two short documentaries and social media promotional materials to enhance understanding of UNGPs, in the context of environment management in Sri Lanka
3. Conduct a gap analysis on the capacity building needs of the law enforcement related to illegal environmental exploitations for commercial purposes in Sri Lanka
4. Capacity building programme targeting law enforcement institutions addressing the findings of the gap analysis above

CEJ organized a 3-day virtual stakeholder consultation workshop for 47 participants on 17-19 November as part of capacity building activities on BHR in environmental management. The interactive event was co-organised with Biodiversity Sri Lanka and consisted of panel and group discussions.

The panel discussions involved the following themes:

- Protect, Respect and Remedy Framework - the heart of the UNGPs
- How human rights add value to business
- Corporate accountability and the environment

Group conversations were facilitated in breakout rooms and explored topics including: internal and external communications, remediation mechanisms, capacity building needs, the organisational policies and processes integrating BHR in environmental management, engagement with stakeholders and the wider public, private sector responsibilities in post-consumer

plastic waste management. Other topics covered included implementation gaps in environmental laws in Sri Lanka, links between the private sector and state in environmental management, the "polluter pays" principle as an answer to reduce environmental and social impacts, and the role of social media in sharing case studies on human rights infringement on the environment. Participants shared their views via online boards during the interactive sessions.



Almost 90 percent of participants that logged in to the sessions stayed on until the end of each session and were actively engaged in the breakout rooms through the 3-day series, contributing to a successful event. Discussions also revealed a need for further capacity building within the private sector. These needs will be addressed by future project activities.

Activity 3.1.2: Conduct research and convene discussions on the adverse impacts and risks faced by women in the context of business operations, potential remedies and prevention strategies

The development of an analysis on gender sensitive best practices was initiated. The aim of the gender study is to identify gender-based challenges faced by women in the context of business operations and to develop a compendium of gender sensitive best practices rolled out by Sri Lankan businesses. The study also hopes to shed light on whether Sri Lanka has the adequate legal and non-legal measures in place to protect against human rights abuses in business operations, and highlight the corresponding human rights protections – or gaps in protection – under the jurisdiction of different state and non-state actors.



THAILAND

Context

The Thai economy is projected to contract by 6.6 percent in 2020 due in large part to COVID-19 movement control orders and related policies.²⁶ According to reports, Thailand's economic recovery will remain uncertain and uneven across business sectors, some of which might be unable to return to the pre-pandemic level.

These circumstances are exacerbated further as Thailand encounters a second wave of COVID-19 infections at the beginning of 2021. Recent clusters have increased the country's total confirmed cases by at least 20 percent. In December, over 1,300 cases were traced to a seafood market in Samut Sakhon province run largely by migrant workers from Myanmar. As an emergency measure, health officials in the central province of Samut Sakhon took the unprecedented step of sealing off 7 factories for a one-month period, where 40,000 migrant labourers live and work. Human rights groups have voiced concern over the decision. Samut Sakhon's case load has now risen to around 12,000 people infected.

Against this simmering crisis, demonstrations led by the "Free Youth" movement continue. Protests began in July 2020 with demands for the resignation of the current government and a rewriting of the 2017 Constitution. In October, a crackdown on some demonstrations drew international attention when police and military deployed excessive force. Demonstrations continue to take place in more places within and outside Bangkok even as the government extends the state of emergency decree to combat the COVID-19 pandemic. Some activists have criticized the decree as an infringement of human rights.

There was uneven progress against the use of criminal defamation to silence human rights defenders. In June 2020, the Criminal Court acquitted both defamation cases against Mr. Nan Win and Ms. Sutharee Wannasiri, two human rights defenders who were charged with defamation against a Thai poultry company. This case drew considerable attention since the company filed at least 35 lawsuit cases against human rights defenders, former workers, an academic, a news reporter, and human rights advocates.

The Royal Thai Government is now moving into the implementation stage of the Thai NAP on BHR setting up plans for work at the provincial level. The Securities and Exchange Commission of Thailand has also embraced Human Rights Due Diligence principles, and with the Global Compact Network Thailand, conducted trainings on the topic. Still, human rights defenders

²⁶ Bank of Thailand Press Release No. 3/2021, Monetary Policy Report, December 2020

fighting for land rights in Nongbua Lamphu Province, among others, reportedly face repeated death threats for their protests.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: Dialogue, training and knowledge sharing to encourage policy convergence with the UN Guiding Principles on Business and Human Rights

Activity 1.1.1: Facilitate tripartite discussions involving relevant policy makers, prominent civil society groups and European and Asian business associations on the UNGPs

To promote the implementation of the NAP on BHR (2019-2022) UNDP Thailand and the Rights and Liberties Protection Department (RLPD) of the Ministry of Justice (MOJ) co-organised a series of workshops in twelve provinces.²⁷ The pilot provinces were selected by the NAP Committee to drive the implementation of the NAP at the local level. The provinces included: Phayao, Chiangmai, Sukhothai, Phitsanulok, Ang Thong, Ayutthaya, Khon Kaen, Chaiyapum, Songkhla, Pattani, Tak, and Kamphaeng Phet.

In 2020, eight (8) workshops were organised which were attended by 616 participants from local government agencies, state-owned enterprises, businesses, and media organisations. The series of workshops aimed to raise awareness at the provincial level and help stakeholders better understand the Thai NAP and their respective roles in the implementation.



One of the immediate results of the activity was the creation of an engagement platform between national and local stakeholders to share current practices and mandates related to their roles in the NAP as well as to promote BHR good practices.

The MOJ also introduced the electronic reporting portal to monitor NAP implementation. Each relevant local agency will have to register their progress on implementation based on the indicators set by the NAP. One of potential areas of collaboration between the MOJ and UNDP is to further develop this system and strengthen the effectiveness of data collection.

²⁷ Contributing to R2 as described in [Annex 4](#)

UNDP and MOJ Thailand plan to expand the coverage of this activity as well as conduct refresher trainings in 2021.

Output 1.2 Skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments is reinforced.

Activity 1.2: Raise awareness of the UNGPs with the government; host and facilitate peer learning events

The National Dialogue on Business and Human Rights is an ongoing forum series which aims to raise awareness on the implementation of the UNGPs among members of the business community through sharing good practices on human rights management. On 3 December 2020, UNDP, the RLPD of the MOJ and the Global Compact Network Thailand (GCNT) co-organised the 4th National Dialogue on BHR in “the post-COVID-19 World”.

The event was attended by 104 state and business representatives, and participants from CSOs, the academia and the media.



The National Dialogue featured a rich discussion by representatives of government agencies, businesses and CSOs on topics related to impact of the pandemic and their challenges and achievements, and provided an opportunity to share good practices and recommendations on how to build resilience in business communities during the post-pandemic recovery.

Gender balance on panels was ensured to reflect the perspectives of both sexes equally. Two women human rights defenders spoke about human rights abuses in a panel discussion.

The event ended with a breakout session organised by UNDP and the International Labour Organisation’s (ILO) Responsible Supply Chains in Asia programme. This collaboration was a good opportunity for both agencies to reach out to the business sector and further strengthen partnerships in the area of BHR.

