

PROGRESS REPORT 2021

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 1,921,537.91

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

ASEAN	Association of Southeast Asian Nations
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
BRSR	Business Responsibility and Sustainability Reporting
CRB	Centre for Responsible Business
CSO	Civil Society Organisation
CSR	Corporate Social Responsibility
DOA	Description of Action
EOP	Executive Office of the President
ESG	Environmental, Social and Governance
EU	European Union
FIHRRST	Foundation for International Human Rights Reporting Standard
GIACC	National Governance, Integrity and Anti-Corruption Centre, Prime Minister's Department
GCNSL	Global Compact Network Sri Lanka
GCNT	Global Compact Network Thailand
HRDD	Human Rights Due Diligence
ILO	International Labour Organization
IOM	International Organization for Migration
KASA	Ministry of Environment and Water
LCM	Legal Clinic Myanmar
M&E	Monitoring and Evaluation
MCA	the Ministry of Corporate Affairs (India)
mHRDD	Mandatory Human Rights Due Diligence
MFA	Ministry of Foreign Affairs (Mongolia)
MOFA	Ministry of Foreign Affairs (Indonesia)
MOHR	Ministry of Human Resources
MOJ	Ministry of Justice (Thailand)
MOLHR	Ministry of Law and Human Rights
MOWECP	Ministry of Women's Empowerment and Child Protection
MNEs	Multinational Enterprises
MSMEs	Micro, Small & Medium Enterprises
NAP	National Action Plan
NBA	National Baseline Assessment
NS-BHR	National Strategy on Business and Human Rights
OHCHR	Office of the United Nations High Commissioner for Human Rights
SDGs	Sustainable Development Goals
SEBI	Securities Exchange Board of India
SEC	Securities and Exchange Commission
SUHAKAM	Human Rights Commission of Malaysia
UNEP	United Nations Environment Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme
UNGPs	The United Nations Guiding Principles

TABLE OF CONTENTS

ACRONYMS.....	iii
TABLE OF CONTENTS.....	iv
I. EXECUTIVE SUMMARY.....	5
II. INTRODUCTION – REGIONAL VIEW	7
III. PROJECT PROGRESS UPDATE	8
COUNTRY PROFILES	9
INDIA	9
INDONESIA	14
MALAYSIA.....	19
MONGOLIA	23
MYANMAR	29
SRI LANKA.....	31
THAILAND.....	36
REGIONAL ACTIVITIES	41
IV. GENDER.....	48
V. PARTNERSHIPS	50
VI. PROJECT RISKS AND ISSUES.....	54
VII. LESSONS LEARNED	58
VIII. SOUTH-SOUTH COOPERATION.....	62
IX. COMMUNICATIONS AND VISIBILITY	63
X. FUTURE PLANS.....	67
ANNEX 1: WORKSHOP AND EVENTS	68
ANNEX 2: PARTNERS ENGAGED.....	73
ANNEX 3: POLICY AND KNOWLEDGE PRODUCTS PRODUCED.....	76
ANNEX 4: CSO GRANTS AWARDED IN 2021	77
ANNEX 5: COUNTRY CONTEXT	80
ANNEX 6: DRAFT ANNUAL WORKPLANS 2022.....	90
ANNEX 7: EVIDENCE	125

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 stronger 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, Mongolia, Myanmar, Sri Lanka, and Thailand. This progress report covers the period from 1 January to 31 December 2021.

During the reporting period, the EU provided a supplementary contribution of €1 million. The lion share of these funds were used to bring Mongolia into the programming fold. Support was also leveraged to raise awareness and offer solutions to business impacts on the environment, and to provide for the hiring of a monitoring and evaluation (M&E) officer.

In 2021, the **B+HR Asia** project made considerable gains with additional and more experienced staff, coupled by renewed commitments from partners in government and from civil society organizations (CSOs). Heightened interest in human rights due diligence (HRDD) led to stronger and more numerous partnership opportunities with business.

Under Output 1, the project saw some of its strongest progress including the release of draft versions of National Action Plans (NAPs) in India and Indonesia. The Malaysian government announced its intention of finalizing a draft NAP in 2023. In Mongolia, consultations were conducted in furtherance of a national baseline assessment in support of the country's NAP.

Under Output 2, awareness of the Business and Human Rights (BHR) agenda was raised substantially, as was the visibility of the EU-UNDP partnership. In 2021, 10 publications, including issue briefs, reports and training materials, were shared and promoted through 114 communication products and 21 communication campaigns. Over 60 events were held, hosting over 4,000 attendees.

Gains were made under Output 3, as the project pivoted its attention towards rightsholders. Small grants were awarded to 10 CSOs, more than triple the number from the year before, to support access to remedy for people and communities negatively impacted by business operations.

Under Output 4, UNDP conducted a survey to understand environmental priorities in Asia. Air pollution emerged as the subject of deepest concern, followed by climate change. These findings were validated by a panel of eminent academics and advocates. Following this, UNDP initiated a large-scale research project on air pollution, human rights, and industry.

In 2021, UNDP made demonstrable gains moving the BHR agenda forward despite the uncertainties and obstacles posed by the COVID-19 pandemic. As reflected in this report, commitment by partners at all levels, and the resilience demonstrated by UNDP's Country Offices, prevailed over multiple challenges to great effect.

Business and Human Rights in Asia

Project Progress Overview - Year 2 of 4

Output 1



Build knowledge and political will

Output 2



Heighten communication and public diplomacy

Output 3



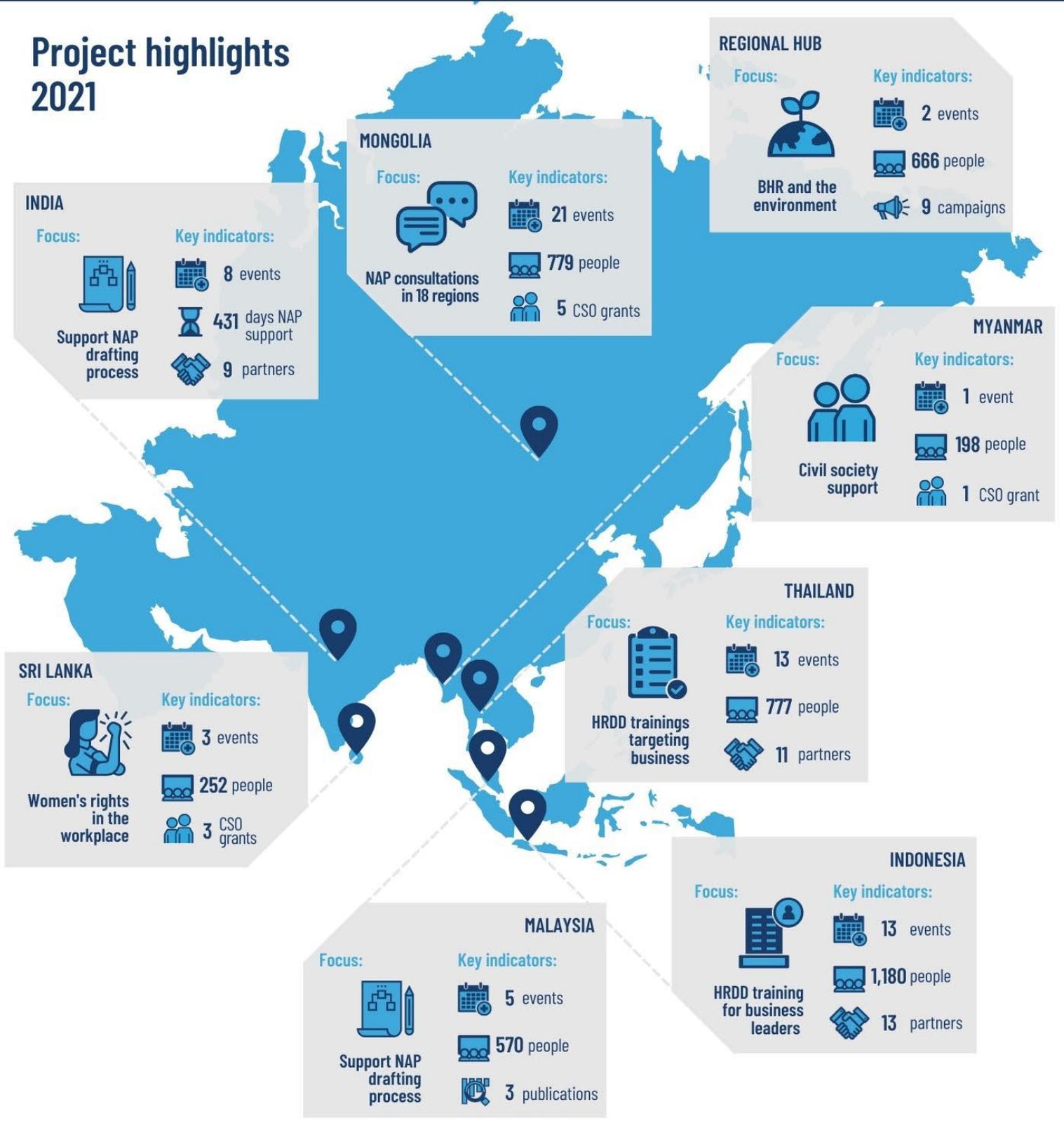
Greater access to remedy and rights-based solutions

Output 4



Drive actions that address the adverse role of business on the environment

Project highlights 2021



II. INTRODUCTION – REGIONAL VIEW

Lockdowns. Super-spreader events. Mass redundancies. Uncertainty. The year 2021 by many measures did not begin auspiciously.

But as summer approached, a series of vaccines made their debut in China, Europe, Russia, and the US. The world grew hopeful that the end of the COVID-19 pandemic was near. Regional experts and political figures spoke unabashedly of “recovery” without caveats or qualifying remarks.

And then, the Delta variant suddenly emerged, and crematoriums were overrun. Oxygen fell in short supply, and vaccines were harder than expected to procure and distribute. Plans to reopen borders to tourists were cancelled, and investments were put on hold. The same influencers who spoke confidently of the future, began to rage bitterly of an emerging “vaccine apartheid.” Bookending an already emotional year, the Omicron variant erupted and spread like wildfire.

During the reporting period from January to December of 2021, progress on the BHR agenda was impacted by quick recoveries and sharp reversals in public health and economic conditions. By many measures, meaningful success would seem unlikely this year for the project, *Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework (B+HR Asia)*.

But successful it was.

In 2021, policy work on responsible business was rooted more deeply, and interest grew more widely among policy makers, business leaders and civil society champions. Audiences were seized of topics involving NAPs, HRDD, and remediation processes. High level policy commitments were translated into draft NAPs, task forces and consultation processes, workshops, and trainings. In fact, the year was rich in programming achievements. Critical performance milestones under the policy-dimension heading are now within easy reach.

How was this achieved?

In 2021, **B+HR Asia** leveraged the power of UNDP’s in-country presence and long working relationships with governments in the region to great effect. High-level support from UNDP resident representatives and EU ambassadors and their deputies, also helped to ensure that the BHR agenda stayed on track. As importantly, the consumer appetite for responsible business behaviour grew as the impact of unregulated supply chains on the environment, on economies, and on society began to be more fully understood by more households.

UNDP’s achievements in 2021 were many. The project met nearly every goal and addressed nearly every gap it identified in its 2020 Progress Report. In 2021, UNDP turned its attention to access to remedy, providing small grants to ten CSOs and ensuring civil society

contributions at key events, including regional BHR forums. The project also enjoyed greater levels of engagement with the EU Chambers of Commerce, Global Compact Networks and other business associations. The project heightened awareness of HRDD through 19 trainings involving 1,245 participants. Importantly, policy efforts led to big gains in India and Indonesia as these Indo-Pacific powers released draft versions of their NAPs on BHR.

But while there is a strong basis to hope that the project will continue making gains in 2021, new and ominous threats have emerged. Today, the enabling environment is dogged by inflation, supply chain disruption, shortages, and the spread of new COVID-19 variants. To complicate matters, the debate around the costs and benefits of trade has only grown even more heated.

Regardless of the circumstances, **B+HR Asia** project staff have emerged stronger from the trials of 2021. BHR Specialists in-country now enjoy greater levels of capacity and higher levels of trust and confidence with governments, CSOs, and enterprises. Regional staff, in turn, are more skilled at providing targeted support to country offices on CSO engagement, technical trainings and research. Complementing all of this, a new M&E officer will lead on data analytics, detailing the extent of project reach and clarifying impact.

Armed with new capacities, renewed partnerships, and increased awareness, the year 2022 will likely be a year of accelerated programmatic returns. And despite emergent challenges, the BHR agenda is on course to be fully cemented into Asia's economic, social and political discourse.

III. PROJECT PROGRESS UPDATE

The joint EU/UNDP action promotes the uptake of the BHR agenda and the implementation of the UNGPs through the development of policy instruments (Output 1) and communications and visibility efforts (Output 2). It enhances the rights of stakeholders and prevents human rights abuses through access to remedy/due diligence activities (Output 3). Lastly, it strengthens the connections between business, human rights and environment through greater dialogue and research (Output 4). During the reporting period, the EU-UNDP partnership on this action realized significant programming gains under each output as demonstrated in the country profiles that follow.

COUNTRY PROFILES



INDIA

Key Results

- Draft NAP on Business and Human Rights is released to advisory and inter-ministerial committees for review and comment
- Access to remedy is advanced for women migrant workers in the Indian Ready-Made Garment industry
- Tata Sustainability Group approaches UNDP for collaboration on HRDD trainings, reflecting UNDP's robust offer on this emerging practice

Project Overview

UNDP made demonstrable progress in India despite the political and economic implications of a searing public health emergency.

A rapid surge of COVID-19 infections in the spring/summer of 2021 created tumultuous circumstances for both government partners and UNDP staff, resulting in uneven levels of communication and delayed decision making. Still, UNDP remained the essential partner for technical support to the Ministry of Corporate Affairs (MCA) on business and human rights. Under the guidance of UNDP's BHR Specialist in-country, technical experts helped draft and amend various versions of the draft India NAP. On 17 September 2021, MCA quietly shared the draft with the inter-ministerial and advisory committees for comments. In October, at the annual India Sustainability Standards Conference, co-sponsored by UNDP, the Secretary of the MCA publicly announced that the NAP had been drafted and would be launched in the months to follow.

In 2021, UNDP also focused on risks posed by the technology industry, including on artificial intelligence (AI) and data protection issues. Research was initiated on the potential impact of AI on consumers and workers. UNDP also conducted a closed-door consultation on *Data Protection and Privacy*, in February 2021, with leaders in the private sector, industry associations and civil society actors. This consultation led to proposed inputs into India's NAP. On 19 February 2021, UNDP submitted its report on the consultation to the MCA.

Separately, and with funding from the Government of Sweden, UNDP's BHR Specialist in India supported the drafting of an Information and Communications Technology sector guidance of the Business Responsibility and Sustainability Reporting (BRSR) framework. The BRSR, a non-financial reporting framework, has been mandated by the Securities Exchange Board of

India (SEBI) for mandatory reporting on Environmental, Social, and Governance (ESG) parameters from financial year 2022-23 for top 1,000 listed companies by market capitalization.

In addition to its work in the digital sector, UNDP issued a civil society grant to facilitate a baseline assessment measuring access to remedy for women migrant workers in the Indian Ready-Made Garment (RMG) industry. The survey covered the destination states of Delhi/National Capital Territory and Tamil Nadu and source states of Uttar Pradesh, Bihar and Jharkhand.

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

UNDP engaged a range of partners to strengthen dialogue and enhance policy coherence through closed-door events. These included through the closed-door consultation on *Data Protection and Privacy* on 9 February, and a *Project Partner Meeting* on 1 March 2021. In these settings, participants had frank conversations regarding priority actions in the policy sphere.

In addition to these smaller events, UNDP was the lead partner for the *India Sustainability Standards Conference* in collaboration with Centre for Responsible Business (CRB) in October 2021. The UNDP hosted session, “Made in India: Promoting Growth and Resilience through the UNGPs on BHR”, featured high-level participation from the EU, academia, business and civil society.¹ The event was preceded by a series of LinkedIn Sessions aimed at promoting awareness for the event, and increased visibility of key issues including resilient supply chains and MSMEs.^{2 3}



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

Throughout 2021, UNDP continued to provide technical assistance to the Ministry of Corporate Affairs (MCA) particularly on the finalization of the NAP on BHR. Technical experts submitted detailed inputs for a revised second draft version of India’s NAP. The draft was shared with members of the Inter-Ministerial Committee and Advisory Committee for review in mid-September. At the request of the MCA, UNDP also developed an Operational Framework guiding implementation of the NAP.

At the suggestion of the MCA, UNDP developed a series of BHR in India quarterly newsletter that was circulated among the departments of various government ministries including the MCA. The newsletter’s aim is to build interest and support of the India NAP on BHR by covering emerging BHR stories from India, the Asia-Pacific region and globally. In 2021, the newsletter had a reach of approximately 996 readers, with an average of 469 active click throughs per newsletter, indicating that the newsletter may be having its intended effect.

Output 2: Communication and Research

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

Activity 2.2.2: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

In India, UNDP commissioned and shared a range of communications products and launched social media campaigns related to situation of women workers in the garment industry the UNGPs, and the impact of business on the environment and related rights. These social media campaigns made over 65,800 impressions on Twitter and LinkedIn in 2021 – indicating keen interest in the catalogue of products produced.



In June, animation products entitled *Business and Human Rights, and India's Labour Law Framework* was launched in Hindi⁴ and English⁵. These have received 232 views, and continue to contribute to the positioning of the BHR agenda within the milieu of the changing labour law framework in India.

In June, the animation product *Business and Human Rights and India's Environment Law Framework*, also published in Hindi⁶ and English⁷. The animation garnered 303 views, and associated communications campaign garnered 42 percent of all social media impressions for the BHR project in India, indicating significant levels of interest from the general public at least in relative terms.



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 provided a small grant to the CSO, Change Alliance, to conduct a baseline assessment on the adverse impacts of human rights abuses amongst women workers in the Ready-Made Garment Industry. Targeting this group, the CSO also conducted awareness raising activities related to access to remedies. The assessment and the key actions that followed are outlined below.

Activity 3.1.2: Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies

Noting the impact of the pandemic on women workers in the garment industry, UNDP in partnership with CSO grantee, Change Alliance conducted a *Baseline Assessment of Access to Remedy for Women Migrant Workers in the Garment Sector*. The assessment surveyed 662 women workers in different provinces, including Indigenous Women and their experiences with job insecurity, sexual



harassment and exploitation. The assessment also provided an account of access to remedy options available.

Among the findings of the assessment, 43 percent of respondents had been made redundant, or had otherwise been asked to resign by their employers. Forty-two percent of respondents reported receiving no written employment contracts. Over 75 percent expressed insecurity over livelihood prospects and 45 percent of respondents stated that they had to borrow money to run their household.

The launch of the assessment was preceded by an online validation meeting attended by 56 participants from Bangladesh, Democratic Republic of Congo, India, and Thailand. Participants rated Gender-Based Violence (GBV), lack of social protection and poor working conditions as the most relevant topics of the assessment. In a post event survey, 64 percent of participants called for increased awareness and more business engagement with CSO to address these challenges.

The online validation exercise was followed by an in-person discussion in Jharkhand Province held on the 28 September. Participants numbered 60 of which 25 percent were from government. A publication of the findings was launched in December 2021, and ongoing efforts to amplify key messages will continue through to the first quarter of 2022.



INDONESIA

Key Results

- Ministry of Law and Human Rights releases draft National Strategy on Business and Human Rights for public comment
- UNDP publishes major report on access to remedy, *Infrastructure Development and Women's Rights in Indonesia*, resulting in invitation by government to participate in G20 Summit in 2022
- Businesses adopt HRDD practices and assess their risk profiles using UNDP's *HRDD and C19: Rapid Self-Assessment for Business* tool. Firms report that the tool is being applied to their upstream suppliers

Project Overview

Despite a trying year battling one of the worst outbreaks of COVID-19 in Southeast Asia, progress on the BHR agenda gathered pace in Indonesia in 2021. During the reporting period, UNDP provided sustained and focused technical assistance to the Ministry of Law and Human Rights (MOLHR) to ensure the timely completion of a draft National Strategy on Business and Human Rights (NS-BHR). UNDP also built partnerships with other key stakeholders—including with the Ministry of Foreign Affairs (MOFA), the Ministry of National Development Planning (Bappenas) and the Executive Office of the President (EOP)—in bilateral and formal coordination settings, which in turn, created new activity streams necessary to accelerate momentum.

Furthermore, UNDP redoubled its investments in strengthening the Task Force on the NS-BHR, which led to wider awareness and buy-in among policy makers. Made up of 20 ministries, and several business associations and CSOs, the Task Force quickened the pace of BHR policy development, by stoking constructive conversation around expectations, roles, and responsibilities.

Complementing this support, UNDP hosted a *Regional Conference on Business and Human Rights* in November 2021. During the conference, the governments of India, Japan and Thailand shared their experiences in formulating National Action Plans on BHR. This helped build confidence and interest among a host of Indonesian government officials.

With co-funding from the Government of Sweden, UNDP organized a discussion titled, *Preparing for Mandatory Human Rights Due Diligence to Achieve Sustainable Development Goals (SDGs)*. Representatives from European governments including France, Norway and

Switzerland shared their understanding of human rights due diligence with Indonesian businesses, thereby reinforcing messages on emerging business norms.

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

On 18 and 19 November, UNDP co-hosted the *Regional Conference on Business and Human Rights*⁸ preceded by a soft launch event.⁹ The *Conference* included 271 participants, 77 percent of which were representatives of government at different levels. The Conference was co-organized by the Indonesian Ministry of Foreign Affairs (MOFA) with support from UNDP, the EU, the Government of Sweden, and the Embassy of Switzerland. The conference led to the strengthening of partnerships with a more diverse set of stakeholders and accelerated work on the National Strategy on Business and Human Rights by bringing heightened awareness of the initiative.



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 continued to support the drafting of the NS-BHR by providing expert technical assistance and supporting coordination meetings with the MOFA, MOLHR, Ministry of National Development and Planning, and other members of the National and Sub-National Task Force. UNDP support also facilitated civil society input to strengthen the formulation of the NS-BHR.¹⁰ Coordination meetings¹¹ were held periodically with 20 Ministries, civil society representatives, academia, and business associations with combined participation at approximately 100 participants.

In parallel with coordination meetings, NS-BHR development was further supported by *Focus Group Discussions (FGDs) for the National Task Force*¹², and by the *Orientation on the Sub-National Task Force on NS-BHR (Orientation)*¹³, both of which were led by the MOLHR in partnership with UNDP. Engagements in these coordination events were key to ensuring progress on the NS-BHR in the face of COVID-19 related challenges. Attended by 268 participants from government, academia and multilateral organizations, the Orientation strengthened the articulation of a shared vision for the NS-BHR, and deepened understanding of the purpose of the NS-BHR. The Orientation also strengthened coordination between central and provincial policymakers.

On the 14th of October, public consultations on the outcomes of the Orientation were held in collaboration with the MOLHR.¹⁴ This event increased understanding of the process behind the development of the NS-BHR among attendees, which included business leaders (22%), government officials (51%), civil society actors and academics.

Output 2: Communication and Research

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

Activity 2.2.2: Produce communication materials to enhance understanding of the UNGPs, and trade and human rights nexus

In Indonesia, UNDP developed communication materials that promoted both understanding of the UNGPs, and drove attendance at key events, including *Gender Perspectives in Infrastructure Development* and the *Regional Consultation on BHR*. Communications materials included social media posts,¹⁵ animations¹⁶ and other visibility materials.

Animation products attracted 131 views and received 1,100 impressions to date.¹⁷ There were three stories published on BHR with references to the **B+HR Asia** project in mainstream Indonesian news outlets including the *Jakarta Post* and *CNBC Indonesia*.¹⁸

ACADEMIA • OPINION

Adopting human rights due diligence is good business for companies



This file photo taken on April 18, 2017 shows the French headquarters of US multinational technology company Microsoft in Paris. (AFP/Lionel Bonaventure)

Norimasa Shimomura

Jakarta • Sat, February 20, 2021

Promotional materials were produced to enhance readership of the issue brief on *Infrastructure Development and Women's Rights in Indonesia*.¹⁹ In the first three weeks of publication, the issue brief was downloaded 50 times, including from readers in India and Thailand. Finally, an animation product²⁰ promoted Human Rights Day 2021 as a part of a social media campaign.

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: Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies

In 2021, UNDP in collaboration with the Asia Research Centre undertook research to better understand the impact of infrastructure development on women's rights in Indonesia.²¹ The resulting research report and issue brief, *Infrastructure Development and Women's Rights in Indonesia*, provides an overview of Indonesia's infrastructure regulatory framework and draws on documented case



studies to detail impacts on women's land rights, livelihoods, labour rights, and substantive participation rights. Furthermore, the report provides policy recommendations on how women's access to remedy may be strengthened in the future, and on what legal interventions might fortify gender-sensitive policies at the national and sub-national levels. The research also highlights actions and priorities that private and public sectors can take to ameliorate rights abuses.

The research was launched on 7 December, during an event titled *Dialogue on Gender Perspectives to Infrastructure Projects in Indonesia*, co-organized by UNDP Indonesia, the Ministry of Women's Empowerment and Child Protection (MoWECP) and the European Chambers of Commerce (EuroCham).²² The aim of the session was to launch the issue brief and to galvanize action. As a direct result of the success of UNDP's work in this area, MoWECP intends to introduce UNDP as a key partner of the government on this topic during the upcoming G20 Summit in Bali in 2022.

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

Human rights due diligence is a subject of intensifying interest in Indonesia. In February 2021, UNDP hosted an event titled, *Sharing Best Practices on mHRDD*, with support from the Government of Sweden but with the participation and attendance of EU member state representatives from Norway and France. Switzerland also participated in the event.²³ The event was attended by 107 representatives from private sector, academia, government, and other key stakeholders. As a launch of UNDP's work on HRDD, the event served as a baseline of engagement for the rest of the project period.

UNDP also hosted a series of HRDD Trainings targeting emerging thematic and industry-specific areas. The *CEO Forum on Responsible Business in the Time of COVID-19*, held in September in collaboration with the Indonesia Business Council for Sustainable Development and the Indonesia Chamber of Commerce, is an example of a standard design approach for HRDD trainings in Indonesia.²⁴ The high-level forum was followed by a series of four practice-focused HRDD training sessions²⁵ to support the uptake of HRDD. Evaluation of the series revealed an average satisfaction rating of 76 percent.

On 7 October, UNDP and the Foundation for International Human Rights Reporting Standard (FIHRRST) kicked off a pilot project to assist companies to assess their human rights risks and impacts in the context of the COVID-19 pandemic. Technical assistance was provided to 12 companies based on the *UNDP Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business (C19 RSA)* from October to December 2021.

On 14 December, results of the pilot project were shared during an event titled, *Launch of Report on C19 RSA*. During the event, companies shared their experience in undertaking the *C19 RSA*, including good practices.²⁶ The findings of the training series were discussed, and an opportunity was provided for attendees (62% from private sector) to co-create and provide insights into future types of HRDD programming. Unprovoked, a business participant remarked at the event that the *C19 RSA* was instrumental to providing a 365-degree view of all attendant risks, which substantially enhanced their own due diligence efforts. The participant also noted that the *C19 RSA* was shared with all their upstream suppliers.





Key Results

- The Minister for Parliament and Law made a public commitment to launch the Malaysia NAP on Business and Human Rights by 2023
- Inaugural NAP Steering Committee meetings demonstrated government willingness to provide sustained resources to NAP processes
- Issue briefs were published, raising interest and connecting the BHR agenda to COVID-19 recovery, responsible investing, and forced labour

Project Overview

In 2021, UNDP strengthened its working relationship with the Legal Affairs Division of the Prime Minister's Department (BHEUU), setting the stage for the achievements of key milestones. On 6 July 2021 for example, UNDP Malaysia co-hosted the first NAP Steering Committee meeting, chaired by the Minister in the Prime Minister's Department for Parliament and Law. Later in September, UNDP Malaysia and BHEUUU hosted a two-day inaugural national conference on BHR. These event galvanized commitments from influential stakeholders from government, business, and civil society.