Output 2: Communication and Research

Output 2.1: Development of communication products

Activity 2.1: Produce communication products including to enhance the understanding of UNGPs, and trade and human rights nexus

Several communication contents and articles were produced for events and workshops in 2020. These communication products were shared on UNDP Thailand's social media channels, including on Facebook, Twitter and Instagram related to the following events:

1. Workshop Series on Promoting the Implementation of the National Action Plan on Business and Human Rights (2019 – 2022) at the Provincial Level
2. Consultative Meeting on UNDP's support on Business and Human Rights in Thailand
3. 4th National Dialogue on Business and Human Rights in the Post-COVID-19 World
4. Business and Human Rights Academy

These communication products helped increase visibility of **B+HR Asia** activities. Raising awareness on the NAP implementation and related events also provided an opportunity to explore potential partnerships with CSOs, Indigenous Peoples groups and women human rights defenders.

Communication activities in progress

UNDP Thailand initiated the production of a series of communications materials including a video on HRDD intended for the private sector and a series of brochures and booklets on NAP implementation for a range of target audiences. These products will be finalized and published in 2021.

Output 3: Access to Remedy

Output 3.1: Access to remedies for parties subject to adverse human rights impacts is strengthened through awareness raising and rights provision

Activity 3.1.2: Conduct research and convene discussions on the adverse human rights impacts and risks in the context of business operations, potential remedies and prevention strategies

In collaboration with MOJ Thailand, **B+HR Asia** is conducting two studies on: 1) Protection of Human Rights Defenders (HRDs) and 2) Anti-Strategic Lawsuit Against Public Participation (SLAPP) laws and measures. These two studies are aimed to support Thailand's progress towards the 2030 Agenda for sustainable development and to strengthen its human rights commitments.

The study on the protection of HRDs will provide an overview of the challenges facing HRDs in Thailand, emphasizing the different forms of harassment that were reported around the country. Special attention will be given to the challenges and threats facing women human rights defenders. The study will provide an overview of the already existing mechanisms in place, where they fall short to sufficiently protect HRDs and provide access to remedy, also outlining the steps that can be taken to improve the situation.

The second study dedicated to the issue of SLAPP will include an overview of the situation of SLAPPs in a global context: focusing on key trends, challenges facing other countries, and their

government efforts on the prevention of SLAPP. It will examine past and current SLAPP cases in Thailand, identifying key trends, challenges and common issues. The study will also provide an overview of anti-SLAPP mechanisms; providing an outline of legal processes (i.e. submitting cases, screening, appealing, settle the case, remedy provision etc.), and suggesting how to further improve the implementation of these mechanisms in Thailand. Once finalized, the two studies will be submitted to the NAP National Committee for consideration and further action.

Activity 3.1.3 Develop and convene discussions on innovative means of achieving access to information and access to justice for groups adversely impacted by business operations

In 2020, Reference Groups on SLAPP and HRDs were established to provide overall guidance and technical assistance through the development of research products and to ensure that all relevant stakeholders are substantially engaged at all stages of the study.

The first meeting of the Reference Groups was convened on 2 September 2020 with the participation of 12 organizations. At this meeting, UNDP presented plans for the SLAPP and the Protection of HRDs studies. Members of the Reference Groups gave feedback on the direction and implementation in terms of methodologies, recommended resources, topics to be included etc.

UNDP Thailand also convened a Consultative Meeting on UNDP's support on Business and Human Rights in Thailand on 8 September. UNDP Thailand presented key areas of support under B+HR project for 2020 and beyond and explored opportunities on potential collaboration and partnership with stakeholders. The meeting was attended by 50 in-person and 30 online participants from government agencies, diplomatic corps, UN agencies, business associations and civil society organizations.



Output 3.2 Reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms

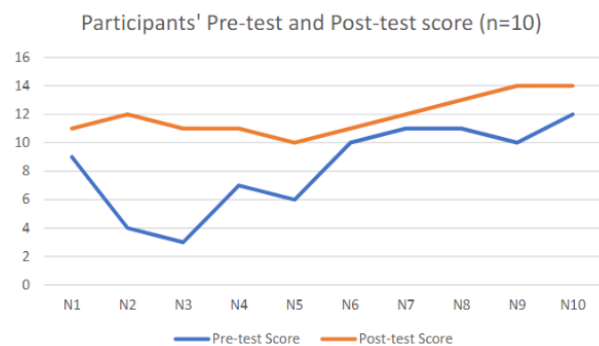
Activity 3.2.1: Conduct sector-specific trainings with government regulators and business on human rights due diligence, human rights impact assessments, grievance mechanisms and other elements of Pillar 2 and 3 of the UNGPs

UNDP in collaboration with GCNT, the RLPD of MOJ and the Securities and Exchange Commission piloted a 4-day training titled, "Business and Human Rights training: Human Rights Due Diligence Practical Guides" on 8–9 and 14–15 December 2020. Twenty participants from businesses, academia and public organizations attended the training.

The training focused on BHR concepts and frameworks and human rights management tools for participants to apply in their daily work. Part of the training was based on UNDP's Training Facilitation Guide on Human Rights Due Diligence. The training also featured good practices and included a 1-day site visit to a seafood processing factory of Thai Union Group PCL, a model entity that received a 2020 Human Rights Award.



Training participants reported an increased understanding of BHR principles, international standards and best practices. Ninety percent of respondents claimed that they are better equipped with practical knowledge and skills on the applications of human rights management tools, including Human Rights Risk Assessment (HRRRA) and Human Rights Due Diligence (HRDD) processes. The majority also stated that they are able to apply the tools introduced in their own corporate management systems. Some participants added that they could be a focal person at their organisation to commence initiatives related to HRDD.



The second pilot training is expected to be organised by early 2021. After these two pilot trainings, a Business and Human Rights Academy (BHRA) will be formally launched in cooperation with Global Compact Network Thailand, and other actors with the aim of being a training hub on business and human rights in ASEAN. The BHRA is still in its conceptual phase; details are forthcoming.



REGIONAL ACTIVITIES

Progress towards Outputs

Output 2: Communication and Research

Output 2.1: Development of communication products

Per the UNDP communication strategy, communications efforts during the reporting period met many objectives, including but not limited to the following: 1) highlighting the EU's commitment to the BHR agenda; 2) communicating EU's strategic interest in strengthening multilateralism; 3) ensuring the EU and UNDP are seen as partners in advancing the BHR agenda and; 4) building overall brand awareness through shared visibility.

Activity 2.1: Produce communication products including to enhance the understanding of UNGPs, and trade and human rights nexus

B+HR Asia programme website

During the reporting period, UNDP created [a new structure and appearance for its B+HR Asia web presence](#) to ensure that information about programme activities is shared in a user-friendly, easily accessible manner. News and publications shared on the platform cover all programme activities. Importantly, the new site structure allows the team to better measure the number of visitors to the **B+HR Asia** website.



Between 1 May 2020 (launch) and 31 December 2020 there were 2988 unique users visiting the website, accessing multiple pages amounting to 8,107 page visits. Visitors originated from 105 countries, with Thailand, the United States and the Netherlands being the top three. All 6 project countries appeared in the 25 locations from where the website has been accessed.