Importantly, discussions with lead ministries and agencies were held throughout the year under the three thematic pillars of the draft NAP: labour, the environment and governance. Among several outputs of these discussions, was the development of a TOR for a National Baseline Assessment (NBA) on BHR. On 23 July, a capacity building workshop on implementing NBAs cemented engagement with the various government agencies and prepared lead officers for the country-wide data collection process. In December, the Minister in the Prime Minister's Department for Parliament and Law announced the government's commitment to the development of the Malaysia NAP on BHR. Clearly, there is strong momentum in Malaysia behind BHR policy development.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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

In 2021, UNDP continued to provide technical support to BHEUU and the Human Rights Commission of Malaysia (SUHAKAM). The partnership resulted in the country's *first National Conference on Business and Human Rights* held between 21-22 September, and co-organized between the three parties. The Conference was attended by 503 participants virtually, including stakeholders from government (23%), business (20%), civil society (16%), multi-lateral organizations (9%), academia and others.²⁷ At the conclusion of the National Conference, the Government of Malaysia announced that the NAP on BHR would be launched by 2023.²⁸



In addition to the National Conference, UNDP fortified partnerships with multi-lateral entities through a series of closed-door coordination meetings. For example, UNDP participated in the newly established UN Inter-Agency Working Group on Migration on harmonisation of activities towards a National Action Plan and other interventions concerning migrant workers (group consisting of IOM, ILO, UNDP, UNHCR and UNICEF). Outputs of these meetings included the mapping of interventions by each entity, and the commitment to support collective efforts, including on the contents of the NAP BHR. Further, UNDP provided advisory support to ILO and the Ministry of Human Resources during the Final Consultative Workshop on the National Action Plan on Forced Labour in October 2021.

UNDP also participated in meetings with delegations including the EU Member States Working Group on Human Rights. Additionally, on the 22nd of April, UNDP engaged in discussions with the Embassy of the Netherlands in Malaysia on *Business and Human Rights Engagement of European and Malaysian private sector*. Each of these meetings sought to promote and fortify joint understanding of the progress of the BHR agenda in Malaysia, while fostering a network of key partners.

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 1.2.1: Raise awareness of the UN Guiding Principles with government, making the normative and business-case for adoption and implementation; host and facilitate peer learning events to showcase best practices on UNGP implementation

Drawing from the lessons-learned in 2020, UNDP Malaysia reinforced the technical support and advisory services provided to BHEUU, through the launch of a series of consultative meetings and trainings with various government entities. Overall, these activities enabled the active participation of identified lead ministries, as below:

i. Inter-ministerial training and support drafting the Terms of Reference for future Steering and Technical Committee meetings for the National Action Plan on Business and Human Rights and the National Baseline Assessment

Between February and July 2021, UNDP hosted a series of intergovernmental consultations to validate the thematic content of the NAP and draft the Terms of Reference for key high-level meetings as well as the National Baseline Assessment.²⁹ In attendance were representatives of BHEUU, the Ministry of Human Resources (MOHR), the Ministry of Environment and Water (KASA), and the National Centre for Governance, Integrity and Anti-Corruption (GIACC). These workshops drew on the findings of the Multi-Stakeholder Workshops hosted in 2020. The working group agreed on the approach of thematic clustering under labour, environment and governance. The ministries also identified cross-cutting issues such as gender, Indigenous Peoples, Persons with Disabilities, and human rights defenders. To facilitate the implementation of these recommendations, UNDP has since held Pre-Technical Committee meetings to finalize the Terms of Reference.³⁰

ii. Capacity Building on Thematic areas: Labour, Governance and Environment

On 24 May 2021, UNDP Malaysia co-organized with BHEUU and SUHAKAM a multistakeholder *Business, Human Rights and the Environment Workshop*.³¹ The workshop was attended by 34 participants from government, civil society and academia. The aim of the workshop was to articulate Malaysia's primary environmental concerns and acclimatize participants on the role of the UNGPs in preventing and responding to business-related environmental risks.

This workshop was followed by a closed-door thematic discussion on labour in August, with support from the Ministry of Human Resources. On 6 August, another discussion on governance was co-organized with the National Centre for Governance, Integrity and Anti-Corruption.³² Finally, a follow up discussion on BHR and the Environment was co-organized on 13 August with the Ministry of Environment and Water to socialize the role of lead officers (and ministries) in the development of the NAP.³³

Output 2: Communication and Awareness

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

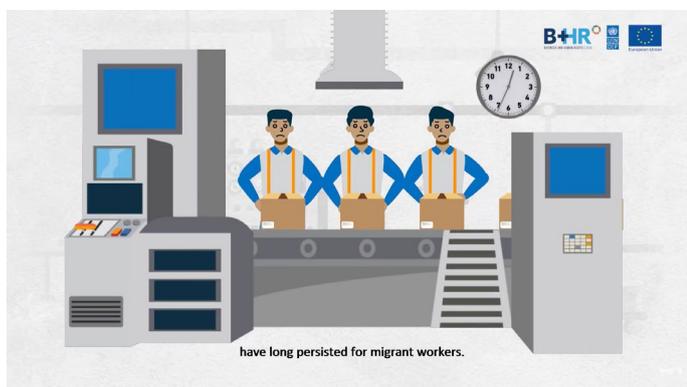
Activity 2.2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda

Leveraging on the positive momentum from the increased partnership engagement, as well as the National Conference on Business and Human Rights, UNDP launched a series of issue briefs, including: *Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy and Ethical Recruitment*³⁴, *Five Key Business and Human Rights Priorities for Malaysia's Emerging Recovery Period*³⁵, and *Malaysia: The UNGPs and ESG Investment Policies in Government-Linked Investment*



Companies.³⁶ Within the first 3 months the materials were downloaded approximately 200 times. A social media campaign further re-enforced communication of these key recommendations to a wider audience making over 6,054 impressions on UNDP Malaysia social media platforms.

The issue briefs were promoted through the release of a series of animation products³⁷ on social media. Promotional pieces on *Access to Remedy for Migrant Workers*³⁸, *COVID-19 and Business and Human Rights in Malaysia*, and *Responsible Investment Policies in Malaysia* garnered approximately 970 impressions on YouTube alone. On Facebook, animation products including *Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy* has received 203 views, with a reach to over 1,824.





MONGOLIA

Key Results

- Significant progress is made in pursuit of a National Baseline Assessment on BHR. A series of consultations leads to tangible levels of buy-in from business leaders at national and regional levels
- Low Value Grants were administered to five CSOs working to prevent or identify human rights abuses in the construction, hospitality and tannery industries
- HRDD trainings were conducted, sensitizing the business sector on emerging international standards

Project Overview

In 2021, Mongolia began programming on BHR in earnest, with an official launch of the EU/UNDP joint initiative on 29 April.

Under the leadership of the Ministry of Foreign Affairs (MFA) and the Mongolian National Chamber of Commerce and Industry, consultations were held in support of the National Baseline Assessment (NBA) to inform a draft NAP. These consultations were held with policy makers, business leaders and civil society advocates. In parallel, UNDP facilitated technical assistance in the drafting of the NAP.

Complementing the top-down policy work, UNDP engaged with five CSOs to implement projects including on awareness raising on the rights of women working in the hospitality sector. CSOs are also working on documenting business-related human rights abuses. These projects are helping to raise awareness among rights holders across the country and promote access to remedy.

Lastly, the project is also leveraging the UNDP HRDD Training Facilitation Guide to provide trainings to companies in multiple sectors. The high level of participation in these trainings signifies the seriousness by which HRDD is being treated.

Progress towards Outputs

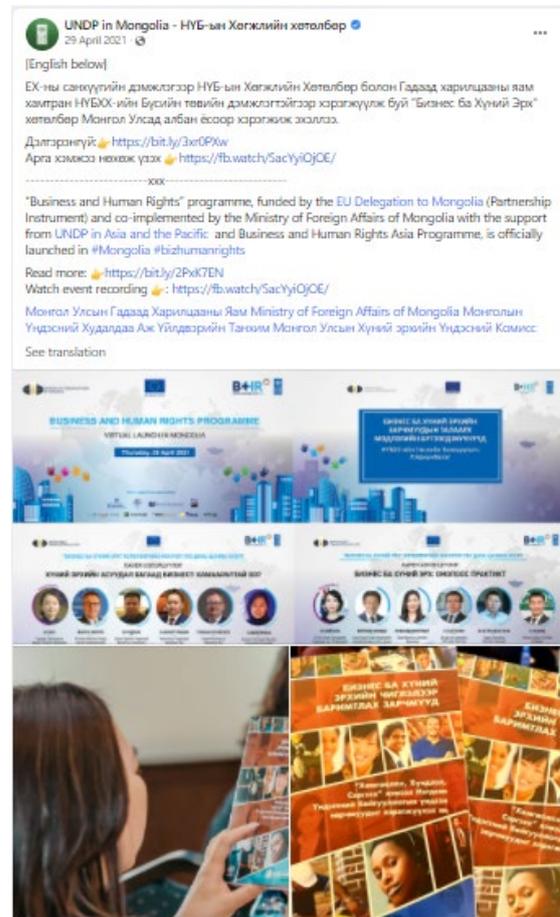
Output 1: Policy and NAP support

Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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

On 29 April 2021, UNDP officially launched the **B+HR Asia** project in Mongolia. The corresponding launch event featured a panel discussion on “Why do human rights matter to businesses and the country’s economy?” which was attended by international business and human rights advisers, MFA officials, and business representatives from foreign and domestic companies³⁹. The [report of the project launch](#) (in Mongolian) was published on the UNDP Mongolia website.

The preliminary findings of a national baseline study, involving 20 consultations were presented to different stakeholders at the *National Forum on Human Rights* co-organised by the President’s Office and the National Human Rights Commission of Mongolia. At the meeting, participants proposed a set of recommendations to improve human rights in the business sector.



Activity 1.1.2: Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy

On the 2nd of November, the project facilitated a capacity building workshop for the government working group on the National Action Plan on Business and Human Rights. International experts from the UN Working Group on Business and Human Rights, the Office of the High Commissioner for Human Rights (OHCHR), and UNDP delivered information on global standards and experiences. Thailand and Pakistan shared experiences in developing a NAP on BHR to inform the working group members on good practices. A hybrid workshop was attended by 50 members of the working group coming from the government ministries, universities and CSOs.

Activity 1.2.1: Raise awareness of the UN Guiding Principles with government, making the normative and business-case for adoption and implementation; host and facilitate peer learning events to showcase best practices on UNGP implementation

Twenty multi-stakeholder consultations including two regional consultations involving 875 participants from 16 provinces were held jointly with the Ministry of Foreign Affairs and the Mongolian National Chamber of Commerce and Industry. These consultations were held to inform the NBA as a part of the NAP drafting process. In parallel, UNDP facilitated technical assistance through the services of an expert consultant alongside the drafting of the NAP, while hosting consultations and conducting surveys to support the NBA.



The consultations fostered an open and positive response from business towards human rights. Local companies reported that they better understood business responsibilities for human rights and were willing to commit to better respect of human rights in their operations. According to the feedback survey, 94.6 percent of respondents said they would be interested in more sessions on BHR topics.

In an interesting exchange, local companies raised concerns about labor shortages and a lack of skilled workers. The companies also complained of a lack of productivity and responsibility among workers mostly due to government labor and welfare policies such as mass cash support policies. Business actors were eager to report challenges related to regulations, duties and tariffs, strict timetables, and a lack of support to SMEs. Interestingly, local government officials echoed the concerns raised by businesses calling for more favorable economic and business policies.

The consultations enabled an authentic conversation between national and local stakeholders on business regulations and human rights issues, providing a potential template to future engagements with the business sector. The project will present its findings and recommendations to the government working group on NAP development.

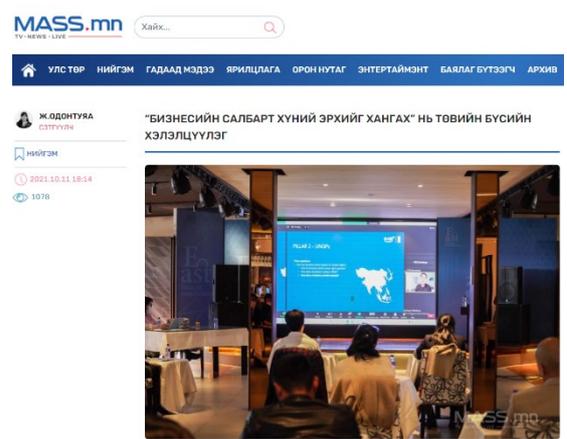
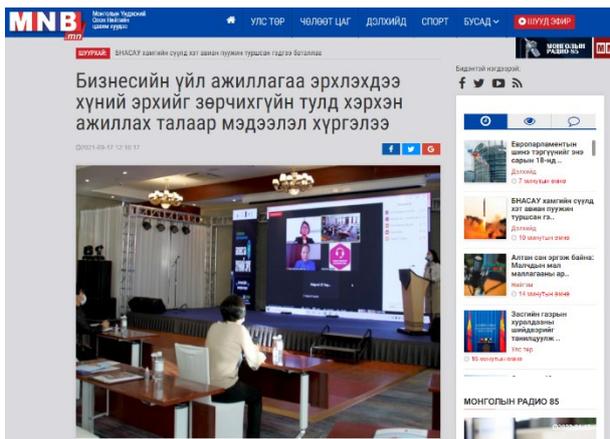
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its impact on human rights, including women’s rights

Activity 2.1.1: Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia

A series of short video recordings were produced with consultation participants on their learnings and human rights commitments for the future. The video recordings will be used for awareness-raising among business actors.

Four short video animations on the UN Guiding Principles have been shared via social media pages to raise awareness on the BHR agenda.

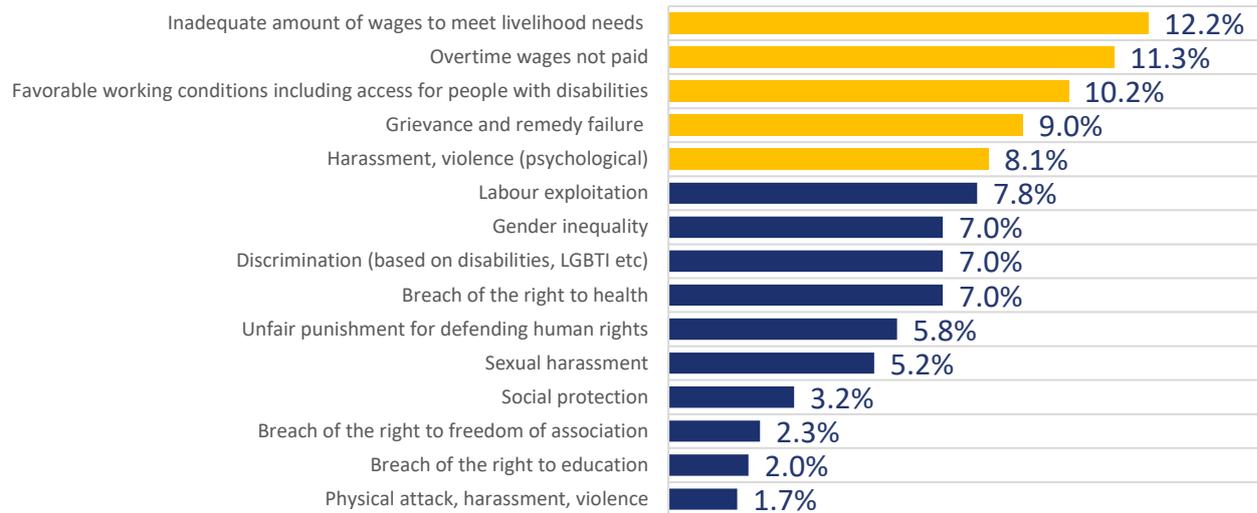
News coverage of the work conducted on BHR was extensive on both local and national platforms including news coverage of **B+HR Asia** events on the mnb.mn and montsame.mn news sites, nhrcm.gov.mn, peak.mn, the DSB and Tusgal local TV channels and the website of the Mongolian Chamber.⁴⁰



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

Activity 2.2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda

A quantitative study to update the NBA is in progress. Preliminary findings of a survey include the following human rights concerns of respondents in order of priority:



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

Low value grants were provided to five civil society organizations with projects on:

1. Documentation of labour rights violations and business and human rights advocacy in construction sector
2. Protection and promotion of the rights of women and girls in hospitality sector by exercising Human Rights Due Diligence
3. Documentation of human rights violations in tannery businesses along Ulaanbaatar city
4. Human Rights Impact Assessment on small and medium sized businesses in Zavkhan province
5. Enhancing the role of scholars in business and human rights issues

In addition to addressing specific risks, these projects are helping to raise awareness among rights holders across the country.

Output 3.2: To 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 under Pillar 2 and 3 of the UNGPs

The project is using the UNDP *HRDD Training Facilitation Guide*, launched in September, to provide trainings to companies in multiple sectors. HRDD trainings were conducted with leading businesses in Mongolia including APU LLC, Golomt Bank, MDS and KhanLex LLP and local businesses, sensitizing the business sector on emerging international standards. The trainings were attended by 114 participants; of which 4 percent were members of civil society, 80 percent from private sector and 13 percent government.

Activity 3.3.1: Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others

On the 20th of August, UNDP held a training on BHR was delivered to the National Human Rights Commission of Mongolia operating in all 21 aimags. As a result of the training, the local officers of the National Human Rights Commission are now better equipped to conduct awareness raising activities with local business leaders and other stakeholders. Some of the officers have provided support to regional consultations organized by the project.

Training needs assessments concerning the judiciary to support Pillar 3 of the UNGPs on access to remedy is in progress. A customized training programme for the judiciary will be developed based on the training needs assessment to improve access to remedy in cases of business-related human rights violations.



MYANMAR

Key Results

- High-level exchange and expert level discussions were conducted on HRDD while cementing expectations of responsible business behavior among Myanmar-based businesses and Multinational Enterprises (MNEs)
- A CSO involved in legal aid service was provided a grant to raise awareness on labour rights and provide free legal assistance to vulnerable populations

Project Overview

After a programming pause following a military coup in Myanmar, a new work plan was developed focusing on CSO support and HRDD trainings. In December, a dialogue with Myanmar businesses, labour organizations, CSOs and MNEs was conducted on HRDD, to clarify responsible business obligations and emerging international standards around HRDD. UNDP provided a grant to a CSO working on legal aid, awareness raising and access to remedy. Legal Clinic Myanmar (LCM) will provide awareness raising activities to workers and monitor labour right issues through community-based paralegals. In Rakhine and Ayeyawaddy, LCM will open a help center to provide legal assistance and explore labour abuses.

Progress towards Outputs

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



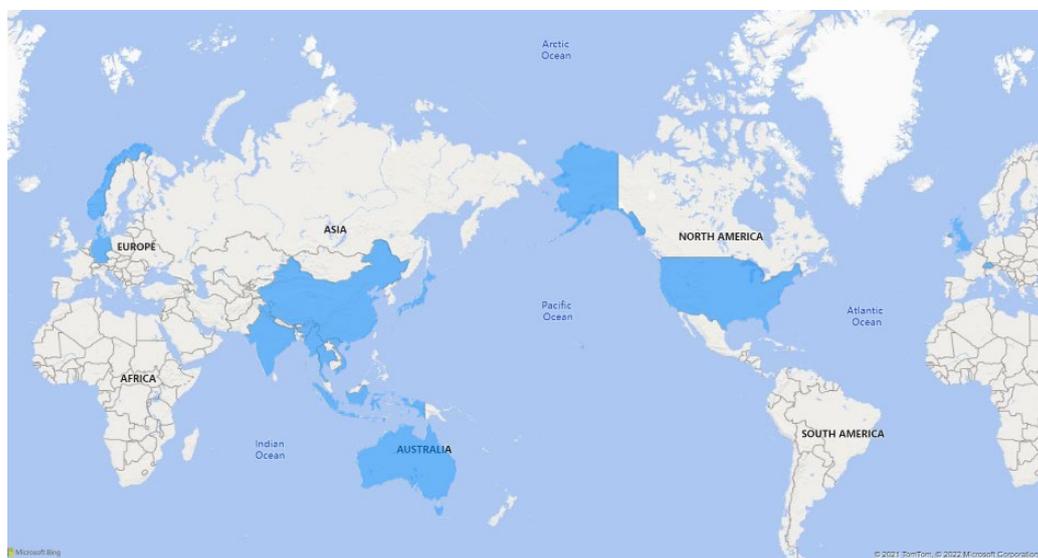
UNDP provided a civil society grant to Legal Clinic Myanmar with the objective of raising legal awareness of workers in Yangon, Rakhine and Ayeyarwady. The grant places particular focus on migrants and vulnerable groups. The CSO will provide trainings to paralegals, lawyers and fellow CSOs, while further providing legal assistance to current

and former workers. Legal Clinic Myanmar has a wide base of operations, and the outputs of the grant will be monitored monthly during the grant period.

Output 3.2: To 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 under Pillar 2 and 3 of the UNGPs

In December 2021, UNDP in partnership with EuroCham and the Myanmar Centre for Responsible Business, held its first Human Rights Due Diligence workshop entitled *Demonstrating Business Respect for Human Rights in Myanmar*.⁴¹ The training aimed to not only increase awareness and understanding of HRDD, but also to enhance its utility in Myanmar. A total of 198 participants attended the event, including local and multinational companies, multilateral organizations and CSOs. The workshop attracted a global audience (as illustrated below) with 65 percent of participants from Myanmar, 20 percent from other Asian countries, 4 percent from EU countries and 11 percent from the US.



HRDD event participants joined from around the globe. The map illustration is based on participant registration data.

The workshop engaged a wide array of business stakeholders ranging from multi-national companies such as H&M, and local companies in the agriculture, manufacturing and banking industries. Project staff registered a 95 percent satisfaction rate, with businesses indicating that they would attend similar future trainings. Furthermore, 91 percent indicated that they would recommend the training to colleagues. Workshop participants noted that the sessions on identifying risks and integrating responses were the most useful. In light of these findings, concerted follow up and curated HRDD trainings will be planned for 2022 with a focus on monitoring uptake by business and any impact.



SRI LANKA

Key Results

- UNDP partnered with three CSOs to support workers impacted by the COVID-19 pandemic
- A series of issue briefs, reports and op-eds were developed laying the groundwork for greater government engagement on BHR policy in 2022
- Wider awareness and uptake of the BHR agenda takes place through sector specific HRDD trainings

Project Overview

In 2021, **B+HR Asia** in Sri Lanka focused on its strategy of building support for a NAP on BHR from the bottom-up, engaging business and civil society first before approaching government. Plans to initiate discussions with government at the end of the year were put on hold due to socio-economic and COVID-19 related factors, some of which are explored in [Annex 7](#).

Civil society grants were provided to three organizations to create an enabling environment for cross-sectoral engagement on BHR. The Centre for Environmental Justice focused on addressing gaps in environmental law. The Centre for Policy Alternatives surveyed challenges faced by women in Free Trade Zone Workers. This work was supplemented by the Women's Centre which reviewed the situation of women workers at the height of the COVID-19 pandemic. Further, communications initiatives elevated awareness among CSO actors, business and the general public.

Interest from the business sector on BHR continues to build as UNDP's training offer expands and targets specific sectors. Human rights due diligence trainings were designed for the food and PPE sectors respectively. Trainings attracted both Sri Lankan and European business actors; over 12 percent of participants originated from Europe.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of the UN Guiding Principles on Business and Human Rights

Activity 1.1.2: Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy



Map generated based on participant registration data

In 2021, UNDP positioned its programming on BHR as a means to accelerate COVID-19 recovery. Key messages in this regard were passed during a training entitled *Business and Human Rights – From Policy Frameworks to Action* held on the 12th of March⁴². The training was delivered under the auspices of the Business and Human Rights Working Group, with 130 participants representing 20 private sector firms, multi-lateral organizations and government. The training

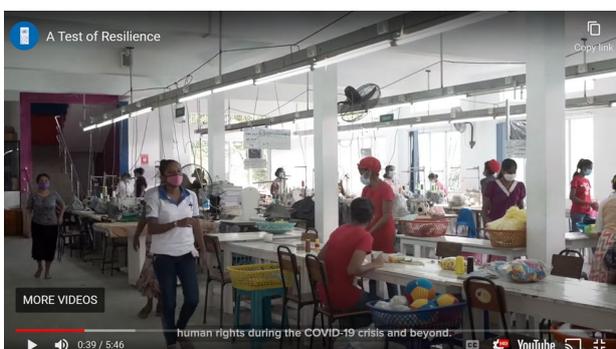
featured participation from other Asian countries (notably Thailand, and India), and participation from Europe, North America, and Africa. Global interest in Sri Lanka’s trade and investment policy discourse is seemingly wider than assumed, providing greater profile for responsible business practice in Sri Lanka.

The event also featured presentations on policy gaps, regulatory issues, and human rights due diligence. Drawing on experiences of the private sector during the COVID-19 pandemic, 92 percent of attendees expressed satisfaction with the event, noting in particular the practicality and timeliness of the training.

Output 2: Communication and Awareness

Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its impact on human rights, including women’s rights

Activity 2.1.1: Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future PU action on policy outreach in Asia



Currently, the needs of SMEs in the COVID-19 context, is an important topic of discussion in business and political circles. UNDP Sri Lanka produced a short documentary together with a photo story to showcase BHR good practices applied during the pandemic. The photo story titled *In a crisis, how does an SME achieve resilience?*⁴³ was the most popular article

published on **B+HR Asia** platforms in 2020, attracting 1,723 page views. The documentary, *A Test for Resilience*, that premiered on YouTube and has to date recorded 177 views across countries.⁴⁴ The photo story and the short-form documentary have been supported by a social

media campaign, including the release of a news article to enhance its appeal to mainstream audiences. UNDP drafted an article titled, *Moving the Business and Human Rights Agenda Forward in Sri Lanka in a Time of Crisis*⁴⁵ which was picked up by the *Colombo Page*⁴⁶, an online internet newspaper.

Throughout the year, UNDP Sri Lanka ran social media campaigns to support ongoing events and grant activities, and conversations around integration of gender in the BHR Agenda. In order to build on momentum stoked by the 2020 online story, *Protect, Respect and Remedy*⁴⁷, another online story, *Hanging by a Thread: Advocating for the Rights of Women Apparel Factory Workers in Free Trade Zones (FTZs)*⁴⁸ was published; further complemented by a social media campaign that generated approximately 1,079 engagements and made over 15,000 impressions.

Finally, UNDP Sri Lanka's social media campaign on the UNGPs attracted over 11,300 Twitter impressions in 2021 alone. The cumulative impact of the social media campaign is testament to the wide reach of advocacy efforts.

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

Activity 2.2.2: Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda



During the course of the year, UNDP launched a range of communications products and research aimed at addressing trade and investment issues related to the UNGPs and the broader BHR agenda. These included the production of two issue briefs, *The Untapped Trade and Investment Potential of the Business & Human Rights Agenda in Sri Lanka*⁴⁹ and *State Duties: Women's Participation in Sri Lanka's Workforce and the UNGPs*⁵⁰. Each of these issue briefs was supported by the publication of an infographic⁵¹ and

corresponding press release⁵², for wider engagement and visibility amongst key audiences. Each of these products canvasses the legal ecosystem and frameworks of the respective ecosystems, outlining the links with the BHR, and highlighting policy recommendations. To date, the knowledge products have recorded readership in Sri Lanka, Thailand and Switzerland; monitoring of use of the products is ongoing.

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

In 2021, UNDP provided 3 civil society organizations with small grants to address a range of access to remedy concerns related to the environment and gender. The Centre for Environmental Justice, for example, was selected to support community dialogues and conduct a policy analysis of environmental law gaps with the aim of producing a report and associated strategic communications to amplify the voices of victims of land exploitation.⁵³ The report will be targeted towards several stakeholder groups to bring these issues into the public discourse.

Through the grant provided by UNDP, the Centre for Policy Alternatives is strengthening awareness of social and economic rights of women running their own micro-businesses.⁵⁴ Activities included research outlining access to remedy options for these women, including policy recommendations. Furthermore, 19 sessions with district level government officials and women entrepreneurs were conducted at the village level to discuss the impact of COVID-19 on business recovery. Of note, 10 of the sessions included co-creation sessions to strengthen [referral](#) systems for ease of access to remedy for women workers in MSMEs.

To further strengthen activities at the community level, five focus group discussions were held with a cumulative 92 women workers in the MSME sector to sensitize them on banking and finance legal and regulatory frameworks available to them during the COVID-19 pandemic. The training outlined frameworks as they relate to the UNGPs for greater appreciation for the BHR agenda.⁵⁵ Finally, the Women's Development Centre is working on community dialogues to increase understanding of the impact of COVID-19 on vulnerable populations.

Monitoring of the CSO grant activities and outcomes is ongoing and will be reported in 2022.

Output 3.2: To 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 under Pillar 2 and 3 of the UNGPs

The year 2021, marked the launch of human rights due diligence training for BHR in Sri Lanka. On 25 August, UNDP in collaboration with the German Chamber of Industry and Commerce and Löning, held food sector-specific training entitled: *Enabling Sustainable Economic Growth in the Food Sector through the Respect, Protect and Remedy Framework*.⁵⁶ Attracting over 76 participants including industry leaders from the food sector, the training was designed to

provide guidance on the identification, tracking and response to human rights risks across the food and beverage supply chain.

WHAT HUMAN RIGHTS DO THE PPE, RUBBER & APPAREL SECTORS NEED TO ADHERE TO?

Strict safety controls when using machinery | Protective equipment for workers | Eliminating / substituting harmful substances

Join our discussion to find out more!
Enabling Sustainable Economic Growth in the PPE Sector through the Respect, Protect and Remedy Framework
1 September 2021 | 2.30 - 5.30 pm

REGISTER NOW!

ARE YOU A PART OF THE FOOD SECTOR?

Join our webinar on
Enabling Sustainable Economic Growth in the Food Sector through the UN Guiding Principles on Business and Human Rights to find out

- ① The meaning of human rights in a business context & global & local developments
- ② Human rights due diligence & its relationship to a tightening international regulatory framework
- ③ Examples of good practice from the food sector

25 August 2021 | 2.30 - 5.30 pm

REGISTER NOW!

Following the success of the food sector training, UNDP in partnership with the German Chamber of Industry and Commerce and Löning, co-hosted a curated training for the Protective Personal Equipment (PPE), Rubber and Apparel industries on 1 September. The training, *Enabling Sustainable Economic Growth in the PPE Sector through the Respect, Protect and Remedy Framework*, attracted 46 industry leaders, and was tailored to sensitize participants on the human rights risks and their management across the PPE supply chain. Though targeting Sri Lanka, these sector-specific trainings attracted audiences in the UK, Germany, Switzerland, and Turkey.



THAILAND

Key Results

- Intensified discussions between the government and CSOs increased the appetite for solutions during sub-national consultations on anti-SLAPP laws and the protection of human rights defenders
- Investments in the 5th annual *Bangkok Business and Human Rights Week* increased the number of national stakeholders seized of the BHR agenda
- High level engagement and buy-in from business was achieved through the participation in the *Policy Framework for the Promotion of Responsible Business and Corporate Social Responsibility in Thailand* co-hosted with ILO

Project Overview

In 2021, UNDP Thailand deepened relationships with all stakeholders further entrenching the BHR agenda in wider policy dialogues around responsible business. Complementing this, UNDP strengthened engagement with civil society organizations through sub-national consultations and low-value grant provision. Capacity building events on HRDD helped to cement business commitments to the BHR agenda. Multistakeholder events involving government intensified efforts on NAP implementation.

Uptake of HRDD in Thailand is taking place at a rapid pace due to programming efforts in 2021. UNDP Thailand co-hosted workshops on HRDD with the Ministry of Justice and Global Compact Network Thailand (GCNT). The *HRDD Training Facilitation Guide* was delivered as a curated training for Thai Businesses, and notably for Unilever and local suppliers.

In 2021, UNDP Thailand continued to focus on access to remedy with meaningful results. A series of consultations were organized at both the national and sub-national levels alongside civil society (including human rights defenders), government and business actors to create a platform of engagement to protect human rights defenders and provide for effective remedies. Complementing this, UNDP provided a small grant to a CSO to build greater awareness and improve access to remedies for communities impacted by infrastructure development and other business activities.

Progress towards Outputs

Output 1: Policy and NAP support

Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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

In 2021, B+HR Thailand hosted a series of dialogues involving a diverse set of national stakeholders on the implementation of the Thai NAP on BHR. Stakeholder participation in these tripartite discussions increased by 30 percent between 2020 and 2021.

On 17 May, in a joint-initiative co-organized by UNDP Thailand, IOM, the Ministry of Justice and the Ministry of Labour, a workshop was hosted titled, *Thailand’s Progress with the Adoption of Ethical Recruitment Practices Based on the National Action Plan on Business and Human Rights*.⁵⁷ The workshop garnered an 80 percent satisfaction rate among the 110 attendees, of whom 89 percent were from the private sector. Key outcomes of the workshop included increased awareness of the UNGPs and the Thai NAP, including Chapter 3, Action Plan item 4 on Ethical Recruitment.⁵⁸

On 15 June, UNDP co-hosted the *National Consultations on Promoting Fair and Ethical Recruitment and Employment Practices in Thailand* in partnership with the Ministry of Justice, the Ministry of Labour and IOM.⁵⁹ This hybrid event drew participation from 60 participants and garnered 293 online views from various stakeholders to date.⁶⁰ The policy dialogue clearly articulated the differing and yet complementary roles of all stakeholders working on ethical recruitment and provided a roadmap for their respective actions to realize the relevant provisions of the Thai NAP. These events ensured that ethical recruitment remains in the spotlight as a key challenge.



NATIONAL CONSULTATIONS ON PROMOTING FAIR AND ETHICAL RECRUITMENT AND EMPLOYMENT PRACTICES IN THAILAND

15 JUNE 2021

On 25 August, UNDP Thailand in collaboration with ILO, the Ministry of Justice, the Ministry of Labour, and the ASEAN CSR Network held a workshop titled, *Policy Framework for the Promotion of Responsible Business and Corporate Social Responsibility in Thailand: A policy dialogue in the context of COVID-19 and the upcoming trade and investment opportunities for Thailand (Policy Framework)*.⁶¹ The Policy Framework event attracted 156 participants, 39 percent of which were from government. The workshop also included civil society and business actors and brought together lessons learned from the implementation of



international and regional frameworks on Business and Human Rights. Sector-specific policy and practice recommendations for key stakeholders were also provided. The recommendations will be used to support ongoing NAP implementation efforts.

On 17 December, UNDP in collaboration with the Rights and Liberties Protection Department of Ministry of Justice, Ministry of Foreign Affairs, Global Compact Network Thailand and the Federation of Thai SME, co-organized the **5th National Dialogue on Business and Human Rights with a specific focus on human rights due diligence (HRDD)**. About 197 participants attended the event with around 35 percent and 25 percent of these were from business sectors and government agencies respectively. The event obtained an overall of 93 percent of satisfaction rate. Within this, 100 percent of respondents claimed that they have gained more understanding on HRDD topics.

This year dialogue had served as a platform of learning and sharing experience on the implementation of HRDD from other countries, such as EU, Germany, and France. The dialogue also explored readiness and challenges of Thai companies on the implementation of HRDD and the introduction of Mandatory HRDD in the future.



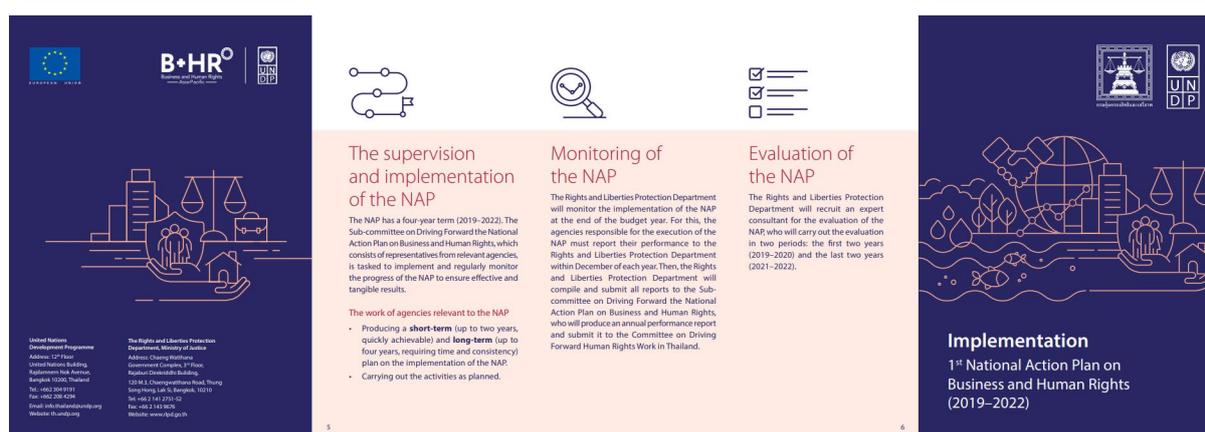
Following this dialogue, UNDP and the Ministry of Justice are planning to organize a series of trainings to guide practical steps on HRDD for Thai companies. In addition, UNDP and the Ministry of Justice will conduct a study on Mandatory Human Rights Due Diligence (mHRDD) to explore possible forms of policies, measures and incentives for Thai companies if mHRDD is being introduced in Thailand.

Output 2: Communication and Awareness

Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its impact on human rights, including women's rights

Activity 2.1.1: Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future PU action on policy outreach in Asia

UNDP produced a series of communication products in both brochure and booklet formats. The communication products consist of one booklet and four brochures that summarize the UNGPs and the NAP, and the role of different stakeholders in NAP implementation.



Apart from the publications, UNDP and the Ministry of Justice co-produced [a short video animation on human rights due diligence](#). The video animation is part of a series of promotional materials for Thai companies on responsible business practices and respect for human rights through a HRDD process.

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

In 2021, Thailand provided a civil society grant to Community Resource Centre Foundation to both conduct a baseline assessment of harassment of human rights defenders in Rayong, Loei and Songkla provinces, and to launch innovative access to remedy interventions.⁶² The substantive focus of the grant was designed in view of the outcomes of consultations and workshops hosted under Activity 3.1.3 below. Grant activities will continue through to December 2022.

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

Between 2020 and 2021, UNDP saw attendance rise 7-fold (373) in events related to access to information and access to remedy. The rise in interest and subsequent attendance is attributed to the focus of consultations on Strategic Litigation against Public Participation (Anti-SLAPP) and on protection of human rights defenders. On the 25th of May 2021, B+HR in partnership with the Ministry of Justice launched the first *Online Sub-National Consultation on Anti-SLAPP Laws and Measures*.⁶³ The event received an 88 percent satisfactory rate with participants from government, civil society, academia, and other stakeholders reporting an increase in practical knowledge with immediate applications to their work. Outcomes included a deeper understanding of Anti-SLAPP measures, and a call from those in attendance for increased support in conducting similar trainings. Others requested that UNDP do more to include the subject of human rights defenders to future events and consultations.

The second event in the three-part series, included the *Online Sub-National Consultation on the Protection of Human Rights Defenders* co-organized by the Ministry of Justice and held on the 5th of July 2021.⁶⁴ Here again, the event received a high satisfactory rate (84%) from participants with particular references to the timeliness and relevance of the event.

Based on the outcomes of the sub-national consultations, UNDP Thailand developed studies on Anti-SLAPP and Protection of Human Rights Defenders within the context of Business and Human Rights in Thailand. The studies were further presented during the *National Consultation on Protection of Human Rights Defenders and Anti-SLAPP*, co-organized once more with the Ministry of Justice on the 7th of December 2021.⁶⁵ The hybrid event was attended by 143 participants of whom 60 percent were government officials. During the exercise 100 percent reported a greater awareness of the intersecting challenges by human rights defenders, and 90 percent articulated that they would utilize the obtained information and knowledge from this exercise in their current work.

Output 3.2: To 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

In 2021, Unilever approached UNDP, Google, the Office of SMEs Promotion (OSMEP), and the SME development Bank to launch the 'Diverse SMEs Development Programme' with a view to diversifying Unilever's SME supply chain and promote sustainable businesses. In relation to this, UNDP had an opportunity to conduct an online training session on BHR on 2 November. The training was attended by 131 participant-suppliers of Unilever. The training garnered an overall of 75 percent of the satisfaction rate. About 50 percent of these respondents indicated that they are interested to attend a more advanced training on business and human rights training by UNDP in the future.



REGIONAL ACTIVITIES

Progress towards Outputs

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

Business and Human Rights: Asia in Focus

On 27 May, **B+HR Asia** regional team broadcasted the inaugural [*Business and Human Rights: Asia in Focus*](#), newsmagazine. This 35-minute programme covered the most salient responsible business issues in all seven project countries. As of 20 December 2021, the video was viewed on YouTube 1,312 times.

Asia in Focus hosted interviews with EU Trade Counselor, Isabelle De Stobbeleir and UNDP BHR specialists in India, Indonesia, Malaysia, Mongolia, Sri Lanka, and Thailand covering topics related to: EU trade policy, national BHR policies, infrastructure development, forced labour, environmental issues, challenges faced by women workers and the use of SLAPP by businesses in the region.



The video was launched as a “premiere” on YouTube. Members of the audience put questions to national and regional specialists through live chat. The newscast is now available with subtitles in eight languages: English, Hindi, Bahasa Indonesia, Bahasa Malaysia, Mongolian, Sinhala, Tamil and Thai. Eighty-eight percent of viewers gave the programme a positive rating. Respondents showed a special interest in the themes related to HRDD, NAPs, and gender.

To reach its intended audience the video was promoted through social media and the **B+HR Asia** quarterly newsletter. The campaign was comprised of 18 posts and received 37,494 impressions in total. In addition to **B+HR Asia** platforms the posts were shared by UNDP regional and project country accounts and the EU Foreign Policy Instrument.

Thematic Campaigns: Environment, Gender, UNGPs

Intensified communications activities—aligned with international campaigns on the environment, women, and the UNGP 10-year anniversary, among others—increased the visibility of the project and amplified strategic messages of the action. **B+HR Asia**

communication campaigns drove additional traffic to project platforms, accounting for 1,116 sessions via social referral, or 10 percent of overall website traffic.

Environmental campaigns this year included:

- 19 April-6 May, Earth Day
- 4-7 June, World Environment Day
- 7 September, International Day of Clean Air for Blue Skies
- 31 October-5 November, COP26

Gender campaigns this year included:

- 8-11 March, International Women’s Day: the launch of the updated version of the *C19 RSA* (Activity 2.2) in collaboration with UNICEF, comprised of 9 posts on 5 accounts producing 25,985 impressions and 360 engagements in total
- 25 November-10 December, 16 Days of Activism against Gender-Based Violence: promotion of programme products related to BHR and gender equality comprised of 18 posts on 4 accounts producing 17,968 impressions and 341 engagements in total

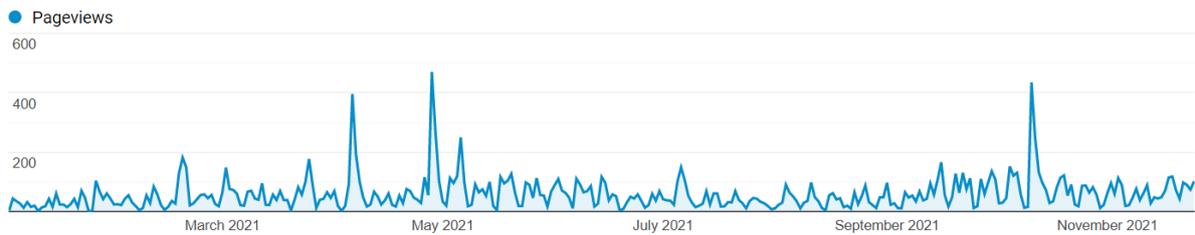
Campaigns linked to the 10 Anniversary of the UNGPs included:

- 16-22 June, linked to the UNGPs 10th anniversary: promotion of programme products comprised of 7 posts on 4 accounts producing 29,144 impressions and 501 engagements in total

Event and product promotions are discussed in detail at the relevant sections of this progress report to provide appropriate context and avoid duplication.

Quarterly newsletter

After the success of the first issue of the **B+HR Asia** newsletter in the fourth quarter of 2020, new issues were sent to subscribers in every quarter in 2021 ([2021 Q1](#), [2021 Q2](#), [2021 Q3](#), [2021 Q4](#))⁶⁶. The effectiveness of direct messaging is evidenced by the visitor statistics of the UNDP **B+HR Asia** website with visible peaks in visitor numbers on the dates when each newsletter was distributed (see below). Growing numbers of **B+HR Asia** single-event participants and a 14 percent increase in subscribers (now standing at 7,415) are added evidence of the newsletter’s effectiveness. The newsletter enjoys a 31 percent opening rate on average and a growing click rate presently at 5.2 percent, both exceeding the benchmark for non-profit 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: Develop knowledge-based products on to enhance the understanding of the UNGPs and promote the broader BHR agenda

HRDD Training Facilitation Guide and online HRDD Self-Assessment Training Tool

On 16 September 2021, [UNDP launched the HRDD Training Facilitation Guide \(Training Guide\)](#) and online [HRDD Self-Assessment Training Tool](#) to assist programming on HRDD at the country level.



The launch event was attended by 445 participants from 56 countries. Most of the participants represented the business sector at 34 percent of all attendees; civil society made up 26 percent and 14 percent of attendees were from multilateral institutions.

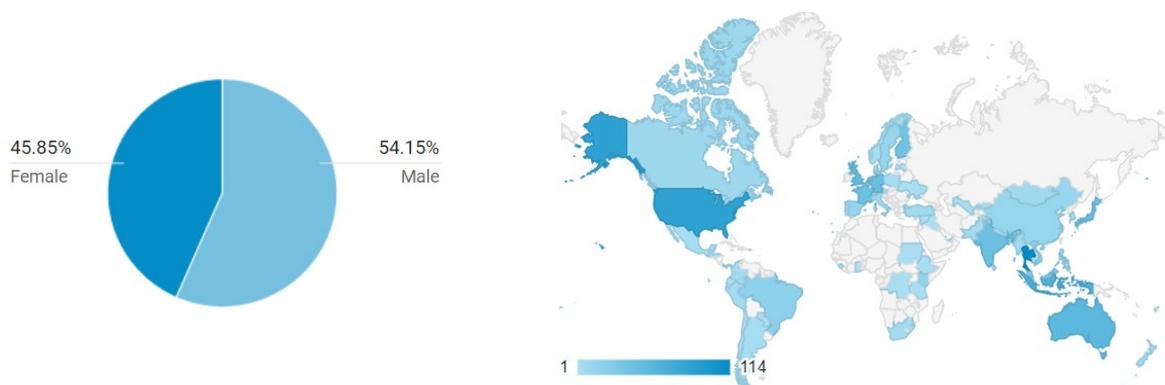
Guus Houttuin, Senior Advisor on Trade Issues at the European External Action Service and Rikard Nordeman, Policy Office at the Directorate-General for Trade in the European Commission spoke at the launch event placing the *Training Guide* into a global context, connecting it with policy developments in the European Union.

As explained during the event, the *Training Guide* clarifies what is required for companies to conduct HRDD, providing an easy step by step approach to training professionals in HRDD

practice. The Training Guide is aligned with internationally agreed principles and employs widely understood terminology.

The *Training Guide* is complemented by a *Human Rights Self-Assessment Training Tool* featuring 99 potential business-related human rights risks with references to international human rights instruments and relevant SDGs. The tool allows users to simulate a human rights self-assessment with a sample of selected human rights risks, producing a heatmap to highlight priority areas for action. The development of these risk pages was supported by the pro bono work of the international law firm, Clifford Chance.

As of 19 December 2021, the *Training Guide* was downloaded 957 times. The online *Training Tool*'s website had 1,181 individual users and 5,359 page views during the reporting period. The largest number of users visiting the site were from Thailand, followed by the US and Indonesia.



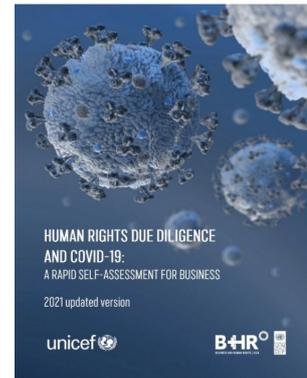
The launch of the *Training Guide* and the online *Training Tool* was supported by communication activities including the sharing of a media release through various distribution platforms and a social media campaign. The launch of the tool was picked up by several influencers in the area of Business and Human Rights, including the [Roundtable Human Rights in Tourism](#), the [Proforest](#), [Palm Oil Collaboration Group](#), [UN Global Compact Thailand](#) and the [BHR in 5 newsletter](#).

The launch and the tools were promoted through a social media campaign comprised of 16 posts on 5 accounts producing 33,268 impressions and 1,431 engagements in total.

Human Rights Due Diligence Rapid Self-Assessment for Businesses 2.0

In 2020, the UNDP **B+HR Asia** regional team designed a [C19 Rapid Self-Assessment \(C19 RSA\)](#) in response to the COVID-19 pandemic, to help businesses consider and manage the human rights impacts of their operations. In March 2021, UNDP published an updated version of the *C19 RSA*, based on feedback from business which put the tool to use. The new version also included inputs from UNICEF focusing on actions related to women's and children's rights.

During the reporting period, the updated version of the tool was translated into five languages, three of which are already published and two pending approval. The *C19 RSA* (original and updated versions) is now available for download in 14 languages: Bahasa Indonesia, Bahasa Malaysia, Burmese, Chinese, English, Hindi, Japanese, Mongolian, Russian, Serbian, Spanish, Thai, Urdu and Vietnamese. The tool was downloaded 5,956 times at the time of the publication of this report.



The *C19 RSA* was launched on International Women’s Day to ensure a wide reach among the target audiences benefitting from regional and global platforms and trending hashtags. The launch of the tool was promoted through a social media campaign earning 25,985 impressions through UNDP accounts.

In partnership with FIHRRST, UNDP Indonesia worked with 12 companies to employ the *C19 RSA*. Details of this activity are available under the [Indonesia](#) section of the progress report.

Output 4: Strengthening efforts to mitigate the adverse impact of business operations on climate and the environment

Activity 4.1 Create knowledge products on topics addressing the intersection of human rights, environmental degradation, climate change, and related priorities in Asia

Business, Human Rights and the Environment Survey

Over a three-week period in May 2021, **B+HR Asia**, in partnership with UNEP, hosted an online survey to capture perceptions of environmental risks and their relationships to human rights abuses in Asia. Respondents were also asked for their views on the most effective means of addressing the challenges related to Business, Human Rights and the Environment.

Out of 609 survey respondents from 21 countries, 34 percent of respondents identified air pollution as the most pressing environmental issue in their country, with climate change, and water pollution and scarcity following as second and third. The survey results informed the planning and prioritizing of future project activities, demonstrating that air pollution-related knowledge and communication products are responding to the priority concerns of beneficiaries in the region.

The [summary of the survey](#) was published on the **B+HR Asia** website and it was downloaded 271 times during the reporting period. The product was also promoted through the environment-related social media campaigns reported under Activity 4.3.

Activity 4.2 Engage in multi-stakeholder dialogue on the impact of business operations and supply chains on the environment and climate

Business, Human Rights and the Environment Roundtable Discussion

To verify the results of the Business, Human Rights and the Environment survey, UNDP organized a [virtual roundtable discussion](#) with speakers including Dr. Surya Deva, Vice-Chair of the Working Group on BHR, and Isabelle De Stobbeleir, Trade Counselor of the European Commission.



The event was attended by 221 people with participants from Southeast Asia (52%), South Asia (16%) and Europe (13%). Women made up 65 percent of the audience.

Activity 4.3 Promote communications products in furtherance of efforts to address the impact of business operations on the environment and climate

Business, Human Rights and the Environment Survey & Roundtable Summary Webpage

B+HR Asia published a [webpage](#) to provide an easy-to-digest, visually appealing summary of the Business, Human Rights the Environment survey and the verifications and key points provided by the roundtable discussion detailed under Activity 4.1 and Activity 4.2.

The page has been promoted through the project's environment-related social media campaigns. The web page was visited 760 times during the reporting period.

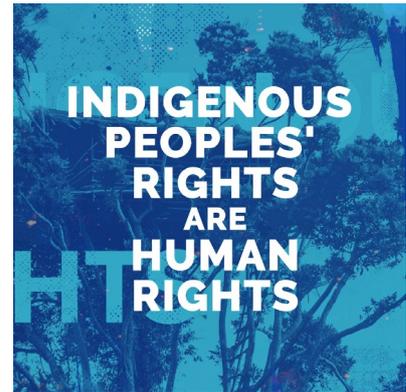
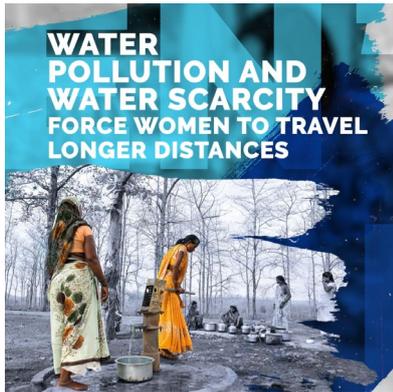
Air Pollution Blog

Responding to regional interest in the interconnections of air pollution and business activities, Sean Lees, **B+HR Asia** Project Manager published a blog titled [Bicycling in Bangkok: Clean Air and the Right to Health](#) on the UNDP Asia Pacific website, using the regional platform to reach a wider audience (also linked from the **B+HR Asia** website). The blog was promoted on **B+HR Asia** and regional UNDP platforms on the International Day of Clean Air for Blue Skies. During the reporting period the web page was visited 294 times.

Business, Human Rights and the Environment Social Media Campaigns

UNDP's environment-related campaigns were built on two mayor groups of communication products: 1) materials produced in-house related to products and events and; 2) mixed-media

videos explaining the interconnections between the impact of business activities on the environment.



These products have been used and repurposed as needed during the following campaigns:

19 April-6 May, Earth Day

Earth Day served both as a launch for the *Business, Human Rights and the Environment Survey Summary* and for the promotion of the *Business, Human Rights and the Environment Roundtable*. It was comprised of 17 posts on 4 accounts producing 34,247 impressions and 1,442 engagements in total.

4-7 June, World Environment Day

The campaign served as an opportunity to promote the *Business, Human Rights and the Environment Survey Summary* and *Roundtable Discussion*. It was comprised of 7 posts on 1 account producing 6,775 impressions and 313 engagements in total.

7 September, International Day of Clean Air for Blue Skies

The mini-campaign was designed to promote the [Bicycling in Bangkok: Clean Air and the Right to Health](#) through 6 posts on 6 accounts producing 11,200 impressions and 296 engagements in total.

31 October-5 November, COP26

The campaign was conducted in collaboration with the Sida-funded **B+HR Asia** project and promoted products related to BHR and the Environment of both UNDP-implemented projects. It was comprised of 15 posts on 5 accounts producing 20,507 impressions and 551 engagements in total.

IV. GENDER

The UNDP Human Development Report In 2020 spotlighted widening gender inequalities for women in the Asia and the Pacific region, exposing them to increased risk of violence, social and economic vulnerability, and exposure to climate crisis risks.⁶⁷ Recognizing this, the **B+HR Asia** project pivoted towards a more focused approach to programming on BHR and gender in 2021, conducting research, launching campaigns, hosting events and other types programming.

The positive response to UNDP's gender focus is proportionate to the scale and scope of women's rights abuses in business operations in Asia. Going forward, **B+HR Asia** will continue taking a principled and practical approach to gender-focused topics, while mainstreaming gender throughout its work.

Regional Overview:

B+HR Asia supported a range of activities seeking to advance discourse on gender. In addition to attracting women participants to our events and communications products, UNDP focused its support on women beneficiaries. Three of the ten civil society grants awarded to date are specifically designed to address access to remedy options for women workers, with all the grants consisting of one or more gender-specific activities. Gender-focused research was also conducted under Output 3.

India: Comprising of over 70 percent of the garment industry workforce, women migrant workers in India enjoy limited social protections and obstacles to accessing remedies.⁶⁸ In 2021, UNDP India supported the CSO, Change Alliance, in the development of a baseline assessment involving 662 in-depth interviews of women migrant workers to better understand labour rights risks, social protection levels, job security, and pathways to better access to remedy. The interviews were followed by a validation exercise, both in-person in Jharkhand Province and online.