Country	Acquisition			Behavior	
	Users	New Users	Sessions	Bounce Rate	Pages / Session
	2,988 % of Total: 100.00% (2,988)	2,925 % of Total: 100.00% (2,925)	4,694 % of Total: 100.00% (4,694)	60.14% Avg for View: 60.14% (0.00%)	1.73 Avg for View: 1.73 (0.00%)
1. Thailand	352 (11.73%)	337 (11.52%)	1,029 (21.92%)	47.13%	2.10
2. United States	286 (9.53%)	283 (9.68%)	342 (7.29%)	75.15%	1.46
3. Netherlands	211 (7.03%)	211 (7.21%)	217 (4.62%)	90.32%	1.12
4. India	199 (6.63%)	194 (6.63%)	271 (5.77%)	61.62%	1.78

Social media campaigns and the **B+HR Asia** newsletter drove significant traffic to the website. Organic visits were relatively low.

More campaigns informed by new content is required to increase access to target audiences. In 2021, with Mongolia joining **B+HR Asia** as a new project country and additional

communications activities on BHR and the environment the project team is aiming at a 25% growth in the number of visitors.

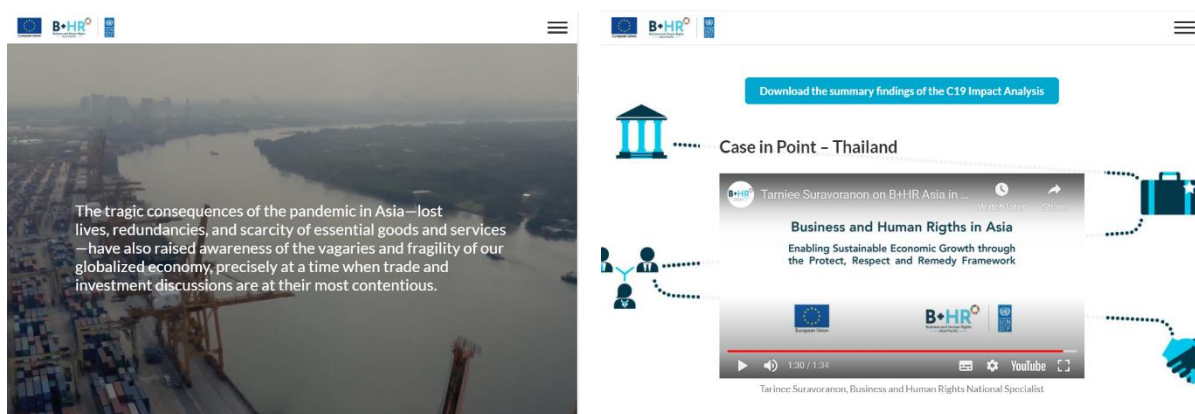
Online and offline project brochures

Key information about the project was summarized in a project brochure to be shared with partners, potential partners, interested business and influencers online and offline. The online brochure was shared directly with partners and also published on [the website of the B+HR Asia programme](#). The print version of the brochure was distributed among the audience of NAP consultation in Thailand and as part of the gift package prepared for key partners.

Online outreach platform

Due to the movement restrictions during the COVID-19 pandemic and the growing fatigue of webinars, [an online platform with video messages and online contact options](#) was developed to give a boost to the project, kickstarting activities in the third quarter of the year. It is mostly targeted towards three key audiences: governments, business and CSOs.

The page put EU-UNDP cooperation in the spotlight and positioned the EU as a key actor of the business and human rights scene in Asia. Page analytics are integrated into the analytics of the **B+HR Asia** website. In 2020, this page was the most visited content page in the statistics with 761 pageviews.



Quarterly newsletter

The **B+HR Asia** quarterly newsletter aims to maintain the momentum of a series of successful events organized by **B+HR Asia** and keep subscribers updated on upcoming events and programme activities. The newsletter directs subscribers to the **B+HR Asia** website to learn more about key stories of the recent quarter. News items related to the EU-UNDP joint action positions both entities as leaders in the BHR space. It is also a tool to grow the audience for other **B+HR Asia** communication products, to increase the number of twitter followers, newsletter subscribers and website visitors.

The first issue of the newsletter was sent to a 6,560 valid email addresses and were opened by 2,108 people. Engagement numbers are above the benchmark for non-profit organizations. (32% open rate vs. 25% non-profit benchmark; 4.3% clicks (13.3% of all opens) vs. 3.9% non-profit benchmark). **B+HR Asia** also received positive feedback, several thank you emails, new subscribers and requests to send more information.

Social media activity related to global campaigns: #PartnersAtCore and Human Rights Day

Enhancing communications activities around global communications campaigns related to business and human rights and EU-UNDP partnership increases the visibility of the project and amplifies strategic messages of the action. In 2020, **B+HR Asia** joined 2 global campaigns:

The #PartnersAtCore campaign aims to showcase the value of multilateralism and indicate gratitude for the EU's financial support to UNDP. The campaign also shows how contributions from the EU has enabled UNDP's response to issues of importance. **B+HR Asia** joined this campaign by launching its [project platform](#) described above, as part of the campaign activities and sharing Hilde Hardeman's message about the joint action. The platform highlighted the EU's commitment to the protection and promotion of human rights and presented the **B+HR Asia** project as a reflection of the EU's strategic interest in externally projecting the EU's core values.

Prosperity and [#HumanRights](#) are at the core of our work with the [#EU](#). [@HardemanHildeML](#) explains our [#UNDEUPartnership](#) across Asia to advance [#Biz4HumanRights](#) as businesses redefine the way people work to [#RecoverBetter](#) from COVID-19: bit.ly/3m43xwF [#PartnersAtCore](#) [#UNGA](#)



The most popular tweet of the #PartnersAtCore campaign, featuring Hilde Hardeman's video, got 3553 impressions, 23 likes and 19 retweets through the **B+HR Asia** account.

UNDP's tweet with the video from its global account (@UNDevelopment) was one of the top three tweets of the campaign, reaching 24.7 million people and generating 802 mentions (includes original tweets, retweets, quoted tweets, and replies). The campaign raised the profile of the project in Asia, in the EU and globally as well.

Leading up to 10 December 2020, UNDP and other UN organizations joined forces to feature different facets of human rights protection and drive attention to crucial issues that need to be considered in the process of building forward better after the COVID-19 pandemic. The **B+HR Asia** team posted human rights-related messages on UNDP's regional Twitter account, alongside **B+HR Asia** thematic posts with BHR-specific messages to further public awareness and discourse on ways to integrate a human rights approach in business activities. **B+HR Asia** also amplified BHR messages of project countries.

The most popular tweet of the Human Rights Day campaign, which featured the need for fair remuneration reached 1650 impressions. The campaign made 6818 impressions in total.

Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy

Activity 2.2: Develop knowledge-based products on to enhance the understanding of the UNGPs and promote the broader BHR agenda

Human Rights Due Diligence Rapid Self-Assessment for Businesses

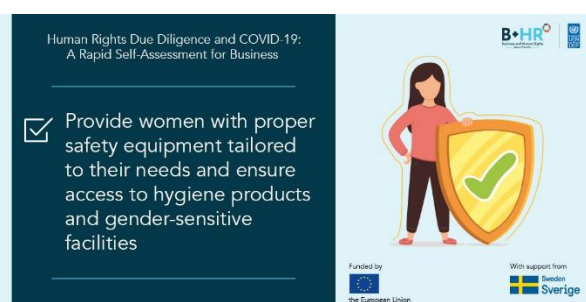
In response to the COVID-19 pandemic, the UNDP **B+HR Asia** regional team designed the *C19 Rapid Self-Assessment*, to help businesses consider and manage the human rights impacts of their operations.