After the validation exercise, UNDP India published the *Baseline Assessment Report: Awareness About Laws and Access to Remedies for Women Migrant Workers in the Garment Sector within the Context of Business and Human Rights*.⁶⁹ To date, the report has received engagement from India and Belgium and is on track to record approximately 60 downloads a month.

Amplifying these efforts and marked by posts leveraging global campaigns such as the *16 Days of Activism against Gender Based Violence*, UNDP India's social media campaign on BHR and gender made over 6,900 impressions collectively with active engagement from over 125 accounts. This low engagement figure requires that the project look more closely at timing and messaging.

Indonesia: In 2021, UNDP in collaboration with the Asia Research Centre undertook research to better understand the impact of infrastructure development on women's rights in Indonesia.⁷⁰ The resulting report and issue brief provides an overview of Indonesia's infrastructure regulatory framework and draws on documented case studies to analyze adverse human rights impacts on women's land rights, livelihoods, labour rights, and substantive participation rights. An action-orientated piece, it further provides policy recommendations on how women's access to remedy may be strengthened in future and outlines legal interventions to fortify gender-sensitive policies at the national and sub-national levels. The study concludes with recommendations for both private and public sectors to consider.

The research was launched on 7 December, during an event titled, *Dialogue on Gender Perspectives to Infrastructure Projects in Indonesia*, co-organized by UNDP, the Ministry of Women's Empowerment and Child Protection (MoWECP) and EuroCham.⁷¹ The event provoked exchanges between UNDP and the MoWECP. The ministry has subsequently asked UNDP to collaborate in an event at the G20 Summit hosted by Indonesia in 2022.

Sri Lanka: In 2021, UNDP Sri Lanka drove a robust awareness campaign on BHR and gender to articulate cross-cutting challenges and provide evidence-based recommendations. In partnership with the CSO, Women's Centre, UNDP Sri Lanka launched a human-interest story examining the challenges faced by women garment factory workers in Free-Trade Zone areas (FTZs) titled, *Hanging by a Thread: Advocating for the Rights of Women Apparel Factory Workers in Free-Trade Zones*⁷². The story narrates the lived experiences of the women workers based on interviews conducted and provides recommendations on addressing the challenges identified.

UNDP integrated the human-interest story in their wider BHR and gender campaign which generated 15,025 impressions and enjoyed over 1,079 engagements. This work was reinforced with the production in December, of an issue brief entitled, *State Duties: Women's Participation in Sri Lanka's Workforce and the UNGPs*⁷³. The brief canvases gaps and shortcomings in Sri Lanka's legal and regulatory framework, leading to low levels of women's participation in workforce. The brief also provides recommendations aligned with the pillars of the UNGPs.

V. PARTNERSHIPS

During the reporting period, partnerships with governments were strengthened, new relationships with CSOs were initiated, and private sector engagement was enlarged. Country-level partnerships were also initiated or strengthened with multilateral organizations, civil society organizations, European embassies, and Chambers of Commerce.

India: UNDP continued supporting the government's efforts to finalize the NAP for release in 2022. Consultants working with the MCA provided technical expertise through the consultation and drafting process, imparting confidence to the MCA to launch its NAP in 2022.

UNDP also strengthened relationships with 12 embassies based in India by sharing updates on India's BHR agenda and NAP development process. UNDP sought advocacy support in a meeting with human rights, trade and economic counsellors. Notably, **B+HR Asia** established a close link to the German Embassy which supported the project by sharing information with its networks.

In addition to the government and respective delegations, the project laid greater emphasis on partnerships with non-governmental organizations. UNDP acted as lead partner during the *India and Sustainability Standards 2021 Conference*, in collaboration with think-tank Centre for Responsible Business. The project also supported a CSO, Change Alliance, in the production of a baseline assessment report on workers' rights awareness among migrant women workers in the garment sector.

Indonesia: On NAP development, UNDP continued to work with the Ministry of Law and Human Rights, the Ministry of Foreign Affairs, the Ministry of National Development Planning and the Executive Office of the President. Strengthened collaboration with the Ministry of Foreign Affairs (MOFA) was also evidenced by the *Regional Conference on Business and Human Rights* co-organized by the MOFA, the Swiss Embassy and UNDP. The project's government relations have also been extended to the Ministry of State-Owned Enterprises, and the Ministry of Women's Empowerment and Children's Welfare.

In 2021, UNDP researched human rights impacts of infrastructure development on women in collaboration with Asia Research Centre and launched an open discussion event held in collaboration with EuroCham in Indonesia.

Engagement with the business sector was also intensified in Indonesia. Nineteen companies were engaged in trainings and workshops on HRDD co-organized with the FIHRRST and supported by the Government of Sweden.

Malaysia: UNDP's partnership with the government was strengthened through the hosting of the first *National Conference on Business and Human Rights* co-organized with the Legal Division of the Prime Minister's, and the Human Rights Commission of Malaysia (SUHAKAM).

Additionally, UNDP established closer ties with key ministries working on the three thematic areas of focus of the Malaysian NAP: the Centre for Governance, Integrity and Anti-Corruption (GIACC) leading on “governance”, the Ministry of Water and Environment leading on “environment”, and the Ministry of Human Resources leading on “labour”. Each of these governmental bodies chaired a NAP Technical Committee Meeting in their respective areas of responsibility with support from UNDP.

Mongolia: UNDP provided technical support the Mongolian Government and the NAP Technical Committee in initiating the country’s first National Baseline Assessment on BHR. Relationships were strengthened with the Ministry of Foreign Affairs (MFA), the Ministry of Mining and Heavy Industry, the Government Agency for Families, Children and Youth Development and the Ministry of Justice and Home Affairs. The project also co-organized awareness raising events and public consultations for different stakeholder groups with the MFA. Through the public consultation process UNDP reached out to key stakeholders in the public, private and civil sector including representatives of Mongolia’s top 20 companies, SMEs, trade unions, local/regional businesses, NGOs and local governments. UNDP built partnerships with the National Human Rights Commission, the Mongolian National Chamber of Commerce and Industry, EuroChamber Mongolia, AmCham Mongolia.

In 2021, **B+HR Asia** awarded five CSO grants in Mongolia establishing strong ties with civil society and reflecting five priority BHR areas through the selection process. UNDP worked with: the Best Practice NGO, the Mongolian Women's Employment Supporting Federation, the Philanthropy Center for Children and the Elderly, the Setgeliin Goyol Zavkhan NGO, and the International Women's Federation of Commerce and Industry Mongolia.

Myanmar: In Myanmar, UNDP strengthened its partnership with the Myanmar Centre for Responsible Business. Through the design and implementation of a training on HRDD, UNDP initiated a relationship with EuroCham Myanmar, and the French Myanmar Chamber of Commerce and Industry.

Sri Lanka: In 2021, UNDP partnered with several organizations on delivering trainings to the private sector. The project worked with the UN Global Compact Network in Sri Lanka to deliver a training on business policy commitments as a first step to adhering to the UNGPs. UNDP also partnered with the Delegation of German Industry and Commerce in Sri Lanka and Löning on sector-specific HRDD trainings.

In partnership with the Marga Institute, UNDP conducted a survey to understand the responsible business landscape in Sri Lanka in the context of SMEs and identify the drivers and barriers for SMEs to focus on human rights across their operation pre and post C19.

On the 2nd *United Nations South Asia Forum on Business and Human Rights*, the team supported the Sri Lanka country session and engaged speakers from the National Human Rights Institution of Sri Lanka and the Employers Federation.

Additionally, partnerships established with two CSOs through small grant schemes in 2021 were extended to the reporting period. UNDP worked with the Center for Environmental Justice on 1) research and awareness raising on the implementation of the UNGPs in the context of environmental management, and 2) providing support to women and families engaged in small sale businesses. The project supported the Women's Centre Sri Lanka on community consultations to respond to the impacts of business decisions on the rights of individuals. In 2021, a new CSO was also engaged through the small grant scheme: the Centre for Policy Alternatives is working on identifying challenges and developing solutions for recovery for rural women-led MSMEs affected by the pandemic.

Thailand: UNDP continued to cultivate a strong relationship with the Rights and Liberties Protection Department of the Ministry of Justice (MOJ). **B+HR Asia** collaborated with the Ministry on subregional consultations, the production of communication tools, the development of a study on SLAPP, and several business and human rights trainings.

In 2021, UNDP strengthened its engagement with other UN agencies working on EU-supported projects mostly through the co-hosting of events. Together with IOM, UNDP co-hosted a workshop on ethical recruitment and employment practices. With ILO, UNDP co-hosted a workshop on the promotion of responsible business and CSR in Thailand.

UNDP also supported the organization of the 5th *Bangkok Business and Human Rights Week* in June, which was co-organized by the MOJ, Global Compact Network Thailand, the ASEAN Intergovernmental Commission on Human Rights (AICHR), the Embassy of Switzerland, the ASEAN Centre for Sustainable Development Studies and Dialogue (ACSDSD) and other UN Actors.

UNDP participated in the Committee of the Business and Human Rights Curriculum Development strengthening its relationship to the Securities and Exchange Commission (SEC).

UNDP's Human Rights Due Diligence Trainings for Thai Businesses include a focused training in partnership with Unilever targeting the company's suppliers with 88 participants.

Additionally, UNDP established partnership with Community Resource Center (CRC), providing a low value grant to the CSO to support human rights defenders.

Regional: On the regional level, UNDP continued driving the BHR Coordination Working Group with bimonthly meetings among ILO, IOM, OECD, OHCHR, UNICEF and UNW to discuss possible areas of collaboration and upcoming program activities.

The project also established partnerships to increase the reach of communication activities and knowledge products. In March 2021, UNDP and UNICEF launched the updated version of the *C19 Rapid Self-Assessment* tool through a shared communication campaign. In September 2021, on the International Day of Clean Air for Blue Skies **B+HR Asia** published a blog on air pollution with inputs from the Thailand Clean Air Network.

The content development of the *Human Rights Self-Assessment Training Tool*, the most popular knowledge product for UNDP Bangkok Regional Hub in the fourth quarter, was also supported through a partnership with Clifford Chance, an international law firm. The legal team based in Perth Australia, worked on the descriptions of the human rights risks displayed on the website as a pro bono contribution to the promotion of HRDD. The tool was tested and promoted by the Global Compact Network Thailand as well.

Finally, UNDP partnered with the Asia Garment Hub to ensure wider exposure of **B+HR Asia** project knowledge products.

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 halting progress with the governments of India, Indonesia, and Malaysia. NAP processes, which were briefly delayed, were reinvigorated in part from a repositioning of the BHR Agenda as a pathway towards economic recovery. 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>Continued developments in Myanmar continue to be monitored closely with risk mitigation efforts taken for each activity.</p> <p>Sri Lanka's political trajectory is also of concern and will be watched closely.</p>
2	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 to any changes in leadership or structure following elections. The Bangkok Regional Hub Advisory Board	By-elections and legislative assembly elections took place in India with no demonstrable impact on programming. The presidential election in Mongolia (June 2021), did not impact programme activities, and may have contributed to accelerated implementation of activities.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
					will provide high-level advice and recommendations, including on appropriate measure to be taken when project deliverables are delayed due to unforeseen political circumstances.	State-level elections in Malacca and Sarawak Malaysia also did not have a significant impact on work on the NAP. However, an unstable political settlement in Malaysia may dog progress.
3	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.	UNDP is working with credible business associations, which are increasingly eager 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 continues to apply due-diligence principles for appropriate activities.
4	Operational	Government uses the NAP process and engagement with the UN for public relations purposes without the real intention of	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 international standards. UNDP will build on the expertise of OHCHR and the UN Working Group on	UNDP continues to provide the best possible expert advice, and couch NAP processes in multi-stakeholder consultations. Civil society engagement and partnerships with multiple ministries is leveraged to maintain credibility and legitimacy of NAP development processes.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
		implementation. NAP is of poor-quality owing to lack of seriousness put to NAP development.			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.	
5	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 within an NHRI will be lost.	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 Bangkok Regional Hub is currently conducting a capacity review of NHRIs in the region. NHRIs are being engaged in NAP processes, and awareness raising events in all project countries: India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka, and Thailand.

#	RISK TYPE	DESCRIPTION	TIME OF IDENTIFICATION + SUBMITTED BY / UPDATED BY	IMPACT /PRIORITY	COUNTERMEASURE/MNGT RESPONSE	STATUS AND NOTES
6	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>	The project continuously reflects on the dangers it poses to HRDs. HRDs are being engaged in dialogues and research consultations.
7	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.	Even in the face of movement control orders, the project has found space to move forward through communications work and online conferencing. 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.

VII. LESSONS LEARNED

As in 2020, project delivery in 2021 was shaped by a challenging enabling environment. However, experience programming during the first waves of COVID-19 allowed for a more stable, if not uneven, implementation rate. In-country BHR Specialists and regional project staff learned that programming in crisis requires patient, steady, and deliberate approaches.

As such, the number of meaningful lessons learned grew significantly since the filing of the 2020 Progress Report. Below are 6 lessons learned, which will shape new approaches to work in the year to come.

1. BHR work must be tied to wider policy trends to sustain momentum towards project goals; flexibility in programming is required to seize opportunities

In its first full year of programming, the project again amended or shifted activities outlined in AWP to ensure programmatic goals were met. This flexibility was employed to ensure work on BHR remained relevant and responsive to stakeholder interest and policy trends at international, regional and country levels.

In 2021, focused attention on HRDD fostered sustained interest in the BHR agenda and drove progress on policy formation. In fact, the EU's proposed directive on mandatory HRDD (mHRDD) may have kept the agenda in BHR alive in Asia during the gloomiest days of the COVID-19 pandemic. Training events on HRDD were well attended by policy makers and business leaders, providing an opportunity to diversify the project's partnership portfolio. Appetite for this type of programming remained strong throughout 2021.

International interest in the environment also gave lift to the BHR agenda, but so too did heightened levels of trade action. Stronger appreciation of the size and opportunity of the ESG asset class also gave BHR discussions a brighter, more positive tone. As sustainability indices gain in prominence among institutional investors, arguments that respect for human rights can impact positively on stockholder value now have greater credence. Tying BHR to wider sustainable finance, trade, and environment headings, enlarges programming reach and deepens the appeal of the BHR agenda.

Going forward, the project will attach itself more firmly to a wider array of international trends and emerging standards defining responsible business behavior including for example: COP26 net-zero commitments, transparency in sustainability reporting standards, digital rights and surveillance technologies, and the treatment of human rights defenders. National trends and events (e.g.: APEC Summit in Thailand or G20 Summit in Indonesia) will also be followed closely for opportunities, necessitating programming flexibility as noted above.

Lesson learned: Tying programming goals to trends in business and environment forums keeps momentum around the BHR agenda alive even during dramatic economic downturns

and public health emergencies. Continued flexibility in project implementation is key in his regard.

2. Promoting BHR-related policy at the country-level required substantial investments of energy and time, necessitating additional resources and adjustments in work planning

Policy support required significantly more time than originally presumed at the start of the action. Complex national level coordination tasks—involving working groups, advisory committees, and task forces—necessitated a multitude of engagements to ensure steady, if not slow, progress on the development and launch of draft NAPs and baseline assessments.

However, these investments were not without costs and tradeoffs. Time spent in numerous coordination meetings, sometimes took the focus off research, CSO grant provision, and training activities. Other costs involved bouts of burnout and exhaustion, risking turnover of newly capacitated BHR specialists.

Gaps were covered with support from regional project officers, overstressing their capacities in turn. More sustained work on the environment, for example, might have been possible were it not for the attention required at the country office levels.

In this context, embedded technical support for drafting NAPs was central to progress on policy in India, Indonesia, Malaysia and Mongolia. The ability to hire experts in designing and executing events and communications products was also critical to meeting other goals articulated in the AWP.

Lesson learned: Policy promotion required substantially more time than presumed, especially in the trying political and economic circumstances presented by COVID-19. Reliance on expert consultants is needed in greater measure to mitigate risks of uneven delivery. Implementing fewer, small scale activities may also be helpful.

3. Research assets are not available in abundance in the region. Research production requires significant levels of outreach, oversight, and time. Quality research is expensive.

Though significant research pieces were produced in 2021, the return on investment was not always clear. The quality of research assets in the region can be highly uneven. Research efforts stalled on more than one occasion requiring the [B+HR Asia](#) project manager and in-country BHR Specialists to redraft the material in order to reach UNDP publishing standards.

Trade and investment themes resonate loudly among stakeholders, but research questions related to human rights are seemingly difficult to articulate. Experts on trade and investment topics at the regional levels may not have an interest or capacity to speak to human rights issues, and vice versa.

More time is required to cultivate relationships with regional research institutions and independent experts, perhaps more time than the current project period provides.

Researchers will also need to be cultivated both within and outside of country contexts. The issue briefs produced in 2021 will also need to be assessed for their impact after a six-month promotional period.

Additionally, research outputs may need to be better financed to produce quality at the international levels. The market price for regional research on the environment was substantially higher than expected. There may be a need to scale back on these ambitions or reduce the number of topics covered.

More advanced planning in the production and promotion of research products might also lead to greater utility among stakeholders. Early analytics suggest a marked increase in downloads when knowledge products were tied to trainings and other events. Stakeholders reported that knowledge products offered significant value added to events.

Lesson learned: Significant time is required to identify and conduct high quality research, but also for editing and redrafting stages. A less ambitious research agenda may need to be pursued in 2022, one that also recognizes the market price for the delivery of high-quality products. When research is conducted, products need to be tied to workshop, conference or training events.

4. Diversifying the profile of government partnerships generates constructive pressure and pushes the policy agenda forward

The BHR Specialist in Indonesia went beyond the Ministry of Law and Human Rights, the lead ministry in charge of drafting the country's NAP, and cultivated relationships with a wider number of government stakeholders. These other ministries in turn applied constructive levels of pressure on the lead ministry to make progress on the NAP. For example, working with the Ministry of Foreign Affairs led to the development of a regional conference which in turn drew international attention to the country's ambitions on BHR. A draft version of the NAP is now in the public domain.

Going forward, BHR Specialists in India, Indonesia, Malaysia, and elsewhere will reach out more deliberately to other ministries for discussions on the BHR agenda to obtain their buy-in and support. In India, wider engagement with the European diplomatic community may also be helpful in applying constructive pressure to finalize policies in the making. Greater support from relevant EU Delegations in this regard is very welcome.

Lesson learned: After rooting support and gaining confidence with a lead ministry, policy progress may require diversifying the government partnership base to other ministries. Greater support from the EU Delegations in galvanizing support from EU Members States may also be helpful in generating healthy levels of pressure on governments to finalize policies of joint interest.

5. COVID-19 related restrictions are an opportunity to explore project impact in the digital space

COVID-19 forced the project to withdrawal from in-person and hybrid events, setting the stage for longer periods of time spent in digital spaces. Leveraging this as an opportunity, project staff invested more thought to the data being cultivated from online events, web-based knowledge products and social-media communications outputs. Project staff explored data driven programming approaches which will be deployed to greater effect in the next reporting period.

In the reporting period, UNDP recruited (with no budgetary implications) an online UN Volunteer to assist with data analytics. Some early results are being realized now, demonstrating reach and impact of programming efforts. For example, a preliminary review of our digital reach suggests a tripling of stakeholder engagements since January of 2020.

Lesson learned: Programming online, while not ideal, can produce new types of insights involving the use of data. Greater investments in data analytics will likely produce significant programming outcomes.

6. Meeting monitoring and evaluation expectations necessitate dedicated expertise

Last year's challenges in collecting satisfaction survey data, among other forms of data, were largely addressed in 2021 due to the onboarding of the M&E officer to the **B+HR Asia** project team. This additional asset was crucial to demonstrating evidence-based results and meeting expectations in reporting per the DOA and related reporting framework. Furthermore, using AI machine learning tools, the M&E officer developed new outputs including the monthly review, *Trending: Business and Human Rights in Asia*, posting the month's most widely read English-language news stories on BHR. Additional initiatives might be leveraged further to measure increases in reach and relevance of the **B+HR Asia** project.

Lesson learned: M&E and data science expertise is required to meet and/or exceed programming objectives.

VIII. SOUTH-SOUTH COOPERATION

As the main emphasis of the action is on facilitating the implementation of the UNGPs at the national level, the project supports south-south cooperation between the countries in this regard.

With support from UNDP, Thailand's Ministry of Justice (MOJ) shared its experiences developing and implementing the Thai NAP with the governments of several countries of focus. For example, on 6 August Thailand's MOJ exchanged experiences with the government of India on how they designed the operational and governance mechanisms for the Thai NAP.

Furthermore, Ms.Nareeluk Phaechaiyaphum, Director of the International Human Rights Division, Rights and Liberties Protection Department of the MOJ, presented on a number of events to share good practices including on *Malaysia's National Conference on Business and Human Rights* on 21 September, a *Capacity Building Workshop for the Working Group on the Development of a National Action Plan on Business and Human Rights* on 2 November in Mongolia, and the *Regional Conference on Business and Human Rights* on 18 November in Indonesia.

On 14 July, UNDP hosted a knowledge-exchange event bringing in experts involved in drafting NAPs on behalf of the governments of India, Indonesia, Malaysia and Thailand.

IX. COMMUNICATIONS AND VISIBILITY

Communications output increased in volume and effectiveness in the second year of implementation. Below is an account of communication activities in 2021, including an assessment of the reach and impact of our communications products and platforms. The second half details plans for 2022. Specific outputs and activities are discussed in detail under chapter [III. Project Progress Update](#).

Communication Strategy

In 2021, the **B+HR Asia** Communication Strategy was updated to address new outputs included in the amended Description of Action (DOA). The strategy is now updated detailing key messages related to business and human rights and the environment, targeting different audiences.

Additionally, the monitoring and evaluation chapter was revised, to reflect the introduction of new capacities, as a new M&E officer joined the project team in April.

Internal Communication and Guidance

An emphasis on internal communications platforms and processes established in 2020 were leveraged to support knowledge and communication products exchange between countries of focus. The platforms facilitated increased efficiency and speed of delivery on communications activities. Examples include project brochures produced by India, Malaysia and Thailand; issue briefs in Indonesia, Malaysia and Sri Lanka; different language versions of the updated *C19 RSA* by three project countries; and translations of videos, surveys and other materials. In addition to communication outputs, close collaboration between colleagues also supported knowledge exchange on administrative processes, event organization, and working with consultants.

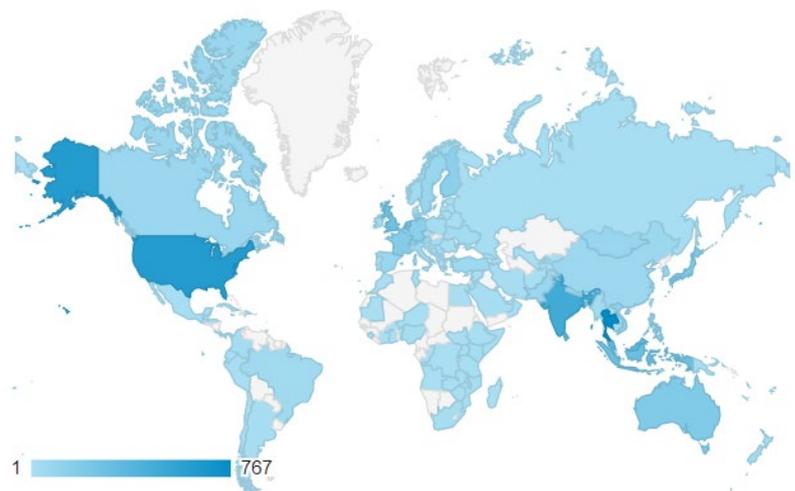
Communication and visibility requirements related to EU partnership were shared and monitored throughout the reporting period.

B+HR Asia programme website

During the reporting period, the **B+HR Asia** website has been regularly updated and maintained. The 2020 progress report anticipated a 25 percent increase in visitor numbers on the site due to the project's investment in communication activities and with Mongolia joining as a new project country in 2021. However, during the reporting period, the **B+HR Asia** website witnessed a 114 percent increase in visits, including 6,387 users, compared to the 2,988 users registered in 2020. Users accessed multiple pages on the website amounting to 19,611 page views in total in 2021, compared to 8,107 in 2020. The increase in visitors to our website exceeded expectations, indicating significant success in raising awareness.

The website was accessed from 134 countries, 29 more than in 2020. Six of the seven project countries appear among the top 20 locations from where the website was accessed, revealing greater penetration of primary target audiences compared to the previous reporting period. The one project country missing from the top 20 locations is Myanmar, ranking 35th. The low figures in Myanmar may be due to internet outages, and efforts to avoid surveillance through Virtual Private Networks.

Country	Users
	6,387 % of Total: 100.00% (6,387)
1. Thailand	767 (11.88%)
2. United States	623 (9.65%)
3. India	481 (7.45%)
4. Sri Lanka	370 (5.72%)
5. Malaysia	359 (5.56%)
6. Indonesia	290 (4.49%)
7. United Kingdom	261 (4.04%)
8. Netherlands	232 (3.59%)
9. Japan	200 (3.10%)
10. Australia	192 (2.97%)
11. France	168 (2.60%)
12. Finland	142 (2.20%)
13. Germany	139 (2.15%)
14. Switzerland	135 (2.09%)
15. Philippines	133 (2.06%)
16. Vietnam	119 (1.84%)
17. Bangladesh	114 (1.77%)
18. Singapore	112 (1.72%)
19. Hong Kong	95 (1.47%)
20. Mongolia	86 (1.32%)



Presence on Social Media

In 2021, **B+HR Asia** strengthened its social media presence by increasing the number of followers on already existing platforms and creating new accounts with popular content to build a strong basis for wide-reaching awareness raising campaigns envisioned for 2022-23.

Twitter

Twitter is the most frequently used social media platform of **B+HR Asia**, targeting government officials, business representatives, academia, and influencers in the BHR space in Asia and beyond. During the reporting period, the **B+HR Asia** account, used by both the EU and the Sida funded **B+HR Asia** projects ensuring “cross-pollination” of audiences engaged with either, generated a total of 404.8K impressions, 2050 mentions and gained 731 new followers, which equates to a 36 percent increase in the account’s followership. At the time of publication, followers number 2,818, well above the followership of similarly-situated project accounts.⁷⁴

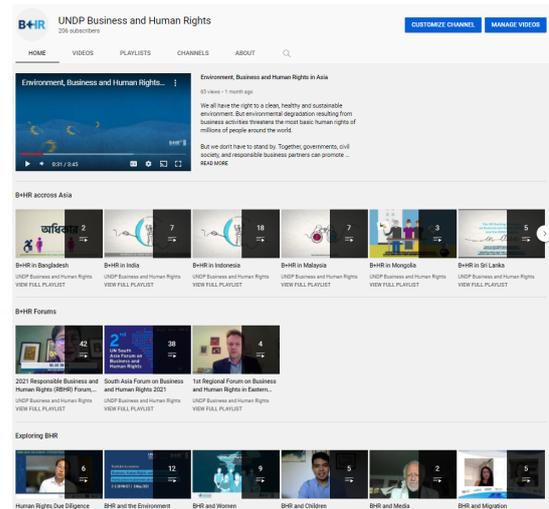
Considering the platform’s usage statistics in Asia, it is unlikely that the project will reach a wide public audience with popular content through Twitter. However, many key stakeholders of the project (ministries, public figures, international organizations, business leaders) use

Twitter frequently and look for BHR updates on this platform, as evidenced by the traffic driven to **B+HR Asia** website from Twitter campaigns.⁷⁵

YouTube

In 2021, **B+HR Asia** started building out a more structured presence on YouTube with a channel that provides an accessible library of videos for a wide range of audiences.

The channel now offers playlists relevant to **B+HR Asia** project countries for both the EU and the Sida-funded projects. Playlists offering insight into different BHR-related topics, and forum recordings related to the programme are also accessible here.



In the third and fourth year of project implementation the project will dedicate additional energy to grow the channel’s audience and followership. Regarding the growth of follower numbers, YouTube analytics offers promising statistics: 87.6 percent of video views come from viewers not yet subscribed. This audience could be targeted to become followers of the channel.

Subscription status	Views
<input type="checkbox"/> Total	9,508
<input type="checkbox"/> Not subscribed	8,326 87.6%
<input type="checkbox"/> Subscribed	1,182 12.4%

Facebook

In 2021, **B+HR Asia** started a Facebook page to create more opportunities for reaching the general public in Asia, as Facebook is the most frequented platform in the region, including all project countries. Facebook could be leveraged better to instigate interaction with wider audiences, especially youth, in the following years. This is especially likely given growing attention to business, human rights and the environment, and our project’s intention to build human interest stories around these themes.

While the number of likes and followers is limited on the page, communication and advocacy campaigns planned for 2022 paired with boosted Facebook posts will increase audience size.

Regional channels

As mentioned above, the proportion of “popular content” among the communication products created by the project was relatively low in the first two years of implementation. However, the **B+HR Asia** project used UNDP’s regional platforms to make sure appropriate messages were shared with the right audiences to maximize impact. Access to the regional channels earned an additional 40,071 impressions and 476 engagements for project messages in total on Twitter, 23,742 impressions and 904 engagements on LinkedIn, 9,287 impressions and 375 engagements on Facebook and 2,967 impressions and 112 engagements on Instagram, increasing the project’s visibility significantly.

Partnering with Other Projects and Initiatives

In addition to UNDP country office accounts and partners mentioned in the country reports, the following non-exhaustive list shows some organizations and high-profile accounts that shared **B+HR Asia** products in 2021: Professor Surya Deva, Chair, UN Working Group on Business and Human Rights, Charlotte Petri Gornitzka, Assistant Secretary-General at UNICEF, Swiss Peace and Human Rights, an official foreign policy account of Switzerland, UNICEF East Asia Pacific, UN Environment Programme Asia Pacific, UN Global Compact Network Thailand, UN Global Compact Sri Lanka and UNDP’s Resident Representatives in Indonesia, Malaysia, Mongolia and Thailand.

Elaine Conkievich @ElaineUNDP
 The [EU](#) PFI funded [B+HR](#): Preliminary results of the Nat. Baseline Assessment on B+HR presented to CSOs yesterday. Feedback will be utilized for developing the [National Action plan on Business and Human Rights of Mongolia](#). [@EUinMongolia](#) [@MongolDiplomacy](#) [@BizHRAsia_UNDP](#)



Renaud Meyer @renaudmeyer
 Important consultation on the ongoing [@UNDPThailand](#) study on anti-SLAPP measures commissioned by [@pr_moj](#) as part of [#BizHumanRights](#) NAP implementation with [@EUinThailand](#) support. Great to have many civil society & academe sharing suggestions & feedback to protect HR defenders



Global Compact Network Thailand @GCNT_TH
 Global Compact Network Thailand, are pleased to invite you to the launch of UNDP’s Human Rights Due Diligence Training Facilitation Guide and Self-Assessment Training Tool on Thursday, 16 September at 2pm - 3:30pm (BKK Time).

Register Here : us02web.zoom.us/webinar/register...



UN Environment Programme Asia Pacific @UNEP_AsiaPac
 Join us at the roundtable on Business, Human Rights, and the Environment on 6 May, 2 PM (ICT)

Register now! bit.ly/2R5Jau2

UNDP Business and Human Rights Asia @BizHRAsia_UNDP - Apr 28
 Register now! bit.ly/2R5Jau2
 Join us for a roundtable discussion on the interconnections between #bizhumanrights and the #environment.

What has been done so far? What actions are producing results? What more needs to happen?
 2PM ICT Thursday, 6 May #EUsupport



Charlotte Petri Gornitzka @CharlottePetriG
 Women’s rights are human rights.

Together with [@BizHRAsia_UNDP](#) we [@UNICEF](#) worked on a human rights due diligence tool to help companies reimagine a better world for women and girls. [#IWD2021](#)

[@UNDPEU](#) [@europeaid](#) [@Trade_EU](#) [@eu_eeas](#) [@EUinASEAN](#) [@EUatUN](#) [@UNICEF_EAPRO](#)



X. FUTURE PLANS

Going forward, the **B+HR Asia** project will strengthen its programming in three principal areas as evidenced in the draft Annual Workplans for 2022 included in [Annex 6](#).

The first area involves its work raising awareness of the linkages between business, human rights and the environment. In 2022, UNDP will partner with the Economist Intelligence Unit to produce a report and digital product focusing on the impact of air pollution in Asia, detailing its human rights implications and economic consequences. A similar report will be produced on climate change in the second half of the year.

The second area of focus involves access to remedy provision. In 2022, UNDP will work even more closely with CSOs offering small grants to strengthen access to remedy and support to victims of business-related human rights abuses. Relatedly, UNDP will expand its efforts to prevent human rights abuses from taking place in the first place by expanding awareness of HRDD among sustainability and risk management professionals, among others. The *HRDD Training Facilitation Guide* and *Self-Assessment* tool will be leveraged to greater effect through partnerships with business associations.

The third area of focus will involve programming around human rights and trade policy. The salience of this topic has risen quickly in 2022, as countries seem increasingly willing to deploy a variety of regulatory measures to address forced labor in supply chains including, import bans, sanctions, divestments, and other forms of punitive trade action.

Though not an area of programming, per se, the **B+HR Asia** project will also in 2022 devote more non-financial assets to data analytics. The project will seek to better understand its audience to both maintain relevance and grow the number of people paying attention to developments in Asia and to the project itself. Finally, the project will use data analytics work to better understand and articulate its impact.

ANNEX 1: WORKSHOP AND EVENTS

Name of the event	Number of events	Event type	Number of participants	Key partners engaged / organising parties	Date	Country
Consultation on Data Protection and Privacy	1	Closed-Door Consultation	16 (10m:6f)	Private Sector, Industry Associations and Civil Society	9 February 2021	India
Project Partner Meeting on Synergies on the Business and Human Rights Agenda	1	Meeting	27 (14m:13f)	National Human Rights Council, relevant ministries, UN agencies	1 March 2021	India
Series of Meetings on the Framework Agreement and Roadmap to National Action Plan	3	Meeting	5	Ministry of Corporate Affairs	May to October 2021	India
Change Alliance: State Consultation BHR Awareness and Access to Remedy for Women Migrant Workers in the Garment Sector (online)	1	Validation Meeting	56 (31m:24f:1 Prefer not to say)	Change Alliance and other CSOs	13 September 2021	India
Change Alliance: State Consultation BHR Awareness and Access to Remedy for Women Migrant Workers in the Garment Sector (Jharkhand Province)	1	Validation Meeting	60 (43m:17f)	Change Alliance and other CSOs	28 September 2021	India
India Sustainability Standards Conference – Session ‘Made in India: Instrumentalizing (or Promoting Growth and Resilience through the UN Guiding Principles on Business and Human Rights	1	Conference including LinkedIn Virtual Sessions	36 (16m:19f:1 Prefer not to say)	Centre for Responsible Business (CRB)	28 October 2021	India
NS-BHR Coordination Meeting on the establishment of a task force, meeting with 18 ministries, representatives and business associations	2	Meeting	100 (60m:40f)	18 Ministries, Representatives and Business Associations	8 February 2021 and 30 April 2021	Indonesia
Webinar on Mandatory Human Rights Due Diligence and Best-Practices Exchange	1	Training	107 (52m:55f)	Embassy of Norway, Embassy of France, Embassy of Switzerland	February 2021	Indonesia
Orientation with the National Task Force on NS-BHR to develop actions on the National Strategy	2	Workshop	268 (119m:149f)	Ministry of Law and Human Rights	6, 7, 28 September 2021	Indonesia

Consultations with CEOs of participating companies on human rights due diligence training	1	Consultation	39 (21m:18f)	Indonesia Business Council for Sustainable Development, Raoul Wallenberg Institute, and the Indonesia Chamber of Commerce KADIN CEO Forum	8 September 2021	Indonesia
Training on Human Right Due Diligence for Business	4	Training	74 (42m:32f)	Ministry of Law and Human Rights	21,23,27,29 September 2021	Indonesia
Public Consultations on National Strategy in collaboration with the Ministry of Law and Human Rights	1	Consultation	146 (68m:76f:2 Prefer not to say)	Ministry of Law and Human Rights	14 October 2021	Indonesia
Impacts of Human Rights Self-Assessment During the Pandemic	1	Workshop	31 (15m:16f)	Private Sector	7 October 2021	Indonesia
Soft Launch of the Regional Consultation on Business and Human Rights	1	Soft Launch	24 (12m:12f)	Ministry of Law and Human Rights, and Ministry of Foreign Affairs	10 November 2021	Indonesia
Indonesia Conference on Business and Human Rights	1	Conference	247 (108m:111f: 28 Prefer not to say)	Ministry of Law and Human Rights, Ministry of Foreign Affairs, and Embassy of Switzerland	18-19 November 2021	Indonesia
Launch of Sustainability Report in collaboration with FIHRRST	1	Launch	70 (32m:36f:2 Prefer not to say)	Foundation for International Human Rights Reporting Standards (FIHRRST)	30 November 2021	Indonesia
Dialogue on Gender Perspective on Gender Perspectives to Infrastructure Projects in Indonesia	1	Launch event	74 (25m:49f)	Ministry of Women Empowerment and Child Protection (MOWECP) and EuroCham	7 December 2021	Indonesia
Workshop with Government Stakeholders on NAP Content Validation	1	Meeting	15 (3m:12f)	Legal Affairs Division (Prime Minister's Office), and the Human Rights Commission of Malaysia (SUHAKAM)	25 February 2021	Malaysia
Business, Human Rights and the Environment Workshop	1	Workshop	34 (20m:14f)	Legal Affairs Division (Prime Minister's Office), and the Human Rights Commission of Malaysia (SUHAKAM)	24 May 2021	Malaysia

National Conference on Business and Human Rights: Towards a National Action Plan	1	Conference	506 (193m:297f:16 Prefer not to say)	Legal Affairs Division (Prime Minister's Office), and the Human Rights Commission of Malaysia (SUHAKAM)	21-22 September 2021	Malaysia
Launch of the Business and Human Rights in Asia Programme	1	Launch event	161	Ministry of Foreign Affairs	29 April 2021	Mongolia
Series of Consultations on the National Baseline Assessment and the National Action Plan	11	Consultation	333 (109m:222f)	Private Sector, Public Sector, AmCham Member Companies, IWFCI Enterprises, National Human Rights Commission, Civil Society, Trade Unions, and Small to Medium Enterprises (SMEs)	June to October 2021	Mongolia
Series of Human Rights Due Diligence Training	4	Training	79 (31m:48f)	APU LLC, Golomt Bank and MDS Khan Lex LLP	11, 15, 27 October and 31 August 2021	Mongolia
Regional Consultation on the National Baseline Assessment and the National Action Plan	1	Consultation	103 (27m:73f:8 Prefer not to say)	Government, Civil Society and Business	11-12 November 2021	Mongolia
B+HR and Youth Awareness Raising for International Human Rights Day	1	Conference	65 (22m:42f:1 Prefer not to say)	Business School of the National University	9 December 2021	Mongolia
Training of Members of Staff of the President's Office	1	Closed-Door Training	42	President's Office	17 December 2021	Mongolia
Demonstrating Business Respect for Human Rights in Myanmar	1	Event	198 (105m:91f:2 Prefer not to say)	Eurocham	14 December 2021	Myanmar
Training on the UNGPs and BHR for Business, delivered to the Working Group on BHR	1	Training	130 (75m:46f:9 Prefer not to say)	UN Global Compact in Sri Lanka	12 March 2021	Sri Lanka
Human Rights Due Diligence Training: Enabling Sustainable Economic Growth in the Food Sector through the Respect, Protect and Remedy Framework	1	Training	76 (26m:48f:2 Prefer not to say)	Löning and German Chamber of Industry and Commerce	25 August 2021	Sri Lanka

Human Rights Due Diligence Training: Enabling Sustainable Economic Growth in the PPE Sector through the Respect	1	Training	46 (26m:16f:4 Prefer not to say)	Löning and German Chamber of Industry and Commerce	1 September 2021	Sri Lanka
Workshop on 'Thailand's Progress with the Adoption of Ethical Recruitment and Employment Practices by Businesses in Thailand based on the NAP on BHR', Organized	1	Training	110 (38m:67f:5 Prefer not to say)	IOM, the Ministry of Justice, and the Ministry of Labour	17 May 2021	Thailand
Sub-National Consultation on Anti-SLAPP Laws and Measures	1	Consultation	43 (23m:19f:1 Prefer not to say)	Ministry of Justice	25 May 2021	Thailand
National Consultations on Promoting Fair and Ethical Recruitment and Employment Practices in Thailand	1	Consultation	60 (25m:34f:1 Prefer not to Say)	IOM, the Ministry of Justice, and the Ministry of Labour	15 June 2021	Thailand
Online Sub-National Consultation on Anti-SLAPP Laws and Measures	1	Consultation	30 (4m:23f:3 Prefer not to say)	Civil Society	5 July 2021	Thailand
Workshop on 'Policy Framework for the Promotion of Responsible Business and Corporate Social Responsibility in Thailand: A policy dialogue in the context of COVID-19 and the upcoming trade and investment opportunities for Thailand'	1	Training	156 (60m:91f:5 Prefer not to say)	ILO, Ministry of Justice and Ministry of Labour	25 August 2021	Thailand
Training of staff from the Rights and Liberties Protection Department (RLPD) of the Ministry of Justice	1	Training	51 (16m:33f:2 Prefer not to say)	Ministry of Justice	3 September 2021	Thailand
Human Rights Due Diligence Training for Thai Businesses	1	Training	78 (22m:55f:1 Prefer not to Say)	Private Sector	27-28 September 2021	Thailand
2 nd Reference Group Meetings on Studies on Anti-SLAPP and protection of Human Rights Defenders	1	Meeting	18 (4m:14f)	Multi-lateral organizations, Private Sector	18 October 2021	Thailand
Human Rights Due Diligence Training for suppliers of Unilever company	1	Training	10 (10f)	Unilever	2 November 2021	Thailand

5 th National Dialogue on Business and Human Rights: Human Rights Due Diligence	1	Conference	197	Global Compact Thailand, Ministry of Justice, Ministry of Foreign Affairs	17 December 2021	Thailand
National Consultation on the Protection of HRDs and Anti-SLAPP in the context of BHR in Thailand	1	Consultation	143 (68m:75f)	Civil Society	7 December 2021	Thailand
Business, Human Rights and the Environment: Priority Actions for Government and Multilateral Organizations	1	Event	221 (77m:137f:7 Prefer not to say)	UNEP	6 May 2021	Regional
Launch of the Human Rights Due Diligence Facilitation Guide and Training Tool	1	Launch	445 (151m:282f:12 Prefer not to say)	Private Sector, Civil Society, and UN agencies	16 September 2021	Regional
TOTAL	63 events		4,523 participants			

ANNEX 2: PARTNERS ENGAGED

Partner	Country
Centre for Responsible Business	IND
Change Alliance	IND
Ministry of Corporate Affairs	IND
National Human Rights Council	IND
Vidhi Centre for Legal Policy	IND
Apti Institute	IND
Amfori	IND
German Embassy	IND
German Chambers of Commerce	IND
The European Chamber of Commerce in Indonesia (EuroCham)	IDN
Foundation for International Human Rights Reporting Standards	IDN
Indonesia Business Council for Sustainable Development	IDN
Indonesia Chamber of Commerce and Industry	IDN
Executive Office of the President	IDN
Ministry of Law and Human Rights	IDN
Ministry of Women Empowerment and Children's Welfare	IDN
Ministry of State Owned Enterprises	IDN
Ministry of Foreign Affairs	IDN
UN Global Compact Network	IDN
Raoul Wallenberg Institute	IDN
Government of Sweden	IDN
Swiss Embassy	IDN
Centre for Governance, Integrity and Anti-Corruption (GIACC)	MYS
Human Rights Commission of Malaysia (SUHAKAM)	MYS

Legal Affairs Division of the Prime Minister's BHEUU	MYS
Ministry of Human Resources	MYS
Ministry of Foreign Affairs (MFA)	MYS
Ministry of Water and Environment	MYS
EuroChamber Mongolia	MNG
The American Chamber of Commerce in Mongolia	MNG
Best Practice NGO	MNG
International Women's Federation of Commerce and Industry Mongolia	MNG
Government Agency for Families, Children and Youth Development	MNG
Ministry of Foreign Affairs (MFA)	MNG
Ministry of Justice and Home Affairs	MNG
Ministry of Mining and Heavy Industry	MNG
Mongolian National Chamber of Commerce and Industry	MNG
Mongolian Women's Employment Supporting Federation	MNG
National Human Rights Commission	MNG
Philanthropy Center for Children and the Elderly	MNG
Setgeliin Goyol Zavkhan NGO	MNG
The European Chamber of Commerce in Myanmar	MMR
French Myanmar Chamber of Commerce and Industry	MMR
Legal Clinic Myanmar	MMR
Myanmar Centre for Responsible Business	MMR
Center for Environmental Justice	LKA
Centre for Policy Alternatives	LKA
Ceylon Biscuits Ltd.	LKA
Delegation of German Industry and Commerce in Sri Lanka	LKA
Employers Federation Sri Lanka	LKA
Löning	LKA
Marga Institute	LKA

National Human Rights Institution of Sri Lanka	LKA
Selyn Ltd.	LKA
UN Global Compact Network in Sri Lanka	LKA
Women's Centre Sri Lanka	LKA
ASEAN Centre for Sustainable Development Studies and Dialogue (ACSDSD)	THA
ASEAN Intergovernmental Commission on Human Rights (AICHR)	THA
Community Resource Center (CRC)	THA
Embassy of Switzerland	THA
ILO	THA
IOM	THA
Ministry of Justice	THA
Ministry of Labour	THA
Securities and Exchange Commission (SEC)	THA
UN Global Compact Network Thailand	THA, BKK
Unilever	THA
Asia Garment Hub	BKK
Clifford Chance	BKK
ILO	BKK
IOM	BKK
OECD	BKK
OHCHR	BKK
Thailand Clean Air Network	BKK
UNICEF	BKK
UN Women	BKK

ANNEX 3: POLICY AND KNOWLEDGE PRODUCTS PRODUCED

Knowledge-based product	Country	Typology	Published (yes/no)	Status	Year
Women Migrant Workers in the Garment Sector in India - A Baseline Assessment Report on awareness about laws and access to remedy	India	Report	Yes	Completed	2021
Artificial Intelligence and Potential impacts on Human Rights in India	India	Research	No	In progress	2022
Environmental Laws Application & Efficacy in the context of Business & Human Rights and COVID-19 Pandemic	India	Research/Policy Analysis	No	In progress	2022
Labour Laws Application & Efficacy in the context of Business & Human Rights and COVID-19 Pandemic	India	Research/Policy Analysis	No	In progress	2022
Translation: The UN Guiding Principles on Business and Human Rights	India	Publication	No	In progress	2022
Policy review on Omnibus Bill	Indonesia	Policy Analysis	No	In progress	2022
Research on Trade and Investment and UNGPs	Indonesia	Research	No	In progress	2022
Research on Infrastructure Development and Gender Dimensions	Indonesia	Research	No	In progress	2022
Infrastructure Development and Women's Rights in Indonesia	Indonesia	Issue Brief	Yes	Published	2021
Five Key Business and Human Rights Priorities for Malaysia's Emerging Recovery Period	Malaysia	Issue Brief	Yes	Published	2021
Malaysia: The UNGPs And ESG Investment Policies in Government-linked Investment Companies	Malaysia	Issue Brief	Yes	Published	2021
Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy and Ethical Recruitment	Malaysia	Issue Brief	Yes	Published	2021
A survey on the impact C19 has had on the SME sector as well as the implication on Human Rights and recommendations to address their needs	Sri Lanka	Report	No	In progress	2022
Legal Gaps analysis (the legislative gaps in the context of BHR in SL)	Sri Lanka	Research/Policy Analysis	No	In progress	2022
Legal Gaps analysis (environment management and climate actions)	Sri Lanka	Research/Policy Analysis	No	In progress	2022
The Untapped Trade and Investment Potential of the Business and Human Rights Agenda in Sri Lanka	Sri Lanka	Issue Brief	Yes	Published	2021
State Duties: Women's Participation in Sri Lanka's Workforce and the UNGPs	Sri Lanka	Issue Brief	Yes	Published	2021
The Impact of the Covid-19 Pandemic on Women workers in Free Trade Zones and Garment factories in Sri Lanka	Sri Lanka	Research	No	In progress	2022
Study on the Protection of Human Rights Defenders	Thailand	Research/Policy Analysis	No	In progress	2022
Study on Anti-SLAPP laws and measures	Thailand	Research/Policy Analysis	No	In progress	2022
Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business - 2021 update	Regional team	Self-Assessment tool	Yes	Published	2021
Business, Human Rights and the Environment - Survey Summary	Regional team	Survey publication	Yes	Published	2021
Human Rights Due Diligence Training Facilitation Guide	Regional team	Guide	Yes	Published	2021
Human Rights Due Diligence Self-Assessment Online Training Tool	Regional team	Training Tool	Yes	Published	

ANNEX 4: CSO GRANTS AWARDED IN 2021

Country	No. of Grant	Name of Grant recipient	Title of grant	Amount of grant (USD)	Beneficiaries	Description	Contract duration (dd/mm/yy - dd/mm/yy)
Mongolia	1	Best Practice NGO	Strategic Advocacy for Human Rights	9,032.62	Workers unions and Tannery companies	Strategic Advocacy for human rights the Tannery Industry near Ulaanbaatar City using Media	6 months (14/06/21-31/12/21)
Mongolia	1	Mongolian Women's Employment Supporting Federation	Document labor rights violations in the construction sector	8,674.02	Workers Unions and Construction companies	Documentation of labour rights violations in the construction sector	6 months (14/06/21-31/12/21)
Mongolia	1	Philanthropy Center for Children and the Elderly	Promotion and Protection of the Rights of Women Working in the Hospitality Sector	8,501.95	Women Workers and Hospitality Companies	Promotion and protection of the rights of women working in the hospitality industry through Human Rights Due Diligence	6 months (14/06/21-31/12/21)

Mongolia	1	Setgeliin Goyol	Assessing the impact of small and medium enterprises activities in Zavkhan aimag on human rights	8,413.59	SMEs	Assessing the Human Rights Impacts of Small and Medium Enterprise Activities in Zavkhan Province	6 months (14/06/21-31/12/21)
Mongolia	1	Internatioanal Women's Federation of Commerce and Industry Mongolia	Enhancing role of scholars and promoting Business and Human Rights in Mongolia	9,881	Academia	Enhancing the role of scholars in promoting the Business and Human Rights Agenda in Mongolia	6 months (14/06/21-31/12/22)
Myanmar	1	Legal Clinic Myanmar	Legal aid service providers to support underserved workers to access labour rights.	75,000	Eligible beneficiaries will be current or former workers of industrial and production sectors and their families, with a focus on the poor and most vulnerable individuals and groups in any township and location in Yangon, Mandalay, Rakhine, and Ayeyarwady	Raise legal awareness of workers, focusing on migrants, vulnerable groups and their families, train paralegals, CSOs and lawyers on labour laws and related legal areas and provide legal assistance to workers focusing on vulnerable groups and their families	12 months (01/01/22)-31/12/22)
Sri Lanka	1	Centre for Environmental Justice	Putting Rights Holders at the Centre of the Business and Human Rights Agenda in Sri Lanka	17,408.31	Victims of Land Exploitation and vulnerable Groups	Produce report on environmental law gaps, and communications strategy targeting policy makers, and general public	6 Months (12/07/21-31/12/21)

Sri Lanka	1	Centre for Policy Alternatives	Putting Rights Holders at the Centre of the Business and Human Rights Agenda in Sri Lanka	15,329.97	Women workers and Women workers in FTZ's	Address human rights abuses faced by women in Free Trade Zones (FTZs) in the context of the COVID-19 pandemic	6 Months (12/07/21-31/12/21)
Sri Lanka	1	Women's Development Centre	Research on the impact of COVID-19 on Business and Human Rights environment	14,500	SMEs affected by COVID-19 Vulnerable populations; including women workers	This grant aims to hold community dialogues on the impact of COVID-19 on Business and Human Rights	9 months (30/08/2021 – 31/05/2022)
Thailand	1	Community Resource Center Foundation	Innovative Approach to Greater Awareness and Improve Access to Remedies for Rights Holders Subject to Business and Human Rights Impact	44,700	Lawyers and affected local communities on business related human rights abuse in Rayong, Loei and Songkhla provinces	The grant will be dedicated to CSO to support local communities and relevant stakeholders that are subjected to BHR impact through innovative approach, i.e. capacity building of legal practitioners, awareness raising on the roles of HRDs, etc. The activity will be conducted in 3 pilot provinces in Thailand.	1 year (25/11/21 - 15/12/22)
TOTAL	10 CSO grants	-		US\$211,441.46			

ANNEX 5: COUNTRY CONTEXT

INDIA

Socio-Economic and Political Circumstances

In 2021, India faced one of its biggest public health emergencies in living history, complicating communications and project implementation. In March, India public health services reported a surge of cases, from twenty thousand to nearly seventy thousand daily cases being reported. That count would double and then triple by the start of the second quarter. In May 2021, India's health care system was overwhelmed; hospitals struggled to locate critical medicines and oxygen was in short supply. However, in September, with a robust vaccination programme in place, cases began to fall. The active infection in the country fell below 300,000 for the first time over a six-month period. By 21 October, India had administered 1.16 billion doses of vaccine. In December, the total number of COVID-19 infections had been reduced to seven to nine thousand daily cases, with significant implications for economic recovery and growth.

After contracting by 7.1 per cent in 2020, India's gross domestic product (GDP) fell and then rose again to even out the year. According to many experts, India's economy has been recovering rapidly and is likely to be on track to achieving the world's fastest economic growth in 2021. There are promising signals in data measuring manufacturing, services, industrial output, exports, and demand. Activity is increasing in retail, automobile, agriculture, and construction sectors. Only a few contact-heavy sectors such as transport, tourism and hospitality remain weak.

In November 2021, the Prime Minister announced that the controversial¹ farm laws (passed by the Parliament in September 2020), would be repealed in the upcoming Parliament winter session 2021 (starting 29 November).² The laws were heavily contested and opposed by farmer unions across the country, who feared their loss of control in the agriculture sector. The repeal of the farm law was arguably the most salient labor rights story in any of the seven programming countries of focus in 2021. Given the political implications of the farm law repeal the government may show increased interest in discussions around BHR in 2022.

Legislative and Regulatory Environment

Despite the extraordinary circumstances posed by the COVID-19 outbreak, Parliament was active in passing bills with significant economic and social implications.

On 22 March 2021, the Mines and Minerals Act was passed, amending the Mines and Minerals (Development and Regulation) Act of 1957. Written to attract investment and enable efficiencies in the mining sector, the Mines and Minerals

¹ <https://indianexpress.com/article/explained/an-expert-explains-farm-acts-and-federalism-6622769/>

² <https://www.thehindu.com/news/national/centres-move-to-repeal-farm-laws-reactions/article37573452.ece>

act will substantially loosen regulatory restrictions on industry players. Some activists and opposition party members criticized the bill for potentially adverse environmental implications.³

Separately, the Ministry of Environment, Forest and Climate Change (MoEFCC) in February, released an order allowing the mining industry to avoid public hearing for projects which were granted environment clearance under the Environmental Impact Assessment notification 1994. The order was criticized by some for diluting public consultation rights of affected communities.⁴ Furthermore, the MoEFCC proposed a single law governing air, water and environment related activities, an announcement which has been met with skepticism by some environmentalists due to a lack of transparency and public consultation in the matter.

In September, the Ministry of Home Affairs placed several NGOs on the Foreign Contribution Regulation Act 2010 (FCRA) watchlist, including those working on environment and child rights issues. Also, in September, the Enforcement Directorate, IT Department and Economic Offences Wing increased pressures on media organizations including Newslaundry and NewsClick (September 2021) and human rights activists including Harsh Mander, and rights organizations such as Centre for Equity Studies and allied child rights organizations.