The first version of the tool was published on 10 April 2020 in English. During the reporting period, the tool was translated and published into 10 additional languages: Bahasa Indonesia, Bahasa Malay, Chinese, Hindi, Japanese, Myanmar, Russian, Serbian, Spanish and Thai.²⁸ The tool was downloaded 3218 times in total.

The C19 Rapid Self-Assessment tool was also turned into an online survey by Global Compact Network and [UNDP Turkey](#) and was later reissued by UNDP Korea. The tool was endorsed by [amfori](#) and used by several business organizations (e.g. Intel, Cisco).



A review of online sources, features 89 appearances in total, including appearances on UNDP platforms, websites of various UN organizations, governmental organizations, business associations, private enterprises, non-profit organizations, business and human rights organizations & platforms, academia, law & consulting firms and media outlets.



To promote this knowledge product and ensure that a large number of companies have knowledge of and access to the tool, UNDP designed a communication package which was distributed to **B+HR Asia** regional team, **B+HR Asia** CO teams, UNDP Representation Office in Brussels and UNDP

²⁸ <https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/human-rights-due-diligence-and-covid-19-rapid-self-assessment-for-business.html>

HQ. The package included a news release, blog, photo story, twitter campaign plan, social media cards, social media video.

The twitter campaign produced 20,926 impressions in total. Communication products have been retweeted by high-profile accounts including Achim Steiner and Asako Okai.

In Thailand, UNDP conducted a pilot testing of the C19 Rapid Self-Assessment with representatives of business sector in the 4th National Dialogue on Business and Human Rights (activity 1.2.1). UNDP received positive feedback from the audience.

In Malaysia, the tool will be shared more widely in the context of HRDD trainings in 2021.

The Sida-funded **B+HR Asia** project conducted a survey of 10 companies which used the toolkit to guide their HRDD activities during the pandemic. The team is now finalizing a report that analyzes their feedback, lessons learned will be drawn from this report as well.

HRDD Training Facilitators Guide + software training tool

During the reporting period, UNDP developed the HRDD Training Facilitation Guide (Training Guide) to assist programming on HRDD at the country level. Applying a step-by-step approach, the Training Guide allows for businesses to embark on HRDD processes as a stand-alone effort or as part of a pre-existing assessment or compliance process. The training modules are accompanied by a slide deck that follows the guide below to facilitate presentations. The training is also supported by a self-assessment software tool.

The Training Guide is meant for businesspeople working in different capacities, whether in senior leadership or middle management positions or in functional roles involving sales, supply chain management, legal and compliance, and social and environmental sustainability reporting. However, the training will also be valuable to those who want to learn more about the UNGPs generally, and the responsibilities that businesses have towards human rights more specifically.

The training was piloted by the UNDP Thailand country office in partnership with Global Compact Network Thailand and the Securities and Exchange Commission Thailand as part of the Business and Human Rights Academy trainings. The draft of the tool will be “soft launched” on the **B+HR Asia** website and directly shared for pilot activities with selected stakeholders.

IV. GENDER

While the **B+HR Asia** project in 2020 did not have specific activities on gender equality or women empowerment, gender was mainstreamed in events organized, discussions facilitated, and communication campaigns designed and implemented.

The project aimed to ensure, that voices of both men and women are heard in the consultations and group events, by taking gender balance of the speakers and panelists into consideration.

In **Thailand**, at the 4th National Dialogue on Business and Human Rights in Thailand, two women human rights defenders were given speaking opportunities to speak on the special vulnerabilities or women HRDs. Furthermore, the UNDP Thailand CO commissioned a study which will among other things, analyze the potential root causes that lead to harassment against women HRDs. The studies will highlight gaps in the legal protection system, especially for targeted vulnerable groups, including to women, migrant workers and ethnic minorities. In **India**, UNDP awarded a CSO grant to the Change Alliance for a baseline assessment and activities to ensure greater access to remedies against adverse human rights impacts for women migrant workers in the Indian Ready-Made Garment (RMG) industry. In **Malaysia**, a gender component was initially proposed as a standalone theme under the NAP. After a number of discussions, it was decided that gender would be a cross-cutting theme across the other thematic areas. In **Sri Lanka**, UNDP commissioned an analysis on gender sensitive best practices in the context of BHR in Sri Lanka to identify gender-based challenges. UNDP Sri Lanka also hired a researcher to conduct a scoping study identifying human rights violations resulting from harmful business practices faced by female workers in the free trade zones. Due to the particularly dire situation of women workers in the free trade zones during the COVID-19 pandemic, UNDP also designed a communication campaign in collaboration with Women's Centre Sri Lanka to distribute 250 hygiene kits together with awareness-raising materials on their rights and contact information of legal aid organizations.

The Rapid Self-Assessment Tool for Business during COVID-19 also contains a number of actions recommended to achieve gender equality at the workplace and draws attention to the disproportionate burden women encounter in the course of the COVID-19 pandemic.

V. PARTNERSHIPS

The project assigns significant value to building partnerships on BHR as a means of effectuating transformative change. During the reporting period, partnerships with government were solidified, though relationships with CSOs, NHRIs and business associations were not fully cultivated. Sri Lanka may be the exception where the government remained hostile to any human rights related discussions, but where the business community is largely friendly to the BHR agenda. Country-level led partnerships with ILO, IOM, UNICEF and UN Women were actively pursued in several countries, but more meaningful long-term engagements are necessary going forward.

India: UNDP has been offering support to the government's efforts to release the NAP in March 2021. Placing consultants with the Ministry of Corporate Affairs has allowed UNDP to understand MCA priorities and challenges and to provide relevant expert-level support. India has also developed relationships with ILO and UN Women in India to work more closely on the India NAP on BHR.

Indonesia: On NAP development, UNDP has worked extensively with the MOLHR, the Ministry of Foreign Affairs, the Ministry of National Development Planning and the Executive Office of the President. UNDP collaborated with Indonesia Global Compact Network and Indonesian Chamber of Commerce on to raise awareness of the UNGPs and promote respect for human rights within business operations, with special emphasis on the COVID-19 context. UNDP also partnered with the Indonesia Business Council for Sustainable Development and EuroCham on HRDD training initiatives. These partnerships contributed to much wider outreach to the private sector than could have been achieved by UNDP alone.

Malaysia: As a result of the Business and Human Rights Training for Government Stakeholders, and in preparation for stakeholder consultations, BHEUU set up a core working group that would support the development of the content of the NAP. The training targeted the relevant government ministries and agencies in these areas including the: 1) Ministry of Human Resources; 2) Ministry of Environment and Water and the; 3) National Governance, Integrity and Anti-Corruption Centre, Prime Minister's Department. In addition, the Human Rights Commission of Malaysia (SUHAKAM) continues to be directly involved in this NAP process.

The first steps of the NAP drafting process also involved a series of multi-stakeholder engagements. The first of these engagements was organized in cooperation with BHEUU and SUHAKAM to review the three proposed thematic areas of the NAP. UNDP facilitated the involvement of ILO and UNICEF to participate in the process.