In a letter to the Govt. of India, several UN Special Rapporteurs expressed concerns over India's new information technology (IT) rules stating that the provisions may hinder privacy and freedom of opinion and expression and do not conform with the international human rights norms.⁵ The Permanent Mission of India to the United Nations responded by indicating the key factors surrounding the promulgation of the law, and further noted that a wide range of consultations were held in 2018 to better understand the emerging virtual landscape.⁶

INDONESIA

Socio-economic and political circumstances

In the first quarter of 2021, Indonesia registered over 1 million confirmed cases of COVID-19 with more than 38,000 deaths. In the second quarter of 2021, Indonesia's COVID-19 situation deteriorated further as the number of daily confirmed COVID-19 cases grew to 50,000 with almost half of the cases found in the capital city, Jakarta. The increase infection rates, along with the risk of new virus strains, resulted in the government imposing restrictions on community activities, particularly those related to travel and recreation. This inevitably restricted public mobility, thus hindering economic recovery. As a result, household consumption, which normally contributes around 57 percent of gross domestic product (GDP), contracted significantly.

In response, the Government of Indonesia focused its resources on containing the second virus wave in the third quarter aiming to ease public activity restrictions (PPKM) in the fourth quarter. As of 22 September, the number of people fully

³ <https://scroll.in/latest/990284/parliament-clears-bill-to-allow-private-investment-in-mining-sector-amid-opposition-protest>

⁴ <https://scroll.in/article/990271/indian-government-can-now-clear-one-more-kind-of-mining-project-without-consulting-the-public> ; http://environmentclearance.nic.in/writereaddata/OMs-2004-2021/247_OM_16_02_2021.pdf

⁵ <https://www.thehindubusinessline.com/info-tech/united-nations-special-rapporteurs-express-concern-over-indias-new-it-rules/article34849741.ece>

⁶ [DownloadFile \(ohchr.org\)](#)

vaccinated per 100 total population was 17.2 nationwide. Confirmed COVID-19 infections in December reportedly slowed to 200-300 per day.

Indonesia's economy is projected to rebound by 4.4% in 2021 supported by a gradual improvement in domestic demand and positive spill overs from a stronger global economy. According to experts, growth could accelerate further to 5.0% in 2022 driven by reduced uncertainty. Growth figures are dependent upon the vaccine rollout reaching a critical mass of the population in the fourth quarter of 2021. The potential spread in Indonesia of the Omicron variant is also a matter of significance.

Legislative and regulatory environment

On 5 October 2020, Indonesia passed the Omnibus Law on Job Creation with the aim of creating jobs and raising foreign and domestic investment by reducing regulatory requirements for various permits, including land acquisition. Critics claimed the law's provisions would harm labour rights and indigenous land rights and increase deforestation in Indonesia.

Signaling his intent to fully implement the Omnibus Law despite large scale public protests, President Widodo signed Presidential Regulation No. 10/2021 on Investment Business Activities in February 2021, as a derivative regulation of the Omnibus Law. The regulation will open investment opportunities to foreign investors by reducing the number of businesses that are subject to specific foreign ownership restrictions from 350 sectors to only forty-six.

The government of Indonesia planned to discuss the revision of the Job Creation Law in 2022 as set out in the 2022 national legislation program (Prolegnas) approved by the Legislative Body of the House of Representatives (DPR) and the Ministry of Law and Human Rights. The DPR is given two years to make the revision. The Constitutional Court ordered the government to revise the Job Creation Law within the next two years and there should not be any derivative rules during the revision process.⁷

Digital rights continued to be a matter of controversy in the country, following the passage of the data localization law. MR5. According to analysis conducted by the Carnegie Endowment for Peace, "various agencies can initiate surveillance actions at their own discretion."⁸ A fragmented regulatory environment can also enable greater violations on the rights of Indigenous Peoples and human rights defenders working on issues related to land grabs and other business-related abuses.

A joint statement led by UN Special Rapporteur on extreme poverty and human rights urged the Indonesian Government to respect human rights and the rule of law amid reports that a mega tourism project on Lombok island was involved in aggressive land grabs, forced evictions of Sasak Indigenous Peoples, and intimidation and threats against human rights defenders.

MALAYSIA

Socio-economic and political circumstances

⁷ [Govt, DPR to Discuss Revision of Job Creation Law Next Year - News en.tempo.co](https://www.tempo.co.id/news/10-10-2020/govt-dpr-to-discuss-revision-of-job-creation-law-next-year)

⁸ Sinta Dewi Rosadi, Privacy vs. Democracy in the Digital Age: Indonesia's Challenge, 19 October 21 <https://carnegieendowment.org/2021/10/19/privacy-vs.-democracy-in-digital-age-indonesia-s-challenge-pub-85517>

Against this background of achievements on BHR, Malaysia's COVID-19 infection and related mortality rates vacillated wildly 2021 with significant political implications.⁹ In January, the total number of cases passed 138,000, making Malaysia the third highest country recording infections in Southeast Asia, just ahead of Myanmar. On January 12, Malaysia's King Abdullah Ahmad Shah assented to the government's request for emergency powers up to Aug 1, allowing the government to suspend parliament.

In February 2021, Malaysia announced and extended its offer for free COVID-19 vaccinations under the National Immunization Programme to all non-citizens residing in the country, including documented and undocumented migrants as well as refugees.¹⁰ Despite the provision of vaccinations, the total number of COVID-19 cases exceeded 800,000 in July. By the end of August, this number grew to 1.75 million cases. King Abdullah Ahmad Shah agreed to the government's second request for a nation-wide state of emergency. The nation-wide "total lockdown," finally eased in mid-September, after infection and mortality rates began to decline.

Poor living and working conditions for migrant workers played a key part in the spread of the COVID-19 crisis in Malaysia.¹¹ In response, the Malaysian government reportedly increased labour inspections in the rubber and agri-business sectors. At about the same time, the Ministry of Home Affairs also launched raids of undocumented migrant workers and made sweeping arrests for deportation. Amnesty International and the Human Rights Watch condemned these acts, with the latter stating that such arrests deter those fearful of detention and deportation from getting vaccinated, and further, that these actions "undermine the government's repeated international calls for vaccine equity among nations."¹²

But by the end of September, Malaysia's vaccination campaign was bearing fruit. Ninety-four percent of Malaysia's adult population had received at least one dose of the vaccine and new infections were falling fast. Due to this high vaccination rate, the Minister of International Trade and Industry announced that Malaysia would start treating the pandemic as an endemic disease from October 2021 onwards.

There were a significant number of punishing trade actions against Malaysian companies due to allegations of forced labor. Sime Darby Plantations was subject to a withhold release order (WRO) by U.S. Customs and Border Protection (CBP) in December 2020 due to credible allegations of forced labor practices in its operations. By March of 2021, Malaysia's Securities Commission announced it would conduct its own investigation. Also in March, Sime Darby Plantations announced its establishment of an Expert Stakeholder Human Rights Assessment Commission to address the allegations, citing "zero tolerance for human rights violations."¹³

CBP also identified Top Glove as engaging forced labor practices in the manufacture of rubber gloves. Following the issuance of a WRO against Top Glove, the company reportedly addressed six out of 11 forced labour risks which included withholding of wages, excessive overtime and abusive working and living conditions. Top Glove was also pressured to make remediation payments.

⁹ <https://www.straitstimes.com/asia/se-asia/malaysias-king-declares-national-state-of-emergency-to-curb-spread-of-covid-19>

¹⁰ <https://www.reuters.com/article/us-health-coronavirus-malaysia-vaccines-idUSKBN2ABOE1>

¹¹ <https://www.nst.com.my/world/world/2021/01/660033/migrant-workers-poor-living-conditions-fuel-southeast-asias-covid-19>

¹² <https://www.hrw.org/news/2021/06/30/malaysia-raids-migrants-hinder-vaccine-access>

¹³ <https://www.simedarbyplantation.com/media/press-releases/sime-darby-plantation-establishes-expert-stakeholder-human-rights-assessment>

On 14 June, following a Semi-Annual Review, Bursa Malaysia announced the removal of Top Glove Corp. from ESG indexes, namely FTSE4Good, ASEAN 5 and Emerging Markets Index. Three months later, on 9 September, CBP modified its decision to ban the importation of gloves produced by Top Glove Corporation.

One month later, CBP issued another WRO against Supermax, and more recently, in December, against Brightway Group – both glove manufacturers – making it the sixth Malaysian firm to face such a ban in only 15 months.¹⁴ Separately, high-tech home appliance maker, Dyson, cut ties in November with Malaysian supplier ATA IMS following an audit of the Malaysian company’s labour practices and allegations filed by a whistleblower. Following these developments, Malaysia stated that it would charge ATA IMS and has since opened an investigation.⁶

In August, the new governing coalition collapsed amid defections and factionalism with then Prime Minister Muhyiddin Yassin, who served for 17 months, resigning after losing majority support in parliament. King Al-Sultan Abdullah eventually named Ismail Sabri Yaakob as the new Prime Minister, which marked the country’s third premier in less than two years.

Legislative and regulatory environment

On 25 October, Malaysia launched its National Trade Blueprint (2021-2025), which includes “eight strategic thrusts” and 40 recommendations that address structural issues facing the export sector. Under its aim to pursue sustainability and innovation, the plan will focus on addressing forced labour issues by raising awareness among manufacturers and increasing the adoption of sustainability certification.

The National Action Plan on Forced Labour (2021-2025) was finalized and launched on 26 November, outlining key priorities for the next five years: awareness, enforcement, labour migration and access to remedy and support services. Malaysia also agreed to ratify the International Labour Organization (ILO) Protocol 29, a supplementary requirement to the Forced Labour Convention. This is also in response to Malaysia’s downgrade to the lowest tier (Tier 3) in the U.S. State Department’s annual Trafficking in Persons (TIP) Report for 2021. Malaysia had spent three years on the Tier 2, TIP Watchlist prior to this downgrade.

As a result of Malaysia’s official working visit to Indonesia in November, Malaysia’s Prime Minister Ismail Sabri and Indonesia’s President Joko Widodo expressed their commitment to expedite the signing of the Memorandum of Understanding on the Recruitment and Protection of Indonesia Domestic Workers (MoU PDI). The Ministry of Human Resources aimed to reach a consensus on the issues that have been plaguing the bilateral agreement since the expiry of the document in 2016. The Ministry also held discussions with the business sector in Indonesia to exchange views on good practices on the management of migrant workers, specifically in the plantations sector.

There have also been further developments between Malaysia and Bangladesh, lifting the recruitment ban on Bangladeshi workers imposed in 2018. The Malaysian Security Industry Association signed a memorandum of understanding with Bangladesh’s Sena Kalyan Sangstha on 2 December 2021, amidst discussions between the two countries on a new bilateral deal. Bangladesh is the second source country after Nepal to provide workers for Malaysia’s security sector. On 19 December, the Ministry of Human Resources signed an MoU with Bangladesh’s Ministry of Expatriates' Welfare and Overseas Employment¹⁵, which is effective for five years until December 2026. This MOU outlines the responsibilities of the Government of Malaysia and the Government of the People's Republic of Bangladesh, as well labour supply chain actors

¹⁴ <https://www.reuters.com/legal/government/us-customs-bans-malaysian-glove-maker-brightway-over-alleged-labour-abuses-2021-12-20/>

¹⁵ <https://m.malaysiakini.com/news/603693>

including the employers and private employment agencies. The implementation of this MOU will be regulated by a Joint Working Group (JWG) comprising both countries. As of 30 November 2021, a total of 3 26,669 Bangladeshi workers worked in Malaysia with the majority in the manufacturing sector (111,694) and the construction sector (136,897). The signing of this MOU is expected to meet the urgent need for foreign employment, including in the plantation sector, which has already been approved by the Cabinet of 32,000 as a special exception.

MONGOLIA

Socio-economic and political circumstances

There were approximately 385,000 cumulative COVID-19 cases recorded in Mongolia at the time of publication. Approximately 70 percent of the country's population has been fully vaccinated. Services are re-opening, and in-country travels is permitted. Schools have also re-opened and in-person meetings and conferences are not uncommon. Inflation is now rising as economic activity increases.

The Presidential election took place on 9 June 2021. Former Prime Minister and then party leader, Khurelsukh Ukhnaa from the Mongolian People's Party (MPP), won took office on 25 June 2021. The MPP holds 62 out of 76 seats in the Parliament.

The new President will serve a single six-year term according to the Constitutional Amendments of November 2019. The President is elected in a single, nationwide constituency by direct suffrage. Since 2012, all polling stations are equipped with electronic vote-counting equipment (ODIHR). No major changes/restructuring in the government happened following the presidential elections.

During its Congress on December 6-7, the ruling Mongolian People's Party (MPP) announced that human rights would be placed at the center of its party platform. The MPP stated that it would implement the "Advanced policy to protect human rights and enhance legal environment." The party completed basic studies under the theme 'Human Rights Situation-Pressing issues - Solutions,' in which 11900 provisions of 318 laws were reviewed. Eight hundred provisions were identified that violate human rights.

Legislative and regulatory environment

On 1 July 2021, a new law entered onto force titled, Law on the Legal Status of Human Rights Defenders. The law defines who can be considered as a human rights defender, their rights, forms of violation of the rights of human rights defenders, and assessment of the risks they face. The law created a system for the protection of human rights defenders (human rights defenders committee, its duties, composition, selection procedure, its supporting staff, and sanctions for violation of the legislation).

According to the law, one of the Commissioners of the National Human Rights Commission of Mongolia will head the Committee for Human Rights Defenders. The Mongolian Bar Association and Association of Mongolian Advocates, among others, will participate in the Committee. Nomination for the Committee members will be announced publicly, and a hearing will be organized on the qualification of the candidates before the selection votes by a Working Group established according to the law. The secretariat of the National Human Rights Commission of Mongolia is to provide administrative support to the Committee for Human Rights Defenders.

On 2 July, The Mongolian Parliament revised the country's Labour Law.¹⁶ According to some observers, the new law expanded the rights of workers and increased responsibilities of employers to protect those rights. The law improves the mechanisms for implementing and monitoring labor legislation, streamlining the social partnership system, and bringing the legislation in line with international conventions. Reportedly, the new law offers protections to informal workers, minors and herders.

MYANMAR

Socio-economic and political circumstances

On 1 February, Myanmar's military seized power in a coup, and since that time detained numerous political, religious, community and protest leaders, among them many civilians and teenage students, as well as State Counsellor Aung San Suu Kyi and President U Win Myint.

Six months later, General Min Aung Hlaing was appointed prime minister of a care-taker government and formed the State Administration Council (SAC) with 18 members. The junta-led government terminated and replaced all union ministers, deputy ministers, chief ministers, mayors, and executive members of Central Bank, Union Civil Service Board, Judges and Supreme Court Justices.

The military imposed martial law on 11 townships across Yangon and Mandalay. As of 27 November, 1,295 people were confirmed to be killed since the beginning of the military coup, while 10,517 people were detained with 118 sentenced and 65 death sentences. Arrest warrants have been issued for additional 1,954 people.

In response to the coup, parliamentarians who were elected in the November 2020 general elections formed the Committee Representing Pyidaungsu Hluttaw. The committee consists of 17 members of the Upper and Lower House. The CRPH declared the State Administration Council (SAC) to be an illegitimate terrorist group. The SAC itself has declared the CRPH to be an unlawful organization.

At the end of March, the CRPH abolished the 2008 constitution and announced, "The Federal Democracy Charter" in consultation with elected members of parliament, representatives from political parties, ethnic armed organizations, civil society organizations, members of the general strike forces, and activists. Based on the Federal Democracy Charter, the committee announced a National Unity Government (NUG) formed with the lawmakers elected in the 2020 election, members of the ethnic groups, and key figures in the anti-coup protest.

In July, the NUG issued the "Three-Pillar Framework Guiding Responsible Investment and Continued Operations." The framework provides under Pillar 1 that businesses should take every possible step to promote and respect human rights as provided for by the UNGPs, and protect sensitive information of clients, consumers and the public, among other things. Under Pillar 2, businesses are instructed to avoid interactions that support and sustain the military junta, including conducting any business with restricted entities and paying taxes. Finally, under Pillar 3, investors are to promote employee welfare and safety, including to take all possible steps to preserve employment.

In November, the NUG published its "Sanction Policy," and called on the international community to broaden sanctions to a wider number of enterprises that have fallen under the control of the military junta. In addition to the Myanmar Economic

¹⁶ <https://www.montsame.mn/mn/read/269123>

Holdings Limited, and the Myanmar Economic Corporation, the NUG asked for that Myanmar Oil and Gas Enterprise be added to the list of companies under international sanctions. The NUG also called for priority sanctions to be levelled against the oil and gas, mining, and banking industries.

Multinational enterprises with operations in Myanmar continue to come under intense pressure. Immediately after the coup, Japanese brewer Kirin Holdings released a statement with the intention to withdraw from the cooperation with military linked businesses. Malaysian national oil company (NOC) Petronas has declared a temporary suspension of upstream gas project operations in Yetagun, invoking a force majeure clause. German wholesale food distribution company Metro also withdrew from the country in September. Switzerland's Kempinski Hotel in Myanmar's ceased its operations in October. India's Adani Ports and Special Economic Zone Limited has decided to cease operations in Myanmar by June next year.

Myanmar's currency has depreciated by more than 60% driving up prices for gold, food and fuel. The Central Bank has maintained the Kyat through selling millions of dollars and is now facing a shortage of hard currency.

Thirty-eight factories in Hlaing Tharyar and Shwe Thanlwin industrial zones shut down and nearly 10,000 workers were made unemployed. It is expected more factories will close as the current crisis worsens.

Testing and access to medical facilities collapsed after the coup as health workers joined the Civil Disobedience Movement in the wake of the coup. The national immunization program slowed after the coup, and most people refused vaccinations by junta-controlled authorities as a show of disobedience. The COVID-19 infection and death toll rates peaked in the third quarter. People have scrambled for hospital beds and looked for oxygen and medicines for COVID-infected family members. Due to the spread of COVID, the junta closed the schools and government offices except for banks and hospitals, imposed a nationwide lockdown and stay-at-home orders in 74 townships, and prohibited travel between townships.

During the reporting period, UN Security Council conducted several open, closed-door, and Arria Formula sessions on the Myanmar situation, while the UN Special envoy on Myanmar visited Southeast Asia to discuss the situation with ASEAN member states. In March, the US, UK, and EU imposed sanctions on the State Administration Council (SAC), their family members and businesses related to the military. In October, the ASEAN envoy to Myanmar cancelled his mission when informed he would not be permitted to meet with Aung San Suu Kyi. A few weeks later, the NUG declared a nationwide "state of emergency," calling on all citizens to revolt against the military rule and prompting an escalation of attacks on military targets by various allied pro-democracy militias and ethnic armed groups. Meanwhile, the UN Credentials Committee deferred the decision on who should represent Myanmar at the UN General Assembly.

In November, NUG formed National Unity Consultative Council (NUCC) by a coalition with elected MPs, ethnic armed organizations (EAOs), CSOs and other anti-regime groups and are planned to hold a 'People Congress' in December.

Alongside diplomatic action, the private sector also expressed its concerns over the coup and its aftermath. On 19 February, the Myanmar Center for Responsible Business alongside others issued a statement offering that, "We have always sought to operate in Myanmar transparently, and in line with core ILO Conventions and the UN Guiding Principles on Business and Human Rights. We will also continue to work hand in hand with local business partners which share the same approach."

Trade unionist groups have been vocal and uncompromising. In July, the Confederation of Trade Unions of Myanmar (CTUM) is called for comprehensive economic sanctions against the country, and for the international community to isolate the military regime. EU Parliament adopted resolution on "Situation of Human Rights in Myanmar" and calls on EU-based businesses "with operations or supply chains in Myanmar to conduct heightened human rights due diligence.

SRI LANKA

Socio-economic and political circumstances

In 2020, the Rajapaksa administration had renounced the previous administration's commitments to the Human Rights Council to provide justice and end abuses. In response, the UN Human Rights Council adopted a resolution in 2021 calling on OHCHR to enhance its monitoring and reporting on human rights in Sri Lanka, including any progress in reconciliation and accountability.

Over the course of the year, there were reports that security and intelligence agencies were deployed to surveil and intimidate human rights champions and families seeking accountability for the death and disappearance of loved ones. Authorities reportedly used the Prevention of Terrorism Act to detain and silence opposition voices. On 10 June, the EU Parliament adopted a resolution on Sri Lanka calling for the repeal of the Prevention of Terrorism Act (PTA) and the withdrawal of privileges under the EU Generalized System of Preferences Plus (GSP+).

In 2021, the COVID-19 pandemic placed additional demands on resources of the country. With the third and fourth waves, the Government reportedly faced irregular and inconsistent supply of vaccines, disorganized deployment, and deviation from agreed prioritization. Further, concerns were raised on the misreporting of daily statistics and the absence of real time data to conduct reliable risk assessments. However, from August onward, the government managed to roll out a vaccination programme across the country, with the hope of opening the economy and daily functions fully.

In the wake of these public health developments, including increases in inflation, shrinking foreign currency reserves, and the impact of the COVID-19 pandemic, Sri Lanka's Business Confidence Index dropped significantly. Sri Lanka debt metrics also come under intense scrutiny.

Sri Lanka currently faces a high debt-to-GDP ratio, large exposure to foreign currency-denominated debt, and challenges in making its foreign debt repayment schedule. Against this backdrop, there were shortages of some essential items, and a food rationing system came under discussion. Exacerbating concerns, the EU visited the country in September to explore the country's continued qualification for trade privileges linked to GSP+.

Environmentalists are increasingly raising concerns around the palm oil production, which they claim has led to widespread deforestation and damage to ecosystems in the country. Separately, a mural was put together by the youth wing of the wildlife nature protection society to coincide with a peaceful protest in May against the so called "ecocide" taking place in Sri Lanka. Although the youth had reportedly gained the necessary approval for this to be put up, they were instructed by government authorities to take the mural down. Protests continued for several days. Two months later, a Presidential task force to transform Sri Lanka's economy into a green economy was appointed.

Also, in May, a shipping vessel, the X-Press Pearl, caught fire off the coast of Colombo. The ship had been carrying 25 tonnes of nitric acid, along with other chemicals and cosmetics. Pollution from the ship - including millions of plastic pellets used to manufacture shopping bags coated stretches of Sri Lanka's western coastline causing one of the worst environment disasters in the country's history.

Legislative and regulatory environment

On 7 July, the Justice Minister stated that there would be a major overhaul in the administration of the country's justice system with the introduction of more technology, as well as amendments to laws in the coming months.

On 14 September, Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli, criticized Sri Lanka for failing to satisfactorily address accountability issues. Salvioli noted with regret that no Truth Commission has been established to date and that the Office of Missing Persons had faced interference from the Government, which reportedly intends to review the law establishing and defining the mandate of the Office.

THAILAND

Socio-economic and political circumstances

In 2021, Thailand's lost its status as a safe harbor from COVID-19 as the country faced an increase in infections rates, mandated the return of quarantines and encountered challenges in the roll out of its vaccine programme. Still, by the end of the year, the Thai government had some success coaxing tourists back as COVID-19 infection rates fell, and quarantine policies became significantly less restrictive. The Government reopened the country to international tourists and return to normal business conditions by mid-October.

Overall, the Thai economy continues to face severe economic challenges due to restrictions impacting on entertainment and tourism-related services. In 2019, spending in the tourism sector accounted for 12 percent of the country's GDP.¹⁷ In 2021, that figure by a two-thirds, to 4.2 percent of the total GDP. The collapse of the tourism sector also impacted on retail and transportation.

Legislative and regulatory environment

In May 2021, the Thai government proposed draft legislation on the Operation of Not-for-Profit Organizations (NGOs) as part of anti-money laundering and countering the financing of terrorism plan. However, the draft Act enhances governmental regulation of NGOs operating in the country, giving rise to concerns by human rights defenders and other civil society actors of encroaching authoritarianism. The legislation is considered by some as overly broad in its definition of NGOs. Other sections of concern include provisions requiring mandatory registration, granting excessive discretion to authorities to determine permissible activities, and outlining potentially large penalties for non-compliance.

The Office of the High Commissioner for Human Rights (OHCHR) added that the provisions in the draft Act might contravene Articles 17 and 22 of the International Covenant on Civil and Political Rights, to which Thailand acceded in 1996. According to some, these provisions, if left unchanged, may restrict civic space, and undermine the positive role played by not-for-profit organizations in the country.

¹⁷ <https://tradingeconomics.com/thailand/current-account-to-gdp>

ANNEX 6: DRAFT ANNUAL WORKPLANS 2022

Business & Human Rights in Asia (January 2022 – December 2022)

YEAR 3 DRAFT WORK PLAN – INDIA

<p>Related outputs of the Regional Project</p>	<p>Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of the UN Guiding Principles on Business and Human Rights.</p> <p>Output 1.2: To reinforce skills and competencies of government to draft and implement a National Action Plan on Business and Human Rights or other policy instruments.</p> <p>Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights.</p> <p>Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy.</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts.</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms.</p> <p>Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations.</p>
<p>Name and contact details</p>	<p>Amit Kumar, Head Inclusive Growth, UNDP India amit.kumar@undp.org</p> <p>Nusrat Khan, Business and Human Rights Specialist, UNDP India nusrat.khan@undp.org</p>
<p>Background</p> <p>The B+HR project in India is implemented through UNDP's Inclusive Growth Unit at UNDP India.</p> <p>The Inclusive Growth portfolio at UNDP India focusses on thematic areas of Decent Work, Sustainable Livelihoods, Economic Growth and Reducing Inequalities involving work with right holders including vulnerable occupational groups (Farmers, Artisans, Nano/Micro entrepreneurs, Informal workers) with a focus on youth, women, tribal groups, persons with disabilities, LGBTQ, minorities and migrants. The unit adopts a three-pronged approach in achievement of objective through <i>firstly</i>, enhancing outreach and effectiveness of government initiatives through institutional strengthening and policy advocacy, <i>secondly</i>, by enabling private sector investment towards achievement of SDGs and <i>thirdly</i>, through partnership with civil society actors to deliver high-impact solutions.</p>	
<p>Background and Summary: 2021</p>	

In 2021, UNDP B+HR Asia programming for India focused primarily on engagement with Government of India (Ministry of Corporate Affairs) in support for the development and release of National Action Plan (NAP) on Business and Human Rights (BHR). To this end, the programme provided technical expertise on NAP areas of priority; communication support to enhance awareness on NAP and BHR agenda for India; and facilitated multistakeholder consultations with private sector and civil society actors to inform the NAP process. The programme also supported the Ministry on conceptualization of a governance & institutional mechanism of the NAP for India.

Private sector engagement and contributions to civil society dialogues and consultations on business and human rights issues was also a key priority for the programme in 2021. Actions focused on enhancing understanding and implementation of the UN Guiding Principles (UNGPs) on Business and Human Rights and significance of NAP on Business and Human Rights were curated, for the private sector representatives and civil society actors. Limitations on in-person events continued to be a reality, given the continuance of the COVID 19 surge in India (particularly between March and June 2021),

The programme also supported CSOs actions on a baseline survey for understanding the impact of C19 on livelihoods and rights of migrant women worker populations from India's Ready Made Garment Industry generating legal awareness on rights pertaining to migrant women worker populations, impacted by C-19 induced business abuses and loss of livelihood.

To further public discourse and promote greater appreciation of the UNGPs and other BHR frameworks, the programme is developing a set of communication collaterals (A/V content, brochures, short documentary), including localisation of key BHR frameworks in regional languages for greater outreach and understanding.

2022 Strategy

As is understood through our government engagement, the NAP on Business and Human Rights for India is likely to be released by the end of 2021 or early 2022. The protocols vis-à-vis finalization and release of the document are in play, as of December 2021. The Ministry of External Affairs, in its statement at the 10th Annual Forum on Business and Human Rights (29 Nov – 1 Dec 2021) acknowledged presence of draft NAP and reiterated its commitment to UNGPs.

Assuming the impending release of NAP on BHR for India, UNDP B+HR government strategy for 2022 would shift its focus towards **supporting the government** stakeholders and agencies (Ministry of Corporate Affairs, other relevant ministries) **in enhancing awareness, building capacity and facilitating implementation of the NAP** both at central and regional levels. This would also include collaboration with India's market regulator (Securities Exchange Board of India) in raising awareness amongst businesses on non-financial sustainability driven reporting and HRDD norms through India's BRSS framework.

In 2022, the programme will **strengthen opportunities for its private sector dialogues** on UNGPs, NAP on BHR and Human Rights Due Diligence practices, making efforts to establish linkages between responsible business practices and trade and investment opportunities. The programme will be a **focus on the Extractive Industry Sector** in 2022.

To build evidence towards our engagement with the Extractive Industry sector, the programme will commission **research products** to explore **impact of coal mining on communities**, in relation to involuntary resettlement, inadequate consultation processes, water scarcity; and **gendered impacts of the extractive industries**- particularly role of women in community consultations, resettlements and land acquisition and grievance redressal. These products would shape and inform our recommendations to extractive industries on the significance and key essentials of human rights due diligence in their business activities.

The programme would also support a **low value grant to a civil society organisation** working with mining affected communities **on rights awareness on issues related to access to remedy**, environment and social impact assessments and free prior informed consent.

In order to further strengthen our work under Pillar 3 of the UNGPs, the programme intends to **collaborate with India's National Human Rights Commission (NHRC)** in enhancing understanding and building capacity of NHRC and State Human Rights Commissions on effective remediation on BHR issues.

UNDP will **conduct workshops with government counterparts and develop knowledge products on model clauses for trade and investment agreements**. These workshops would bring the "BHR lens" to these topics, aligning them with EU approaches, including "sustainability chapters" in free trade agreements.

As was underscored in 2021 AWP strategy, overall, flexibility in the AWP activities and priorities must be assumed for 2022. Based on the level of positive momentum from the Indian Government, the programme may consider further strengthening its support on NAP implementation in 2022; this may lead to shifts in resource mobilization from other outputs in the AWP (eg. engagement with NHRC). The AWP activities will also pay particular focus on identifying and addressing the challenges faced by individuals and groups that may be at heightened risk of becoming vulnerable or marginalized, including by taking into account differential impacts based on gender. This would be done through government engagement on policies, in developing research products and work with businesses and CSOs.

Further, the impact of C19 on project activities over year 1 & 2 of the programme are well understood and have allowed to factor mitigation and adaption strategies accordingly in 2022. Overall, the advocacy with government partners will continue to be a mix of in person and virtual meetings based on the situation in the moment. Engagements (centred on awareness and capacity building efforts) with the businesses in 2022 will be online, unless the situation drastically improves. In 2020 and 2021, C19 impact on our work with civil society has been most pronounced due to the nature of activities on the ground. We will reorient programming if C19 impact on CSOs looks long standing, and consult with the EU on this basis. For eg., as an alternate we may focus efforts on work with other partners (like national human rights commission) for impact.

YEAR 3 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	NA	NA	NA	NA
Activity 1.1.2. Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy	Industry consultations in support of BHR norms and practices	Hosting dialogue (virtual) in collaboration with an industry body – to raise awareness on BHR, UNGPs & HRDD amongst specific Industry Sectors (Extractive)	1	Feb – March 2022
Activity 1.1.3 Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	NA	NA	NA	NA
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	Launch & Implementation of NAP	1.Conference (in consultation with MCA) for launch of the NAP (virtual). 2. Conduct (virtual) trainings on NAP implementation & UNGPs (at central and regional levels)	2	Jan- Dec
Activity 1.2.2. Provide technical assistance to government ministries responsible for drafting and implementing National Action Plans	Technical Assistance for MCA	Expert consultants with MCA for development, implementation & review of NAP in consultation with and other line ministries (Labour, Environment, Tribal Affairs, Women & Child Development etc)	1	Jan-Dec
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women’s rights				

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Activity 2.1 Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia.	Produce communication collaterals	Design and produce communications collaterals to advance B+HR Asia project, promote project activities and enhance the understanding of UNGPs and BHR issues Translate/localize communication materials as relevant.	-	Feb-Dec
	Produce audio visual products	Produce videos, photo stories, podcasts and/or other engaging audio-visual materials to introduce BHR issues and case studies to a wider audience in easily digestible formats.	-	Feb-Dec
	Conduct online campaigns	Conduct local campaigns (aligned with International Human Rts day, Indigenous people day, Labour day, environment day) and participate in regional and global initiatives including social media campaigns and potential media buying to convey key messages on BHR and support project activities.	-	Feb-Dec
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 broader Business and Human Rights agenda	Research Outputs	Two Part knowledge product 1. Conduct research BHR analysis (UNGP framework) of coal mining in India – impact on affected communities, in relation to involuntary resettlement, inadequate consultation processes, water scarcity [Human Cost of Coal] 2. Recommendations & Guidance tool for Coal Mining on human rights due diligence within coal mining operations	2	Mar-July
	Discussion and issue brief on “model clauses” for trade and investment agreements.	Conduct online workshop and develop think piece on model clauses. Train relevant officials in international BHR and climate change standards.	1	April
Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Activity 3.1.1 Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approaches	Grants on thematic work/research	Low Value Grant for CSOs working with mining affected communities on rights awareness on issues related to access to remedy, FPIC, EIA, SIA etc.	1	April – Nov
Activity 3.1.2 Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies		Conduct research on 'Gender and Extractive Industries' -What are the gendered impacts of the extractive industries? - Good practices - effective participation by women in community consultations, resettlements and land acquisition and grievance redressal	1	May – Oct
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	NA	NA	NA	NA
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2 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	Awareness raising	Awareness raising workshops (online) with businesses on implementation of HRDD norms with govt. agencies (SEBI)	1	May-Nov
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3.1. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	Capacity Building with NHRC and SHRC	Building awareness and capacities of NHRC and SHRC on business and human rights, particularly related to Access to Remedy (through online trainings)	2	June-Dec

Business & Human Rights in Asia (January 2022 – December 2022)

YEAR 2 DRAFT WORK PLAN – INDONESIA

Related outputs of the Regional Project	<p>Output 1.2: To reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p>
Name and contact details	<p>Sagita Adesywi Sagita.adesywi@undp.org</p>
<p>Background</p> <p>The B+HR Asia Project in Indonesia is supporting the mainstreaming of responsible business and human rights through awareness raising and engagement with government, businesses, civil society organizations (CSOs) and academia. Areas of focus include human rights due diligence, sustainability reporting, and the National Strategy on Business and Human Rights.</p> <p>With the technical assistance provided by the B+HR Asia Project, the 1st draft of the National Strategy on Business and Human Rights (NS-BHR) was launched in November 2020 by the Ministry of Law and Human Rights (MOLHR) as the National Focal Point for Business and Human Rights. To further formulate and finalize the National Strategy, MOLHR established in April 2021, a National Task Force on Business and Human Rights under a Ministerial Decree. The Task Force consists of 20 ministries, civil society organizations and business associations.</p> <p>The Task Force will raise awareness on the business and human rights agenda and ensure the National Strategy impacts a wide range of business sectors. Furthermore, a Subnational Task Force comprised of regional offices from 34 provinces will further adoption of the UNGPs by local governments and businesses throughout the country.</p> <p>Public consultations, like the one conducted in October 2021, will promote feedback from national and subnational government officers, business leaders, civil society actors, and strengthen the National Strategy on Business and Human Rights.</p>	
<p>Strategy</p> <p>B+HR Asia programming in 2022 will support government efforts to finalize the National Strategy on Business and Human Rights (NS-BHR). Complementing this, the B+HR Asia project will raise awareness on the business and human rights agenda throughout the country. The B+HR project will convene dialogues with the regional offices from 34 provinces operating under the Ministry of Law and Human Rights (MOLHR) which are part of the Subnational Task Force on Business and Human Rights.</p> <p>In 2022, B+HR Asia programming will also be focus on the infrastructure sector as key industry to furthering the implementation of United Nations Guiding Principles (UNGPs) on business and human rights.</p> <p>President Joko Widodo’s vision for 2045 is for Indonesia to be the fifth largest economy in the world. Within this vision, infrastructure development in Indonesia has been a hallmark policy initiative of the President’s administration. Addressing infrastructure gaps may also provide an important boost to the nation’s connectivity</p>	

and foster the country's economic development. As a means to stoke an economic recovery, the government has recommitted to the development of national strategic projects while adding an additional 89 new infrastructure projects of an estimated US\$ 100 billion in investment value, to its portfolio. Among these infrastructure projects include roads, bridges, dams, irrigation systems, railways, airports, seaports, and industrial zones. However, flawed infrastructure project planning may preclude access to affordable infrastructure for those who bear the direct burden of infrastructure construction. Furthermore, infrastructure investments carry significant human rights risks, as they impact directly on the environment and the social and economic rights of local communities. The most serious and irreversible human rights problems will often originate from project design, involving the acquisition and development of land, transportation links and access to water resources, resulting in denial of land rights, including forced eviction, and loss of livelihoods of local communities and Indigenous Peoples. It is well documented that women's economic and productive lives have been affected often disproportionately to men, due to poor planning of infrastructure.

To further inform the relevance and importance of respecting human rights with gender lens and integrate gender responsive approach within infrastructure sector, the Project will support the Ministry of Women Empowerment and Child Protection (MOWECP) to provide guidelines on increasing women's participation in public consultation within land acquisition, integrating women's rights into the environment impact assessment (AMDAL) system, and integrating gender responsive measures for infrastructure projects including elements on access to remedy for the impacted right holders.

To further boost responsible investment with gender lens within infrastructure development, the Project will also support the integration of gender transformative indicators into social and environmental impact assessment prerequisite by investment and/or financial institutions which also includes elements on access to remedy. The Project will also support the Ministry of State-Owned Enterprises (MOSEOs) to conduct a mapping of current practices of SOEs as a baseline to further raise awareness of business and human rights agenda and formulate a roadmap for SOEs in adopting UNGPs within their operations and supply chains. The support to MOWECP and MOSEOs will be aligned with the action plans of the National Strategy.

The B+HR Asia Project will convene multi-stakeholder dialogues with business and CSOs to inform the government (MOWECP and MOSEOs) as inputs into the G20 Ministerial Meeting as the Government of Indonesia chairs the Presidency in 2022. Lastly, UNDP will explore the possibility of conducting workshops with government counterparts and developing knowledge products on model clauses for trade and investment agreements. These workshops would bring the "BHR lens" to these topics, aligning them with EU approaches, including "sustainability chapters" in free trade agreements.

YEAR 3 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	NA			
Activity 1.1.2. Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy	NA			
Activity 1.1.3 Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	NA			
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	Dialogues/Subnational Task Force on Business and Human Rights	Facilitate series of dialogue on UNGPs, the National Strategy and HRDD for the Subnational Task Force on Business and Human Rights and local government from 34 provinces	4	March - November
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1 Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia.	NA			
Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy				
Activity 2.2.2. Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda	Discussion and brief publication on "model clauses" for trade and investment agreements. Train relevant officials in international BHR and	Conduct workshop and think piece on model clauses	2	July – December

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
	climate change standards.			
Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.1 Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approaches	NA			
Activity 3.1.2. Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies	Mainstreaming Gender in Infrastructure Sector, including, access to remedy for women	Facilitate development of: 1) Guideline to increase women participation in public consultation with a reference on Law No. 2/2021 on Land Acquisition for Public Interest, 2) Guideline to integrate women rights into Environment Assessment (AMDAL), 3) Guideline to integrate women rights into Social and Environmental Assessment to Investment Instrument, 4) Guideline for Gender Responsive Infrastructure, 5) Guideline for Women's Rights and Business Principles	5	February – October
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	Road to G20 Ministerial Meeting	Facilitate series of multistakeholder (CSOs and business) dialogue on: 1) Women access to information and participation in public consultations with a reference on Law No. 2/2021 on Land Acquisition for Public Interest; 2) Integrating women rights into Environment Assessment (AMDAL); 3) Integrating women rights into Social and Environmental Assessment to Investment Instrument; 4) Gender Responsive Infrastructure for Toll Road, and 5) Ministerial Meeting on Gender Responsive Infrastructure	5	February – October
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2 Conduct sector-specific trainings with government regulators and business on human rights due diligence, human rights	Integrating human rights into SOEs	Conduct: 1) A mapping of SOEs practices on human rights; 2) Awareness-raising on BHR agenda including on UNGPs and HRDD; 3)	3	March – October

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
impact assessments, grievance mechanisms, and other elements of Pillar 2 and 3 of the UNGPs		Develop a roadmap of SOEs and BHR		
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3.1. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	NA			

Business & Human Rights in Asia
(January 2022 – December 2022)

YEAR 3 DRAFT WORK PLAN – MALAYSIA

<p>Related outputs of the Regional Project</p>	<p><i>Output 1.1:</i> To set up actions enhancing common understanding and policy convergence with implementation of the UN Guiding Principles on Business and Human Rights</p> <p><i>Output 1.2:</i> To reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments</p> <p><i>Output 2.1:</i> To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights</p> <p><i>Output 2.2:</i> To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy</p> <p><i>Output 3.1:</i> To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p><i>Output 3.2:</i> To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p>
<p>Name and contact details</p>	<p>Jehan Wan Aziz, Business and Human Rights National Specialist puteri.noor.jehan.wan.abdul.aziz@undp.org</p>
<p><u>Background</u></p> <p>In partnership with the Government of Malaysia, the business community and civil society, the B+HR project in Malaysia aims to ensure inclusive economic growth, environmental sustainability, and strengthened human rights conditions in business operations and supply chains in Malaysia. B+HR in Malaysia will reach its objectives through three (3) component workstreams: 1) awareness raising of the UNGPs and peer-to-peer exchange on lessons learned among key stakeholders to build knowledge and political will in furtherance of policy convergence and compliance; 2) communication and public diplomacy efforts to build public support of business and human rights agenda and; 3) promotion of access to remedy to ensure rights-based solutions and prevent future human rights abuses.</p> <p>Over several years, the Malaysian government have made important strides towards the development of Malaysia’s NAP for Business and Human Rights. In 2015, Malaysia published the Strategic Framework on a National Action Plan on Business and Human Rights. Following this, the Cabinet officially agreed to place the human rights agenda under the portfolio of the Minister in the Prime Minister’s Department, supported by the Legal Affairs Division (BHEUU). On 24 June 2019, a National High-Level Dialogue on Business and Human Rights was organized by BHEUU and UNDP as the national level follow-up to Malaysia’s participation at the inaugural 2018 UN South Asia Forum on Business and Human Rights.</p> <p>The B+HR conversation in Malaysia evolved rapidly when the COVID-19 pandemic hit. Migrant worker issues intensified with increased demand for rubber gloves across the world. Communities on the fringe became more</p>	

vulnerable. By the end of 2021, Malaysia was downgraded to Tier 3 by the U.S. State Department in its Trafficking in Persons Report, and seven Malaysian companies were issued Withhold Release Orders (WROs) by the U.S. Customs and Border Protection for alleged forced labour practices in the span of 15 months.¹⁸

Against this backdrop, several achievements were captured:

- BHEUU proposed three thematic priorities - labour, environment and governance - to inform the NAP BHR process;
- The governance structure for the development of the NAP BHR was successfully set up, with the first official Steering Committee Meeting on the NAP conducted on 6 July 2021, chaired by the Minister of Parliament and Law (Prime Minister's Department);
- The country's first National Conference on Business and Human Rights was organized on 21-22 September 2021 to provide updates on the development of the National Action Plan ([a write-up on the conference can be found here](#));
- Several thematic Issue Briefs were published including '[Five Key BHR Priorities for the Recovery Period](#)' and '[The UNGPs and ESG Investment Policies](#)';
- UNDP Malaysia was actively involved in consultations on [Malaysia's National Action Plan on Forced and Child Labour, an interlinked national document expected to be launched in the 4th quarter of 2021](#).

2022 Strategy

Leveraging on Malaysia's strong commitment towards the B+HR agenda, UNDP Malaysia will implement in Year 3 a whole-of-society approach to establish our role as the key B+HR partner for all stakeholders. UNDP Malaysia will focus not only on top-down, but targeted, bottom-up measures, to ensure meaningful and relevant engagement at all levels of the conversation.

Policy coherence continues to be one of the key strategies vis-a-vis a National Action Plan on Business and Human Rights, with plans for a **nation-wide baseline assessment** to be conducted in close partnership with the Legal Affairs Division of the Prime Minister's Department and lead government ministries. UNDP Malaysia will continue to build momentum and provide technical support to state and non-state actors in the three thematic areas of focus: labour, environment and governance. This involves **multistakeholder engagements** with relevant government ministries and agencies (federal and state-level), regulatory and enforcement bodies, national human rights institutions (NHRIs), businesses as well as civil society organizations (CSOs) to socialize the aims of the NAP, invite active participation in the discourse and implementing activities leading to the development of the zero draft of the NAP.

Given the ongoing developments in Malaysia's key industries, the project will continue to focus on sectors such as **commodities (e.g., rubber and palm oil), electrical and electronics (E&E), construction and services**, as well as cross-cutting areas of work including **Small and Medium Enterprises (SMEs), the gig economy and digital technology**.

In Year 3, UNDP Malaysia will dedicate resources to the **data collection process**, actions to promote **greater access to remedy for vulnerable groups** and **improved engagement with business through Human Rights Due Diligence**

¹⁸ Source: <https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings>

trainings. There will also be more focus on laying the groundwork for active civil society engagement that will feature human rights defenders (HRDs), civil society groups or experts from identified vulnerable groups such as women, the migrant community, indigenous peoples (IPs) and persons with disabilities.

YEAR 3 Work Plan (January 2022-December 2022)

Project Activity	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making.	Forum/Conference	Organize the National Conference on Business and Human Rights 2022 in partnership with the government and Malaysia's NHRI	1	August
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation.	Consultations	Conduct national and state-level stakeholder consultations, and provide technical, logistical and expert support in order to conduct consultations throughout the NAP process	2	March - August
Activity 1.2.2. Provide technical assistance to government ministries responsible for drafting and implementing National Action Plans.	National Baseline Assessment	Initiate and conduct a National Baseline Assessment through research and data collection	1	February - November
	Technical support	Provide technical support in developing a NAP on Business and Human Rights, including consultations with civil society, government, and business	1	April
Project Activity	CO Activity name	CO Activity description	Unit	Month of implementation
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1: Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future PI action on policy outreach in Asia.	Produce communication collaterals	Design and produce communications collaterals to advance B+HR Asia project, promote project activities and enhance the understanding of UNGPs and BHR issues, localizing communication materials as relevant	1	February - November
	Produce audio and visual products	Produce a webpage, videos, photo stories, podcasts and/or	1	February - November

		other engaging audio-visual materials to introduce BHR issues and case studies to a wider audience in easily digestible formats		
	Conduct online campaigns	Conduct local campaigns and participate in regional and global initiatives including social media campaigns and potential media buying to convey key messages on BHR and support project activities	1	February - November
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.2. Convene discussions and conduct trainings on the adverse impacts and risks faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies	Training	Provide a training to civil society groups, human rights defenders and/or vulnerable communities on their rights and access to remedies	1	May
Output 3.2: To 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	Training	Partner with the EU Chamber of Commerce or other domestic trade or business associations to conduct trainings to businesses on HRDD or impact assessments and related elements	2	March - August

Business & Human Rights in Asia
(January 2022 – December 2022)

MONGOLIA

YEAR 2 DRAFT WORK PLAN

<p>Related outputs of the Regional Project</p>	<p>Output 1.2: To reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments</p> <p>Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p> <p>Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations</p>
<p>Name and contact details</p>	<p>Zoljargal Gantumur, Business and Human Rights Specialist, UNDP Mongolia zoljargal.gantumur@undp.org</p> <p>Barkhas Losolsuren, Programme Officer, UNDP Mongolia barkhas.losolsuren@undp.org</p>
<p>Background</p> <p>The B+HR Asia project in Mongolia is implemented through the SDG and Governance Programme at the UNDP Mongolia Country Office. The main national counterparts are the Ministry of Foreign Affairs (MFA) and the National Human Rights Commission of Mongolia (NHRCM) alongside Civil Society and Non-Governmental Organisations, businesses, the European Chamber of Commerce and the Mongolian Chamber of Commerce and Industry. The EU Delegation is consulted at every stage.</p> <p>The business and human rights agenda is comparatively new to Mongolia, however, in recent years, several measures have been taken by the Mongolian Government and the National Human Rights Commission to adopt policy commitments to respect human rights as well as to conduct human rights due diligence. In addition, efforts have been made by the government to develop a National Action Plan on Business and Human Rights (NAP). A national working group comprising of representatives of all the relevant national stakeholders led by the MFA was established in April 2019 to develop the NAPBHR Mongolia. The development of the NAP could encourage the reform of Mongolia’s legal and policy framework to ensure that businesses respect and safeguard human rights, while it would also accelerate the introduction of the appropriate mechanisms for remedial actions when human rights violations by businesses occur.</p> <p>The rapid expansion of the mining industry has been the single most important driving force of the miraculous growth of the Mongolian economy since the early 2000s. In 2019, the mining sector accounted for 23.2 percent of the GDP and 90.1 percent of exports. The growing mining sector has transformed Mongolia’s economy from one traditionally dependent on herding and agriculture into a booming industrial economy. In the last decade, Mongolia has seen a substantial labor shift from the agricultural sector and nomadic herding to the mining, manufacturing, and construction sectors.</p> <p>The impact of mining is significant on vulnerable communities and the environment, including soil erosion, degradation of pastoral land, water shortages and pollution. Nomadic herding culture is under threat from severe weather and the loss of</p>	

land due to mining and agriculture. Many herders in mining areas have been forced to leave their traditional lands. Mining impacts herders' rights to live in a healthy and safe environment, their property rights, and the right to preserve one's culture and traditions. Public participation in decision-making around mining activities needs to be enforced.

However, the mining sector is not the only industry in Mongolia that poses risks to human rights. Salient issues in the food and textile areas are replete with issues. Relatedly, the SME sector is one of the most important industries for the Mongolian economy. SMEs make up 98 percent of all enterprises in Mongolia (about 80 percent of which are microenterprises). They contribute roughly 20 percent to GDP and employ 50 percent of the workforce. A 2013 survey found that 38.9 percent of firms in Mongolia have a female participation in ownership and that 36.6 percent employ a female top manager. While SMEs hold the key to diversifying the economy, the sector was hit hard by the impact of the COVID-19 pandemic.

Strategy

Two key strategic directions

Since 2020, UNDP has been engaging with the MFA on developing the NAP in Mongolia. UNDP Mongolia provides targeted advisory support and technical assistance to the MFA and its working group, detailing the various steps of developing the NAP and providing financial support for the formulation of the National Baseline Assessment (NBA). In 2021, UNDP hosted a series of sectoral and regional consultations. In 2022, the project will continue this strategic direction by assisting the working group in the process of developing and finalizing the NAPBHR through technical advisory support and consultations with various stakeholders.

Given the novelty of the subject, there is an extensive need to raise knowledge and awareness among businesses and the public in Mongolia. Therefore, the second strategic direction will focus on innovative prototype projects with businesses, particularly those in the food and textile sectors, to provide them an opportunity to integrate human rights principles into their operations and supply chain. The projects, based on a learning-by-doing approach, will encourage selected businesses to conduct HRDD and, as a result, be leaders to contribute to the private sector's collective BHR learning process by sharing their experiences and educating their peers. Comprehensive media and outreach activities will be carried out related to the innovative projects implemented with businesses.

Other areas

Further, the project will build partnerships with the National Human Rights Commission of Mongolia, CSOs, NGOs, justice institutions and human rights defenders with the aim to foster access to remedy mechanisms through training and other tailored activities. The project will also aim to contribute to the production of policy, research and knowledge products, including issue briefs on the BHR agenda.

The project will contribute to the development of a constructive partnership and dialogue between governmental institutions, the public, and businesses to ensure the synergy of interventions with ongoing EU programmes and projects. The EU/UNDP Technical Assistance to Budget Support for Mongolia project (TA for Budget Support) contains an International Labour Standards component dedicated to promoting the ILO Labour Inspection Conventions No. 81 and 129, and introducing the strategic compliance for labour inspectorates. In addition, the Trade for Decent Work project implemented by the ILO is focused on the ILO Fundamental Conventions with a focus on strengthening Mongolia's capacity to implement C111 with regards to sexual harassment in the workplace and to eliminate child labour and its worst forms. UNDP will make sure that there is a flow of information and cooperation between the three projects and that duplication is avoided.

Mongolia was granted GSP+ status in 2006 and has ratified all 27 international conventions on human and labour rights, the protection of the environment and good governance¹⁹. Mongolia is showing a strong engagement in the monitoring process of GSP+ compliance, despite challenges in taking more commercial advantage of the unilateral tariff preferences of the EU²⁰. The GSP+ commitments of Mongolia should be highlighted in the NAP as the two processes are arguably interrelated.

¹⁹ https://trade.ec.europa.eu/doclib/docs/2013/december/tradoc_152024.pdf

²⁰ Mongolia is showing commitment regarding implementation of labour Conventions of ILO and is in the process of strengthening their implementation through the revision of the Labour Code, which is to be discussed in Parliament. Mongolia has many challenges in the field of environment, which the EU is helping to address through its development cooperation. With regard to the cluster on good governance, challenges remain and some of the recent reporting (e.g.: by OECD) shows areas where further work can be done. For more information see: The EU Special Incentive Arrangement for Sustainable Development and Good Governance assessment of Mongolia covering the period 2018-2019. Accompanying the document Joint Report to the European Parliament and the Council. Report on the Generalised Scheme of Preferences covering the period 2018-2019. Brussels, 10.2.2020 SWD(2020) 23 final

YEAR 2 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	NA			
Activity 1.1.2. Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy	NA			
Activity 1.1.3 Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	NA			
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	High level conference/consultations	Organize conference on NAPBHR when ready for publishing, or in support of the consultation process	2	May-June
Activity 1.2.2. Provide technical assistance to government ministries responsible for drafting and implementing National Action Plans	Technical assistance	Conduct workshops, encourage dialogue in meetings, and publish think pieces	5	Jan-June
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1 Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia.	Communications	TV shows, social media content, and the development of a website with the Natl Chambers of Commerce and Industry	10	Jan-June

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy				
Activity 2.2.2. Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda	Issue brief	Issue brief on trade and investment (industry focus: food & textiles)	1	May
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.1. Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approached	NA			
Activity 3.1.2. Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies	NA			
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	Conference	Dialogue between businesses on access to remedy provision and other responsible business practices	1	March
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2. 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	HRDD trainings	Joint initiatives with businesses on HRDD, including with textiles and food enterprises	2	Jan-Nov
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	Access to remedy trainings	Consultant or CSOs to focus on access to remedy trainings with courts and NHRI	3	Jan-March

**Business & Human Rights in Asia
(January 2022 – December 2022)**

DRAFT WORKPLAN – MYANMAR

<p>Related outputs of the Regional Project</p>	<p>Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p>
<p>Name and contact details</p>	<p>Wint Yee Nandar Lwin wint.yee.nandar.lwin@undp.org</p>
<p>Background</p> <p>In 2020 & 2021, the B+HR project in Myanmar was implemented through UNDP’s Strengthening Accountability and Rule of Law (SARL) Project. After the coup in Myanmar, a UNDP review of the last Country Programme Document (CPD) 2018-2022 was conducted and a new strategic pivot to a Community First Programme (CFP) was adopted. The CFP is designed to meet the basic needs of the most vulnerable populations and to foster resilience to current and future shocks. In developing a new medium-term programme, UNDP engaged in extensive discussions with private sector entities, particularly MNCs across most major sectors, to explore options, opportunities and potential areas of partnerships in line with the principles of engagement adopted by UNDP (and the UN System) for its work on the ground in Myanmar. As part of the restructure, the Private Sector Partnership Project will henceforth be implementing the B+HR Asia related activities in Myanmar. Building from a existing network of UNDP’s partners on the ground, 2022 will focus on the following.</p> <ul style="list-style-type: none"> ❖ Enhanced human Rights due diligence assessments, trainings, workshops and awareness with specific focus on Myanmar companies in close collaboration with MCRB, the European Chamber of Commerce in Myanmar (EuroCham) and the French Myanmar Chamber of Commerce and Industry (CCI France Myanmar). ❖ Provide access to remedy through the provision of legal assistance and grants to workers through labor associations and relevant CSOs ❖ Strengthen collaboration with other UN agencies working in this space such as ILO and UNODC. 	
<p>Strategy</p> <p>Currently, Multi-National Companies (MNC) operating in Myanmar are scaling back and withdrawing operations. At the same time, local communities have called for action to suspend or cut ties with the military. These actions have resulted in job losses across many industries, leading to increased vulnerabilities. In this context, UNDP will roll out comprehensive series of trainings on human rights due diligence process, and support businesses in conducting assessments. It is hoped that an effort to identify and address salient human rights risks will reduce human rights risks, and lead to greater confidence among MNCs that they are not participating, indirectly or otherwise, in human rights abuses. Simply put, greater confidence may mean that fewer businesses withdraw, stemming the tide of job losses.</p>	

The offer of sector-specific trainings on human rights and conflict analysis is based on discussions with businesses on 9th December 2021 to inform the stakeholders on the critical human rights risks and opportunities pertinent to the Myanmar context. For this purpose, UNDP will also facilitate dialogue between the business community, labor organizations, and civil society groups to explore risks and better ensure prevention and remedy provision.