Myanmar: UNDP started a series of orientation sessions for MNHRC to facilitate discussion on human rights issues and to strengthen institutional partnerships between the MNHRC and

UN agencies, international and non-governmental organizations and Myanmar civil society. The first orientation session was attended by several key stakeholders, including NHRCT, Myanmar Centre for Responsible Business (MCRB) and the UN Working Group on BHR as speakers. Members of the Oil and Gas Sector, and the Asia-Pacific Forum attended as observers. MNHRC's leadership reconfirmed its commitment to making BHR and the UNGP's a priority of its work.

UNDP worked with members of the business community on National Land Law and possible areas of reform. The Union Federation of Myanmar Chambers of Commerce and Industries (UMFCCI), which co-organized the event with UNDP and MCRB, reconfirmed their interest in partnering with UNDP and MCRB. A UMFCCI Coordination Group on Land Use Matters was formed as the consequence of the UNDP-MCRB-UMFCCI joint event.²⁹

Sri Lanka: UNDP convened a panel discussion with GCNSL and the EU Chamber of Commerce on "Business in Times of Disruption", bringing together representatives from five leading listed businesses. Engagement with GCNSL among other key stakeholders led to the formation of a BHR Working Group in Sri Lanka.

To enhance understanding of HRDD among members of the business community, UNDP conducted a training, *United Nations Guiding Principles on Business and Human Rights and their Implications for Business*, in partnership with the Delegation of German Industry and Commerce in Sri Lanka and Löning.

In addition, the project partnered with two CSOs through a small grants scheme. The grant was awarded to the Center for Environmental Justice to: 1) carry out a gap analysis on the capacity building needs of law enforcement authorities in the context of environment laws; 2) conduct a capacity building programme addressing the findings of the gap analysis and; 3) support communication activities to enhance understanding of challenges in adhering to the UNGPs in the context of environmental management. UNDP also worked with the Women's Centre Sri Lanka on a scoping study to identify human rights violations resulting from harmful business practices faced by female workers in the free trade zones and the distribution of 250 hygiene kits to women workers in the free trade zones, together with awareness-raising materials on their rights and contact information of legal aid organizations.

Thailand: UNDP has supported the Rights and Liberties Protection Department of the Ministry of Justice in NAP implementation by co-organizing a series of workshops at the provincial level. The 4th National Dialogue on Business and Human Rights was organized in cooperation

²⁹ In an email dated, 18 January 2021, Ye Min Aung, Vice President of UMFCCI thanked UNDP for its efforts noting that the, "UMFCCI Coordination Group on Land Use Matters have been formed as the consequence of the UNDP-MCRB-UMFCCI joint event. The Group will take the ownership and will further collaborate with your side and with other development partners."

with the RLPD of the Ministry of Justice and GCNT. The event ended with a breakout session facilitated in cooperation with ILO on practical tools for managing human rights risks and impacts in the context of the COVID-19.

The Reference Groups of SLAPP and Protection of HRDs were established to provide overall guidance and technical assistance and ensure that the relevant stakeholders are substantially engaged all stages of the study from planning, implementation, and finalization. The partners engaged as part of the reference groups included Thailand Responsible Business Network (TRBN); Justice for Peace Foundation; Amnesty International Thailand; RLPD, Ministry of Justice; Global Compact Network Thailand; FORUM-ASIA; Community Resource Centre; Cross Cultural Foundation (CrCF); OHCHR; International Commission of Jurists (ICJ); Human Rights Lawyers Association (HRLA) and; Protection International.

UNDP co-organized a Business and Human Rights Training for Thai Companies in partnership with Global Compact Network Thailand, Rights and Liberties Protection Department of the MOJ and the Securities and Exchange Commission of Thailand. The pilot training will be formally launched by the Business and Human Rights Academy in 2021.

Regional: At the Bangkok Regional Hub level, UNDP convened the BHR *Coordination Working Group* with the participation of ILO, OECD, OHCHR and UNW to discuss possible areas of collaboration and avoid duplication of effort across different programmes. Two meetings were held during the reporting period. IOM Thailand and UNICEF will join the group in 2021.

Additionally, after the publication of the C19 Rapid Self-Assessment tool, UNDP collaborated with UNICEF on a second version of the tool, to ensure that messages on children's and women's rights are further emphasized and references to additional resources are included. The new version of the tool will be published in Q1 2021.

Please see the full list of partners engaged in [Annex 2](#).

VI. PROJECT RISKS AND ISSUES

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
1	Political	Shifting levels of political will leads to delays in the implementation of the UN Guiding Principles or related action.	Project document / Updated 2021 February	M/H	The project will work closely with BHR national champions and trusted advisors to government with strong connections to policy makers. UNDP Country Offices, building on the expertise of OHCHR and the UN Working Group on Business and Human Rights will guarantee close co-ordination with governmental counterparts to ensure ownership of the BHR agenda. UNDP will bring together regional actors to discuss opportunities and challenges and facilitate peer learning to help states clarify what investments and what returns on investments in this project they can expect. In addition, the EU will make all necessary diplomatic efforts to ensure that the BHR agenda remains a priority in the targeted partner countries.	<p>The COVID-19 Pandemic resulted in a pause in conversations with the governments of India, Indonesia, and Malaysia. NAP processes were delayed but officials have returned to the table and consultations are taking place. Bringing in UNWG members, national champions and other partners to the table may have helped. Mostly, governments were motivated to re-engage on their own accord after the emergency period surrounding COVID-19 had passed.</p> <p>Recent events in Myanmar has resulted in a pause to programming in the country and future engagement into question, at least for the time being.</p> <p>Sri Lanka's current trajectory is also of concern and will be watched closely.</p> <p>The risk mitigation plan remains relevant.</p>
	Political	Election cycles in target countries might delay implementation.	Project document/ Updated 2021 February	M	Project activities will be implemented through the UN Country Teams and advice will be sought from the UN Resident Coordinators and their Peace and Development Advisers so as to calibrate the approach	Elections took place in Myanmar with no demonstrable impact on programming. However, the coup that followed on 1 February has thrown project implementation efforts into question.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
					to any changes in leadership or structure following elections. The Bangkok Regional Hub Advisory Board will provide high-level advice and recommendations, including on appropriate measure to be taken when project deliverables are delayed due to unforeseen political circumstances.	Elections in Malaysia would most likely lead to delayed work on the NAP. Unstable political arrangements in Malaysia means that this remains a relevant threat. The risk mitigation plan remains relevant
	Organizational	Engaging with private sector actors can prove difficult if a 'business case' is not fully developed. Moreover, certain reputational risks exist with regards to "blue-washing".	Project document	M	The project will work with credible business associations which may include the Global Compact Networks, national and international chambers of commerce, and industry-specific bodies to create interest in sustained actions and investments. UNDP will organise events and invite private sector champions to help showcase the progress of private sector actors to reward and validate their efforts. UNDP will host knowledge-sharing labs and other events, made up of NHRIs, CSOs, UN-system actors and business champions which will encourage heightened business participation and ownership in support of behavioral change in the business sector. UNDP will keep its base of business partners as broad as possible and yet explore the need to develop a sustainable-business partner programme to qualify engagement.	The business case is well made, nearly self-evident to most businesses. UNDP is working with credible business associations, which seem very motivated to engage on BHR due to a tightening regulatory environment in Europe and North America. This risk of business disengagement is diminishing. However, the risk of blue washing still exists. UNDP is applying due-diligence and risk assessment procedures for appropriate activities.
	Operational	Government uses the NAP process and engagement with the UN for public relations purposes	Project document	M	UNDP will take appropriate measures, including the possibility of disengagement or support, to help ensure that government commitments under the BHR agenda are not merely for public relations purposes, and that processes, content and implementation meet	This risk remains relevant. UNDP continues to provide the best possible expert advice, and couch NAP processes in multi-stakeholder consultations.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
		without the real intention of implementation. NAP is of poor-quality owing to lack of seriousness put to NAP development.			international standards. UNDP will build on the expertise of OHCHR and the UN Working Group on Business and Human Rights to ensure the quality of NAPs through advocacy missions and dialogue, training and roundtables that include policy makers at regional meetings. UNDP will also deploy its own technical capacities and CSO partner expertise where necessary. It will convene stakeholder consultations and validation exercises. It will bring human rights and environmental rights defenders to the table to voice their challenges in a safe space. UNDP will leverage the Universal Periodic Review process, and international fora such as the UN Forum on BHR, to facilitate review of NAPs by recognised authorities and peers. UNDP will also encourage at the early stage of development that countries request the UN Working Group on BHR to plan an official country visit. UNDP will facilitate CSO participation in all review events.	
	Operational	NHRI commissioners rotate according to laws which mandate their composition and governance structure. Current commissioners which show interest in BHR will over time rotate out, and a focal point	Project document/ Updated 2021 February	L	UNDP will actively deploy technical assistance and advice to help relevant NHRIs to monitor, report, and investigate human rights abuses more effectively and in a timely manner. This will also ensure that more than one commissioner will have the capacity and interest in continuing work as others rotate out reduce the risk of downgrading. Further, UNDP will also provide strengthen support to the secretariat function, including the secretary-generals of the NHRIs to ensure continuity of engagement on BHR.	UNDP is currently conducting capacity review of NHRIs in the region. The MNHRC has been subject to a BHR orientation. NHRIs are being engaged in NAP processes, and awareness raising events in Malaysia and India.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
		within an NHRI will be lost.				
	Political	Human rights and environmental rights defenders, and victims of abuses may be placed in danger by the project's support to CSOs and community-based organizations leading to an increase in conflicts or security risks.	Project document	M	<p>The project will continuously assess security risks and revise project activities accordingly.</p> <p>Conflict analyses routinely developed by UNDP Country Offices will be used to inform the implementation of the activities and ensure conflict sensitivity and do-no-harm approaches.</p>	<p>The project continuously reflects on the dangers it poses to HRDs. HRDs are being engaged in dialogues and research consultations.</p> <p>This risk remains relevant.</p>
	Organizational	Delay in establishing appropriate platforms for discussions and knowledge sharing internally and externally, due to events outside project control.	Project document/ Updated 2021 February	L	The activities are designed to be flexible and should be revised based on achievements in years prior. Focus on forward planning will mitigate risks of delays.	<p>Even with MCOs related to COVID-19 the project has found space to move forward. The project will continue applying web-based conference solutions for conducting meetings, provide for CSO grants and establish front-line partnerships, and further commit to online communications.</p> <p>The risk remains relevant.</p>

VII. LESSONS LEARNED

The number of meaningful lessons learned are somewhat limited given the abbreviated implementation phase of the project (August-December). Still a number of important lessons are outlined here for further reflection during 2021 programming period.

Context

In 2020, project ambitions were largely shaped by dramatic political, economic and public health events. Invitations to engage with stakeholders opened and closed, and then reopened with startling alacrity. Planned activities were scuttled and then greenlighted suddenly. With such an unpredictable enabling environment, project officers and specialists learned that opportunities must be seized more fully, and that a wider range of partnerships must be sought.

Activity implementation

Relatedly, the flexibility to amend or enhance activities outlined in the AWP was critical to reaching programmatic goals during the reporting period. Early in the reporting period, the project held the mistaken belief that activities contained in the agreed AWP had to be strictly held to. This misunderstanding was corrected in a meeting on 16 October 2020 with EU FPI partners. The clarification allowed for more deliberate activity implementation and a higher delivery rate than might have been expected.

Policy developments in the EU, namely around mHRDD, were key to keeping the conversation on BHR alive at the country level, in face of economic uncertainty. More concerted efforts to promote mHRDD alongside other programmatic initiatives may help foster wider interest in the wider BHR agenda. International trends in BHR can be better leveraged to deepen the engagement of local and regional actors. In this regard, the project will focus on climate in the year to come as a means to capitalize on the profile and momentum of this compelling public policy space.

Consultations

COVID-19 did not mean an end to programming, in fact it brought new ways of working effectively to light. During the reporting period, the project used innovative software to engage event participants. Given the digital format, these engagements were easily captured for later analysis. For example, a polling tool in Zoom enabled to collect participant's perceptions during online events. Online discussion platforms such as the Mentimeter and Miro board proved practical tools for facilitating discussion in group events. Still, digital technology was not available to all stakeholders. Going forward, the views from marginalized groups will need to be assessed more fully with outreach assistance from CSOs.

Partnerships with business associations contributed to a wider outreach among members of the business community than UNDP would have achieved on its own. However, the project might have sought a larger number of long-term partnerships in the reporting period.

Monitoring

There were some challenges in collecting the satisfaction survey data during the first year of implementation. An accurate percentage figure cannot be provided for workstream 1 this year, considering the 20-percentage response rate requirement. When available, the satisfaction survey results have been provided in the AWP progress updates.

Documentation of events is crucial, to understand the results of capacity building, awareness-raising and dialogue events. That includes ensuring that there are means to collect participant feedback and perceptions and information on participants backgrounds and gender, when possible. Having clear guidance on documentation and satisfaction surveys is beneficial, especially when the event is organised / co-organised with a partner. The project is developing a step-by-step guidance note based on the good experiences and practices used this year and the lessons learnt during the first annual reporting. That is to ensure that there are no gaps in data. The note will include specific guidance for collecting satisfaction surveys in a way that allows for collecting gender disaggregated data at the project level for the indicator: *% of participants who report having benefited from the event.*

VIII. SOUTH-SOUTH COOPERATION

While the focus of the action is on facilitating the UNGP's implementation at the national level, the project supports knowledge transfer between the countries in several ways.

For example, the MNHRC orientation sessions facilitated learning and partnership with the National Human Rights Commission of Thailand (NHRCT). MNRHC's leadership learned a great deal about how the NHRCT actively contributed to BHR NAP development processes.

The online outreach platform and quarterly newsletters are also concrete means of supporting knowledge exchange and learning between the countries, including target audiences such as government, business and CSOs, and the broader public.

IX. COMMUNICATIONS AND VISIBILITY

Due to COVID-19 related movement restrictions, significantly more resources were put on communications activities than was originally anticipated. In particular, additional investments in online communications products during lock down or controlled movement periods allowed stakeholders to feel apart of a policy movement that was both global, regional and country driven.

Communication Strategy

The **B+HR Asia** Communication Strategy outlines communication objectives and provides a framework for managing communications activities required to deliver on outputs of the **B+HR Asia** project as described in the Description of Action. The strategy also addresses weaknesses and threats and discusses how to build on the strengths and leverage the opportunities that are unique to the project.

The document articulates the stakeholders and key messages and lists a range of communication tools that will be used to target and reinforce messages, depending on the intended audience.

The timeframe of the strategy is April 2020 – December 2023 and is updated yearly to ensure that learnings are fed back to the communication process. This ensures that communications activities are consistent and comply with the same objectives and seek to achieve a consistent vision across project countries and communication activities.

Internal Communication and Guidance

Internal communication platforms and processes have been developed, to ensure that team members have opportunities to share knowledge and build on each other's products and experiences to enhance effectiveness of delivery.

Communication and visibility requirements related to EU partnership have been shared and are regularly discussed as required by communication products in development.

B+HR Asia Branding Package



The project is reliant on effective communications in a rapidly evolving and culturally diverse environment, therefore a focus on consistent and compelling external messaging and visual representation is required. To support this, the programme needs unique and professional branding to make the “**B+HR Asia**” brand easily identifiable and memorable for a wide range of audiences including governments, state officials,

members of the business sector, CSOs, National Human Rights Institutions, UN entities and international organizations, and influencers in the area of business, human rights and economic policy.

The new brand includes samples of co-branding to be used in communications materials produces in different offices and a series of communications product templates that include EU co-branding by design to ensure consistent, high quality and visually equal representation of the implementing partners in all core communication materials.

The new brand has just been introduced and shared with all National BHR Specialists to be employed at the country level.

2020 Products - Communication Collateral Package to Key Partners

The year 2020 offered few opportunities to promote **B+HR Asia** offline due to the COVID-19 movement restrictions. To overcome this situation and evoke the atmosphere of personal meeting and networking occasions, **B+HR Asia** prepared a package for key partners to be delivered by mail. The package features key knowledge products and standard communications collaterals to strengthen familiarity with the brand.

The package contains: one (1) copy of the COVID-19 Rapid Self-Assessment in English, one (1) copy of the COVID-19 Rapid Self-Assessment in a local official language, two (2) project brochures, one (1) branded presentation folder, one (1) branded notebook (containing QR links to 2020 key products), three (3) textile face masks and a QR link to the COVID-19 and BHR case study of the manufacturing company.

X. FUTURE PLANS

Going forward, the **B+HR Asia** project will expand its activities into two new directions. The first involves bringing BHR programming to Mongolia, hiring a new National BHR Specialist and implementing new activities with new partners. The second direction involves Output 4 and new regional work on the environment and human rights. Connected to these new work streams, a Monitoring and Evaluation (M&E) officer will be hired to assist with the enlarging volume of work.

Additionally, programming in 2021 will focus more intently on areas that may have escaped attention in 2020. Under this heading, UNDP **B+HR Asia** will focus on policy uptake in Sri Lanka perhaps around the connection between the environment and responsible business. In 2021, there will also be more engagement with the EU Chambers of Commerce, Global Compact Networks and other business associations. Given the timelines for the tabling of mandatory HRDD legislation before the EU Parliament, there is likely to be more interest in this topic in the Asia region. UNDP will also be finalizing the HRDD Training Facilitation Guide by Quarter 2. This guide will assist in implementation of these trainings by UNDP and its partners. Developments around mHRDD in the EU will be promoted vigorously in 2021.

Following the CSO Survey Results, UNDP and its stakeholders are well-apprised of the risks and impacts CSOs and human rights defenders faced during the first waves of COVID-19. Turning attention towards the victims of business-related human rights abuses, UNDP will provide support to CSOs in the form of small grants. CSOs will also be asked to contribute to more events, including regional BHR forums, with an eye towards strengthening existing networks, information sharing and advocacy efforts.

ANNEX 1: WORKSHOP AND EVENTS

Name of the event	Number of events	Event type	Number of participants	Key partners engaged / organising parties	Date	Country
Training on United Nations Guiding Principles (UNGPs) on Business and Human Rights and Human Rights Due Diligence for Private Sectors on 15 December 2020	1	Training	75 (35m:40f)	IBCSD, EuroCham	15/12/2020	Indonesia
NS-BHR Coordination meeting with the Ministry of Law and Human Rights, Ministry of Foreign Affairs, and Ministry of National Development Planning	1	Technical meeting	11 (4 f, 7 m)	MOLHR, MOFA, and MONDP	20/10/2020	Indonesia
NS-BHR Coordination meeting with the Executive Office of the President, Ministry of Law and Human Rights, Ministry of Foreign Affairs, and Ministry of National Development Planning	1	Technical meeting	11 (3 f, 8 m)	EOP, MOLHR, MOFA, and MONDP	02/11/2020	Indonesia
A coordination meeting for the formulation of NS-BHR Task Force	1	Technical meeting	35 (13f, 22m)	UNDP, ministries, businesses, and CSOs	23/11/2020	Indonesia
Project Partners Meeting	1	Technical meeting	25 (13 f, 12 m)	EOP, MOLHR, MOFA, and MONDP, IGCN, IBCSD, Indonesia Business Link/IBL, Indonesia Chamber of Commerce/ KADIN, EuroCham and CSOs: ELSAM, INFID, OXFAM, FIHRRST	18/12/2020	Indonesia
National webinar of General Public Consultations, NS-BHR	1	Group event	140 (58m:82f)	MOLHR	25/11/2020	Indonesia
Business and Human Rights Training for Government Stakeholders	1	Training	5 (2m:3f)	BHEUU, SUHAKAM	06/11/2020	Malaysia

B+HR Consultative Workshop Series 2020: Towards Malaysia's National Action Plan (events 3)	3	Group event	103 (45m;49f;9 other)	BHEUU, SUHAKAM	multiple	Malaysia
Orientation sessions for the Myanmar National Human Rights Commission's leadership and staff	1	Training	20 (12m:8f)	MNHRC	15/12/2020	Myanmar
Business Consultations Workshops on Myanmar Land Laws	2	Group event	170 (100m:70f)	The Union Federation of Myanmar Chambers of Commerce and Industries; Myanmar Center for Responsible Business	17/12/2020	Myanmar
8 Workshops on Promoting the Implementation of the National Action Plan on Business and Human Rights (2019 – 2022) at Provincial Level	8	Group event	616 (290m; 326f)	RLPD of Ministry of Justice	March-Nov	Thailand
The 4th National Dialogue on Business and Human Rights in “the Post COVID -19 World” with UNDP	1	Group event	104 (46m:58f)	GCNT	03/12/2020	Thailand
Reference Group Meetings on Studies Anti-SLAPP and protection of HRDs	2	Technical meeting	29 (5m:24f)	TRBN, Justice for Peace Foundation; Amnesty International Thailand; RLPD, Ministry of Justice; Global Compact Network Thailand; FORUM-ASIA; Community Resource Centre; Cross Cultural Foundation (CrCF); OHCHR; International Commission of Jurists (ICJ); Human Rights Lawyers Association (HRLA); Protection International.	02/09/2020	Thailand
Consultative meeting on UNDPs support on Business and human rights in Thailand	1	Technical meeting	78 (34m;44f)	N/A	08/09/2020	Thailand
Business and Human Rights Training for Thai companies on UNGPs and Human Rights Due Diligence	1	Training	20 (10m:10f)	GCNT, RLPD of Ministry of Justice, SEC	8, 9, 14, and 15 December 2020	Thailand
Business in Times of Disruption - Virtual Panel discussion	1	Group event	70	UNGC, EU Chamber of Commerce	04/12/2020	Sri Lanka

Training course: The United Nations Guiding Principles on Business and Human Rights and their Implications for Business	1	Training	138	Delegation of German Industry and Commerce in Sri Lanka, Löning – Human Rights & Responsible Business	25/11/2002	Sri Lanka
Business and Human Rights in Environmental Management –Virtual Workshop [Private Sector]	1	Group event	47	Biodiversity Sri Lanka, Centre for Environmental Justice	17-19 November	Sri Lanka

ANNEX 2: PARTNERS ENGAGED

Partner	Country
Ministry of Corporate Affairs	IND
Change Alliance Private Limited	IND
Indonesia Business Council for Sustainable Development (IBCSD)	IDN
Indonesia Chamber of Commerce (KADIN) (training)	IDN
Indonesia Global Compact Network (IGCN) (training)	IDN
EuroCham (training)	IDN
Ministry of Law and Human Rights (MOLHR) (NS-BHR)	IDN
Ministry of Foreign Affairs (MOFA) (NS-BHR)	IDN
Ministry of National Development Planning (MONDP) (NS-BHR)	IDN
The Executive Office of the President (EOP) (NS-BHR)	IDN
AMPro (NS-BHR – event organiser)	IDN
Legal Affairs Division, Prime Minister's Department (BHEUU)	MYS
Human Rights Commission of Malaysia (SUHAKAM)	MYS
Ambassador of the European Union to Malaysia	MYS
International Labour Organisation	MYS, THA, BKK
IOM Malaysia	MYS
Centre to Combat Corruption and Cronyism (C4)	MYS
North-South Initiative (NSI)	MYS
National Human Rights Commission - Thailand	MMR
The Union Federation of Myanmar Chambers of Commerce and Industries	MMR
UN Working Group on BHR	MMR
Myanmar National Human Rights Commission	MMR
Oil and Gas Sector	MMR
Asia Pacific Forum (Observer)	MMR
The Union Federation of Myanmar Chambers of Commerce and Industries	MMR
Myanmar Center for Responsible Business	MMR
Delegation of German Industry and Commerce in Sri Lanka	LKA





Löning – Human Rights & Responsible Business	LKA
UN Global Compact Network Sri Lanka	LKA
EU Chamber of Commerce	LKA
Centre for Environmental Justice	LKA
Women's Centre	LKA
Biodiversity Sri Lanka	LKA
The Rights and Liberties Protection Department (RLPD) of Ministry of Justice	THA
The Global Compact Network Thailand (GCNT)	THA
Thailand Responsible Business Network (TRBN)	THA
Justice for Peace Foundation	THA
Amnesty International Thailand	THA
FORUM-ASIA	THA, BKK
Community Resource Centre	THA
Cross Cultural Foundation (CrCF)	THA
OHCHR	THA
International Commission of Jurists (ICJ)	THA
Human Rights Lawyers Association (HRLA)	THA
Protection International	THA
The Securities and Exchange Commission of Thailand (SEC)	THA
Business and Human Rights Resource Centre (translation)	BKK
OHCHR in Latin America (translation)	BKK
Oxfam	BKK
UNICEF	BKK
UN Women	BKK

ANNEX 3: POLICY AND KNOWLEDGE PRODUCTS

Knowledge-based product	Country	Typology	Published (yes/no)	Status	Year
Labour Laws Application & Efficacy in the context of Business & Human Rights and COVID-19 Pandemic	India	Research / policy analysis	No	In progress	2020
Environmental Laws Application & Efficacy in the context of Business & Human Rights and COVID-19 Pandemic	India	Research / policy analysis	No	In progress	2020
Translation: The UN Guiding Principles on Business and Human Rights	India	Publication	No	In progress	2020
Feedback on Business and Human Rights Legislative and Regulatory Frameworks Assessment	Indonesia	Policy analysis	No	Finalised	2020
Feedback on The Draft Decree on the Establishment of BHR Task Force and Draft Roadmap for Business and Human Rights	Indonesia	Policy analysis	No	Finalised	2020
Policy Analysis Omnibus Bill on Job Creation from Business and Human Rights (BHR) perspective	Indonesia	Policy analysis	No	Finalised	2020
Feedbacks on Business and Human Rights (BHR) Roadmap	Indonesia	Policy analysis	No	Finalised	2020
The UN Guiding Principles on Business and Human Rights (Bahasa translation)	Indonesia	Publication	No	In progress	2020
How COVID-19 has Amplified Multidimensional Issues in Business and Human Rights in Malaysia	Malaysia	Research	No	In progress	2020
Environmental, Social and Governance (ESG) Policies in Government-Linked Investment Companies.	Malaysia	Research	No	In progress	2020
Report B+HR Consultative Workshop Series 2020: Towards Malaysia's National Action Plan	Malaysia	Consultation report	No	Finalised	2020
Land Law Reform Consultation report	Myanmar	Consultation report	No	Finalised	2020
Research paper on the advantages of B & HR in trade and investment	Sri Lanka	Research	No	In progress	2020
Legal Gaps analysis (the legislative gaps in the context of BHR in SL)	Sri Lanka	Research / policy analysis	No	In progress	2020
Legal Gaps analysis (environment management and climate actions)	Sri Lanka	Research / policy analysis	No	In progress	2020
Legal Gaps analysis (gender)	Sri Lanka	Research / policy analysis	No	In progress	2020

ANNEX 4: SPECIFIC OBJECTIVES AND EXPECTED RESULTS

Specific Objectives

SO1 	<p>To operationalise an EU-UNDP partnership promoting internationally agreed principles on human rights and environmental protection in the context of business operations (multilateralism)</p>	SO2 	<p>To raise awareness of and cooperate with national governments, the business sector, civil society, and trade unions in the seven selected countries in Asia to support national efforts to implement the UNGPs on BHR where and when relevant, including the adoption and implementation of NAPs, the establishment of grievance mechanisms by businesses and enhanced access to effective remedies and rights-based solutions. (human rights)</p>
SO3 	<p>To facilitate a more level playing field and a reduced risk of disruption of their supply chains for EU businesses adopting responsible business behaviours in their operational and sourcing practices in Asia (economic diplomacy)</p>	SO4 	<p>To enhance the profile of the EU as a global actor and promoter of human rights, in line with the EU Global Strategy (EUGS) and based on a convinced adherence to multilateralism (public diplomacy)</p>

Expected Results

R1 	<p>Awareness of the UNGP by relevant stakeholders in the selected countries is raised thus creating the necessary grounds and pre-conditions for boosting the BHR agenda in Asia</p>	R2 	<p>National legislative and policy frameworks, including NAPs, are developed and/or implemented by means of targeted support to and dialogue with relevant stakeholders in the selected partner countries, taking advantage of the favourable momentum at regional level to advance the BHR agenda</p>
R3 	<p>Efforts carried out by UNDP at regional level under the project “<i>Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships</i>” (funded by the Government of Sweden) are amplified and mutually reinforced through bi-lateral action under this project with country-level partnership architectures (UN, NHRI, CSO, private sector)</p>	R4 	<p>Access to effective remedy for violations of human rights in the context of business operations is enhanced, including in cases of violations occurring outside a country's jurisdiction access</p>
R5 	<p>Enabling conditions are created or enhanced for EU responsible enterprises operating in and sourcing from Asia to benefit for a more level playing field</p>	R6 	<p>The EU-UN partnership on Business and Human Rights is reinforced and the EU's role and image as a global actor and promoter of human rights under the call of multilateralism are strengthened.</p>