In the absence of tripartite social dialogue, many sectors are impacted by restrictions on freedom of association and expression, termination of the contract, and unlawful deduction. UNDP will continue the partnership with legal aid providers/civil society organizations to enhance workers' ability to access legal and paralegal services, including legal awareness-raising on labour rights and employment matters.

UNDP will not engage with government representatives at the national and sub-national level, but the project will expand its network of support to companies, CSOs, and workers by promoting the responsible business practice in line with UNGPs.

YEAR 3 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	NA			
Activity 1.1.2. Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy	NA			
Activity 1.1.3 Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	NA			
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	NA			
	NA			
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1 Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia.	Produce Communication products	Design and produce document for raise awareness on case studies and best practice to report breaches by private sector entities in Myanmar Produce short brief of sectoral human rights and conflict analysis for specific sectors – based on sectors selected in activity 3.2.1 (human rights due diligence training)	2	February - November
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.1 Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approached	Low Value grant for CSO to provide legal assistance to former and current workers	Provide legal awareness to workers, focusing on vulnerable groups and their families.	1	January-December

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
		Train paralegals, CSOs, and lawyers on labour laws and related legal framework. Provide legal assistance to workers, focusing on vulnerable groups and their families.		
Activity 3.1.2. Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies	Sectoral human rights and conflict analysis	Develop sectoral human rights and conflict analysis in selected sectors to inform stakeholders on the key human rights risks and opportunities pertinent to the sector in the current Myanmar context.	2	February - November
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	CSO-Business dialogues on remedy	Convene dialogues amongst grantees, and between grantees and the business community to improve understanding of adverse impacts faced by vulnerable groups and improve operational prevention and remedy strategies	2	February - November
	Stakeholder dialogues on the UNGPs	Dialogue and exchange of best practices on the UNGPs, and other standard setting guidelines amongst the international, local business community		
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2 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	UNGPs and Human Rights Due Diligence training	Conduct a series of sector-specific training on UNGPs and Heightened Human Rights Due Diligence	6	January - December
	Online Course on responsible business practices	Develop e-learning course (responsible business practices) for youth, women entrepreneurs, MSME and business starters; highlights UNGPs, HRDD, and how they can be put into practice to address adverse human right impact	1	April - December
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3.1. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	NA			

Business & Human Rights in Asia
(January 2022 – December 2022)

SRI LANKA

YEAR 3 DRAFT WORK PLAN

<p>Related outputs of the Regional Project</p>	<p>Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of the UN Guiding Principles on Business and Human Rights</p> <p>Output 1.2: To reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments</p> <p>Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p>
<p>Name and contact details</p>	<p>Myanathi Peiris, Business and Human Rights Specialist, UNDP Sri Lanka myanathi.peiris@undp.org</p>
<p>Background</p> <p>Due to events that have taken place over the last several years in Sri Lanka, the UNDP Country Office revisited the strategic direction and overall programmatic parameters of its SDG 16 Portfolio under which the Business and Human Rights in Asia project (B+HR Asia) is positioned. Against this backdrop, B+HR Asia now falls under the Rights and Justice Pillar of the portfolio.</p> <p>The Business and Human Rights (BHR) landscape in Sri Lanka is evolving and UNDP believes that BHR can be leveraged as a soft entry point to explore a range of human rights issues in the country. While global concerns around the country's commitments to the UN Human Rights Council around justice and reconciliation continue to be voiced, the dialogue on BHR is gaining momentum, as state, businesses and civil society actors have come to understand the importance of engagement. The private sector has emerged as a crucial ally in promoting responsible business practices, while complementing the work of other key stakeholders. Amidst the C19 operating context, political and economic changes continue to evolve, creating a conducive environment for discourse on BHR and ensuring ownership among key stakeholders.</p>	
<p>Strategy</p> <p>Sri Lanka has yet to make significant advancements in comparison to other regional counterparts in Asia who have embraced the UNGPs through the development and roll-out of National Action Plans on Business and Human Rights. In the face of unfavorable political circumstances, the project employed a sequential approach to build support, first by engaging with the business community, and then with civil society actors. This strategy has resulted in increased support from the private sector. Today, stronger engagement with government is being pursued. Interventions taken up in 2021 have also laid the groundwork for scaling up efforts to address more industry-specific areas of work.</p> <p>In 2022, project interventions will seek to initiate and strengthen Government partners' buy-in for Business and Human Rights. Research and advocacy interventions have put in place a strong evidence base to inform these discussions on areas such as legislative gaps and opportunities that may exist in the context of BHR. Issue briefs and other resources will be used as a tool, especially with state actors such as the Ministry of Justice and the Legal Aid Commission. Further, capacity gaps that may exist amongst state actors, national human rights institutions, and other relevant actors will be addressed through training programmes to build skills and competencies (Output 1.2).</p>	

The C19 crisis exposed vulnerabilities of supply chains and the precarity of global business operations. However, the project's success in promoting Human Rights Due Diligence has shown signs that positive changes are taking place. The growing global momentum supporting mandatory human rights and environmental due diligence is pushing businesses in Sri Lanka to take these processes more seriously.

This is particularly relevant to the EU Commission's commitment to introduce mandatory legislation at the EU level which in turn impacts businesses in Sri Lanka. Further, GSP+ benefits to the country are tied to upholding human rights commitments and therefore provide a key entry point of engagement with the business community for the project.

The project will roll out two, sector-specific HRDD trainings, focusing on high foreign-exchange-earning industries and those with exports to the EU. Additionally, the project will look to tracking the progress made by those that underwent HRDD trainings in 2021 to identify businesses that have taken steps towards integrating some concepts into their operations (Output 3.2).

The spread of hate speech on both online and offline spaces has had detrimental impact on social cohesion and harmony in Sri Lanka. The spate of violence that erupted targeting minority religious groups in the country has contributed to the increase of hate speech while the online spread of harmful narratives and disinformation has further undermined the fragile social fabric. The spread of hate speech in the workplace and the use of social media to spread hate speech at the workplace are two areas that are currently largely unexplored, although their importance cannot be discounted when addressing BHR issues. In this regard, the project will work closely with the UNDP Sri Lanka's hate speech programming to intensify awareness raising and the promotion of zero tolerance of hate speech at the workplace by including measures in the human rights due diligence process of a selected group of businesses (Output 3.2). Also, the project will explore building partnerships with social media companies on their work with human rights defenders as well as their role in shedding light on human rights issues and abuses, especially in places where activists, human rights defenders and vulnerable communities do not otherwise have a platform.

Women's rights in the context of business operations will continue to be a key subthematic area for the project. Women continue to be disproportionately affected by the adverse impacts of businesses operations on human rights. Women workers are often the worst paid and worst treated. They are at higher risk for losing their jobs, and attacks on women who stand up to abusive business are on the rise. The COVID-19 pandemic has compounded the challenges faced by women workers, who are heavily dependent on their jobs in the garment sector.

Nearly 15 percent of the female workforce in Sri Lanka is employed in the garment sector, compared to men at 3.1 percent. Seventy-one percent of the workers in the garment sector are women²¹. Given this, the project will build on the work done in 2020–2021, but take a narrower focus, targeting specifically women workers in the Free Trade Zones in Sri Lanka. The project will work with these women to raise awareness of their rights and facilitate access to remedies (legal and non-legal) through partnering with civil society and other actors working with this target group (Output 3.1).

Lastly, UNDP will explore the possibility of conducting workshops with government counterparts and developing knowledge products on model clauses for trade and investment agreements. These workshops would bring the "BHR lens" to these topics, aligning them with EU approaches, including "sustainability chapters" in free trade agreements.

²¹ <https://asiagarmenthub.net/agh-countries/sri-lanka#autotoc-item-autotoc-3>

YEAR 3 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	Stakeholder discussions	Multi-stakeholder dialogue on responsible business topics	1	April
Activity 1.1.2. Conduct trainings on a range of standard setting guidelines including the UN Guiding Principles and the OECD Guidelines for Multinational Enterprises, and detail linkages with trade and investment policy	NA		-	
Activity 1.1.3. Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	NA		-	
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	Awareness raising sessions	Raising awareness on the UNGPs and broader BHR agenda in SL with Govt. counterparts through in-person sessions where possible but also utilizing online platforms as required	1	May
Activity 1.2.2. Provide technical assistance to government ministries responsible for drafting and implementing National Action Plans	NA		-	
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1. Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy in particular to all existing and future EU action on policy outreach in Asia.	Communications and public outreach material developed	Video animation on HRDD in the Sri Lanka context	1	February
		Two human interest stories developed from interventions carried out in 2021 as well as in 2022 linked to apparel and textiles sector	2	April October

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
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 piece on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda	Discussion and issue brief on “model clauses” for trade and investment agreements. Train relevant officials in international BHR and climate change standards.	Conduct workshop and develop think piece on model clauses	1	April
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.1. Provide grants to civil society actors working with human rights defenders and women’s rights activists, seeking innovative approached	CSO grant	Grant to CSO working with women workers in the apparel sector (especially those working in FTZs) in the context of HR risks in business operations and in the context of C19, as appropriate	1	March
Activity 3.1.2. Convene discussions and conduct trainings on the adverse impacts faced by vulnerable groups in the context of business operations, and potential remedies and prevention strategies	NA		-	
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	NA		-	
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2. 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	HRDD Trainings	Sector/Industry-specific trainings for business associations and other actors (Chambers) on fostering transparency in their supply chains, HRDD and accountability	2	May July

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
	Addressing hate speech	Sensitisation activities to address the issues of hate speech, disinformation, and gendered dimensions of harmful speech, which has an impact on the workforce. Partnerships with social media companies to be explored.	2	August September
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	NA		-	

Business & Human Rights in Asia (January 2022 – December 2022)

YEAR 3 DRAFT WORK PLAN – THAILAND

<p>Related outputs of the Regional Project</p>	<p>Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of the UN Guiding Principles on Business and Human Rights</p> <p>Output 1.2: To reinforce skills and competencies of government to draft and implement National Action Plans on Business and Human Rights or other policy instruments</p> <p>Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights</p> <p>Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy</p> <p>Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts</p> <p>Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms</p> <p>Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations</p>
<p>Name and contact details</p>	<p>Tarinee Suravoranon, National Specialist on Business and Human Rights tarinee.suravoranon@undp.org</p>
<p>Background</p> <p>Since 2020, the UNDP Thailand Country Office has implemented the Business and Human Rights in Asia project (B+HR Asia) with support from the European Union. As a leading agency on development, UNDP has played an important role in Thailand to create an enabling environment to accelerate structural transformations for sustainable development through different initiatives and programme interventions in different focus areas such as social innovation, climate change, gender equality, vulnerable groups, anti-corruption, and business and human rights. B+HR Asia is considered an engine to drive the sustainable development agenda and is also increasingly relevant to many stakeholders, including business sectors, government and civil society. Building from an existing network of UNDP Thailand's project partners, B+HR Asia identified key partners as follows:</p> <ul style="list-style-type: none"> • Government: Ministry of Justice, Ministry of Foreign Affairs, Ministry of Labour, National Human Rights Commission of Thailand (NHRCT), Securities and Exchange Commission (SEC) and Stock Exchange of Thailand • Private Sector: Global Compact Network Thailand (GCNT), Thailand Responsible Business Network (TRBN), Thai Listed Companies Association, Thai Chamber of Commerce • Civil Society: B+HR Asia has connected with several CSO networks whose work related to four priority areas of the National Action Plan on Business and Human Rights, such as Community Resource Center Foundation, International Commission of Jurists, Human Rights Lawyers Association, Issara Institution, Forum Asia, Amnesty Thailand, Justice for Peace Foundation, Human Rights Watch, Protection International, etc. • UN agencies: Office of the High Commissioner for Human Rights (OHCHR), International Labour Organization (ILO) and International Organization for Migration (IOM) 	
<p>Strategy</p>	

In 2019, Thailand adopted a National Action Plan on Business and Human Rights (NAP), the first in Asia, signaling a firm commitment to responsible business and sustainable development. Today, Thailand's commitments extend beyond the private sector to include State Owned Enterprises and the implementation of the NAP at the provincial level. Thailand is defining best practices in the implementation of the NAP and sharing these with other countries like India, Indonesia, Malaysia, Mongolia and Pakistan.

The year 2021, is the third year of the NAP implementation in Thailand. Some key achievements include, stronger collaboration among a wider range of government partners. and other stakeholders, namely the SEC and BOT. Partnerships have been formed too with the SET and business associations.

Due to well-conceived planning and outreach efforts, the business sector is adopting HRDD as a means to reduce human rights risks in business operations. Currently, there are nearly 700 Thai listed companies in the Capital Market that will report on their performance on human rights management as part of the One Report requirements, a new mandatory reporting on E (environment), S (Social) and G (governance) introduced by the SEC in 2021. Furthermore, there are about 170 companies that are early adopters of the UN Guiding Principles on Business and Human Rights (UNGPs) and have incorporated these principles to meet voluntary reporting requirements on ESG ratings and benchmarks, such as Dow Jones Sustainability Index (DJSI) and Thailand Sustainability Investment (THSI). However, it is still unclear whether these events will lead to greater business accountability and responsibility.

The implementation of the NAP remains challenging in many aspects, ranging from lack of inclusion of some key stakeholders, policy convergence between national policies and the UNGPs, and gaps in law enforcement and protection mechanisms. In this regard, UNDP through the B+HR Asia project will continue to support to Thai partners to ensure the success of NAP implementation and business and human rights progress in Thailand. To achieve this, our program activities in 2022 are designed accordingly.

Continuous open dialogues and discussions at national and local levels

UNDP will leverage its network of stakeholders including government agencies, state-owned enterprises, businesses, and civil society organizations, at both national and local levels. A series of dialogues will continue involving different groups of stakeholders to enhance their collaboration on the implementation of the NAP and to create a platform for knowledge exchange with a view to raising awareness and addressing specific issues related to business and human rights.

At the local level, UNDP and the Ministry of Justice will join hands in conducting "refresher" workshops at 10 pilot provinces that are aimed to be model provinces on the NAP implementations. These 10 pilot provinces are namely Phayao, Chiang Mai, Sukhothai, Phitsanulok, Ayutthaya, Ang Thong, Songkla, Pattani, Chaiyapoom and Kon Kaen. The objectives of the workshops are to raise awareness of the relevant actors at the provincial level to have a better understand business and human rights issues and their roles related to the NAP and the UNGPs.

At the national level, there will be several workshops and consultations that aim to bring these key stakeholders to exchange good practices and lessons learned.

Technical Support

UNDP will continue to provide technical support to our key partners on human rights due diligence (HRDD) and other thematic areas related to business and human rights. This year we plan to deploy an industry-specific approach to HRDD trainings for (i.e. agriculture and food industry) and for specific groups of audiences, such as small and medium-sized enterprises.

Apart from trainings with the business sector, UNDP will provide support to civil society organizations to enhance accountability. At least one grant will be provided to promote greater accountability and access to remedy as well as to support specific topic areas, including environmental rights and the protection of human rights defenders (HRDs).

Furthermore, UNDP will conduct trainings with legal practitioners, including judges and public prosecutors, and Thai diplomats from Ministry of Foreign Affairs on legal issues linked to the UNGPs with a view to strengthening their capacity to addressing human rights abuses by Thai businesses, including those with overseas investments. Work in this space will enhance the effectiveness of judicial and non-judicial remedy mechanisms.

Lastly, UNDP will explore the possibility of conducting workshops with government counterparts and developing knowledge products on model clauses for trade and investment agreements. These workshops would bring the “BHR lens” to these topics, aligning them with EU approaches, including “sustainability chapters” in free trade agreements.

Communication and Knowledge products

Different forms of communication and knowledge products, such as pamphlets, handouts, and a video animation to promote public understanding on the UNGPs and human rights due diligence, will be produced in both Thai and English versions.

In addition, UNDP in collaboration with Ministry of Justice will commission a study on Mandatory Human Rights Due Diligence for Thai companies. The objective of this study is to explore possible forms of regulations, measures and incentives for Thai companies to undertake mHRDD as part of the Ministry’s plan for introducing this process in the future. The study will include a series of consultations with representatives from business sectors, government agencies and civil society as part of the study formulation.

YEAR 3 Work Plan (January 2022 – December 2022)

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 1.1: To set up actions enhancing common understanding and policy convergence with implementation of 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, with a view to expanding the number of actors playing an active role in policy making	Discussions with relevant stakeholders at the provincial level on implementation of the UNGPs and the NAP	To organize a series of refresh workshops with local actors at 10 pilot provinces that are aimed to be model provinces on the NAP implementations. The objectives of the workshops are to raise awareness of the relevant actors at the provincial level to have a better understand business and human rights issues and their roles related to the NAP and the UNGPs.	10	April - October
Activity 1.1.3 Design and develop knowledge products that further policy convergence between UNGPs and other internationally recognized instruments	Study on the Mandatory Human Rights Due Diligence for Thai companies	The study on mHRDD will provide baseline information for the Thai government to use for developing mHRDD regulations, incentive and measures for Thai companies in the future.	1	April - December
Output 1.2: To 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 United Nations Guiding Principles (UNGPs) with governments, making the normative and business-case for adoption and implementation; host and facilitate bi-lateral peer learning events to showcase best practices on UNGP implementation	B+HR week	A series of B+HR events will be organized during B+HR week. The events target regional and national audiences with a view to creating a platform to share experience and knowledge between government agencies, state owned-enterprises and businesses on the implementation of UNGPs and the NAP as well as specific business and human rights issues that are in their concerns.	1	June
	6 th National Dialogue on Business and Human Rights	The National Dialogue will have a specific theme on business and human rights issues which has not yet confirmed. In 2021 the event theme about mHRDD.	1	December

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 2.1: To support the development of research and policy pieces furthering public discourse and greater appreciation of the UNGPs and its positive impact on human rights, including women's rights				
Activity 2.1 Produce communication products including short-form documentaries, video animations and social media promotional materials to enhance understanding of UNGPs, and trade and human rights nexus. Link up all communication work to EU action on public diplomacy, in particular to all existing and future EU action on policy outreach in Asia.	Produce pamphlets and handouts on UNGPs, Thai NAP and other internationally recognized instruments related to Business and Human Rights.	These knowledge products enhance common understanding about the UNGPs and other international instruments and lead to policy convergence between such instruments.	8	February - September
Output 2.2: To set up actions enhancing discussion and awareness of the human rights dimensions of trade and investment policy				
Activity 2.2.2. Conduct research and publish short think pieces on trade and investment issues as they relate to the UNGPs and broader Business and Human Rights agenda	Knowledge product on MNEs and oversea investment based on expectation of UNGPs, OECD Guidelines and MNE declaration	To develop a publication in a booklet format for business sector and government agencies that have relevant mandates related to Thai MNEs and overseas investment.	1	June - September
	Discussion and issue brief on "model clauses" for trade and investment agreements. Train relevant officials in international BHR and climate change standards.	Conduct workshop and develop issue brief on model clauses	1	April
Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
Output 3.1: To set up actions relating to greater awareness and access to remedies for parties subject to adverse human rights impacts				
Activity 3.1.1 Provide grants to civil society actors working with human rights defenders and women's rights activists, seeking innovative approached	Provision of low value grant to CSOs to work on food and agriculture industry.	A minimum of one grant will be provided to promote the business and human rights agenda in Thailand as well as to support specific areas of business and human rights, namely environmental rights and the protection of human rights defenders.	1	March - November

Project Activity Budget	CO Activity name	CO Activity description	Unit	Month of implementation
	Comparative Analysis Study on the Protection of Human Rights Defenders	To conduct a Comparative Analysis Study on the Protection of HRDs by building upon the existing studies that UNDP and MOJ conducted in 2020 - 2021 to specifically focus on practices from other countries on the protection of HRDs.	1	March - December
Output 3.2: To reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms				
Activity 3.2 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	Business and Human Rights Training	To conduct HRDD trainings for SMEs based on the HRDD manual for SMEs that UNDP and MOJ co-developed in 2020	1	April
		To conduct a series of business and human rights trainings with government agencies, state owned enterprises and Thai companies	1	May
		To conduct a sector-specific HRDD training for agriculture and food businesses.	1	September
Output 3.3: To set up actions that strengthen capacities of justice institutions to address human rights abuses in the context of business operations				
Activity 3.3.1. Conduct trainings with NHRIs, judiciaries and ministries of justice on legal issues linked to the UNGPs, including transboundary jurisdictional challenges, among others	Trainings on pillar 3 in providing access to remedy, including transboundary jurisdictional challenges	To conduct workshops with judiciaries, public prosecutors, and business sector to analyse gaps on remedy provision as well as way forward to further improve access to remedy for affecting rights holders on human rights violation cases.	2	April- December

ANNEX 7: EVIDENCE

The below endnotes provide links to evidence supporting the narrative of the annual report. Those pieces of evidence that have been shared publicly are directly accessible. Some of the documents, however, are of a confidential nature (e.g.: presentations from closed-door meetings, attendance sheets, satisfactions surveys, detailed event reports). These documents are stored on UNDP's document management system and can be shared with evaluators on request.

¹ UNDP India, 'ISS Conference: Made in India Promoting Growth and Resilience through the UNGPs on Business and Human Rights', 28 October 2021.

² UNDP India and Centre for Responsible Business, LinkedIn Session 1: Unpacking Business and Human Rights for MSMEs, 8 October 2021. Available from: < <https://www.linkedin.com/video/live/urn:li:ugcPost:6845952141534777344/> >

³ UNDP India and Centre for Responsible Business, LinkedIn Session 2: Nandini Sharma and Sean Lees, 22 October 2021. Available from: < <https://www.linkedin.com/video/live/urn:li:ugcPost:6857185953623146496/> >

⁴ UNDP India YouTube, 'Business and Human Rights, and India's Labour Law Framework' (Hindi), 16 June 2021. Available from: < <https://www.youtube.com/watch?v=1UJAgNuSOs> >

⁵ UNDP India YouTube, 'Business and Human Rights, and India's Labour Law Framework' (English), 16 June 2021. Available from: < <https://www.youtube.com/watch?v=cqFbKMWpO9U> >

⁶ UNDP India YouTube, 'Business and Human Rights, and India's Environmental Law Framework' (Hindi), 3 June 2021. Available from: < <https://www.youtube.com/watch?v=YbKg7U3tbGY> >

⁷ UNDP India YouTube, 'Business and Human Rights, and India's Environmental Law Framework' (English), 3 June 2021. Available from: < <https://www.youtube.com/watch?v=JmBDDD4R3ko> >

⁸ Regional Conference on Business and Human Rights, 18-19 November 2021

⁹ Soft Launch, Regional Conference on Business and Human Rights, 10 November 2021

¹⁰ Meeting with ELSAM, March 2021

¹¹ NS-BHR Coordination Meeting on the establishment of a task force, 8 February and 30 April 2021

¹² Orientation and FGDs for the National Task Force on NS-BHR, 6-7 September 2021

¹³ Orientation to the Sub-National Task Force on NS-BHR, 28 September 2021

¹⁴ Public Consultations on the National Strategy, 14 October 2021

¹⁵ B+HR Indonesia Social Media Posts 2021

¹⁶ B+HR Indonesia Animations 2021: (1) [Human Rights Day - Infrastructure Development, Gender and Human Rights](#) (2) [UNGPs Video in Bahasa Indonesia](#)

¹⁷ [UNGPs Video in Bahasa Indonesia](#)

¹⁸ Media Stories: (1) [Adopting Human Rights Due Diligence is Good Business for Companies – Jakarta Post](#) (2) [FIRHHST Sustainability Report – Investasi Kontan](#) (3) [FIRHHST Sustainability Report and UNDP Partnership – CNBC Indonesia](#)

¹⁹ UNDP Indonesia, 'Infrastructure Development and Women's Rights in Indonesia', 7 December 2021. Available from: < https://www.id.undp.org/content/indonesia/en/home/library/democratic_governance/12072021.html >

²⁰ UNDP Indonesia, Animation 'Infrastructure Development and Women's Rights in Indonesia', 10 December 2021. Available from: < <https://web.facebook.com/watch/?v=386356699949564&ref=sharing> >

²¹ UNDP Indonesia, 'Infrastructure Development and Women's Rights in Indonesia', 7 December 2021. Available from: < https://www.id.undp.org/content/indonesia/en/home/library/democratic_governance/12072021.html >

²² Dialogue on Gender Perspectives to Infrastructure Development in Indonesia, 7 December 2021

²³ Webinar on Mandatory Human Rights Due Diligence and Best-Practices Exchange, February 2021

²⁴ CEO Forum on Responsible Business in the Time of COVID-19, 8 September 2021

²⁵ HRDD for Business Training, 21, 23, 27 and 29 September 2021

²⁶ Impacts of Human Rights Self-Assessment during the Pandemic, 7 October 2021

²⁷ National Conference on Business and Human Rights, 21-22 September 2021. Announcement available from: < <https://twitter.com/MyUNDP/status/1438412345525551107> >

-
- ²⁸ Announcement on launch of Malaysia’s National Action Plan on Business and Human Rights. Available from: < <https://www.theedgemarkets.com/article/national-action-plan-business-and-human-rights-be-launched-2023> >.
- ²⁹ Workshop with Government Partners on content validation for the National Action Plan, 25 February 2021.
- Consultative Sessions with lead ministries on the National Action Plan on BHR, 28 July 2021.
- ³⁰ Pre-Technical Committee Meetings on the Drafting of Terms of Reference, 20 August 2021 and 20 October 2021.
- ³¹ Business, Human Rights and the Environment Workshop, 24 May 2021.
- ³²
- ³³ Thematic Discussion on Business, Human Rights and the Environment, 13 August 2021.
- ³⁴ UNDP Malaysia, ‘Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy and Ethical Recruitment’, 7 September 2021. Available from: < <https://www.my.undp.org/content/malaysia/en/home/library/issue-brief--advancing-covid-19-recovery-in-malaysia--strengthen.html> >.
- ³⁵ UNDP Malaysia, ‘Five Key Business and Human Rights Priorities for Malaysia’s Emerging Recovery Period’, 7 September 2021. Available from: < <https://www.my.undp.org/content/malaysia/en/home/library/issue-brief---five-key-business-and-human-rights-priorities-for.html> >
- ³⁶ UNDP Malaysia, ‘Malaysia: The UNGPs and ESG Investment Policies in Government-Linked Investment Companies’, 8 September 2021. Available from: < <https://bizhumanrights.asia-pacific.undp.org/content/bizhumanrights/en/home/knowledge-hub0/malaysia--the-ungps-and-esg-investment-policies-in-government-li.html> >
- ³⁷ UNDP Malaysia, Issue Brief Animations Links: (1) ‘[Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy](#)’; (2) ‘[Access to Remedy for Migrant Workers in Malaysia](#)’; (3) ‘[Responsible Investment Policies in Malaysia](#)’
- ³⁸ UNDP Business and Human Rights, ‘Access to Remedy for Migrant Workers in Malaysia’, 30 September 2021. Available from: < https://www.youtube.com/watch?v=aP0a_-pVFrg >
- ³⁹ See: <https://www.facebook.com/undp.mongolia/posts/1967142246768687>
<https://www.montsame.mn/en/read/262232>
- ⁴⁰
<https://undp.sharepoint.com/:w:/r/sites/BHRKnowledgeManagement/Shared%20Documents/Reporting/2021/Mongolia/Quarterly%20Report%20Drafts%20and%20Evidence/BHR-Mongolia-NewsCoverage-2021.docx?d=w74d91f9102954716b5a12b6cfb6df337&csf=1&web=1&e=P9sAyM>
- ⁴¹ UNDP Myanmar, ‘Demonstrating Business Respect for Human Rights in Myanmar’, 14 December 2021
- ⁴² UNDP Sri Lanka, ‘Business and Human Rights – From Policy Frameworks to Action’, 12 March 2021
- ⁴³ <https://bizhumanrights-asia.shorthandstories.com/---in-a-crisis--how-does-an-sme-achieve-resilience-----/index.html>
- ⁴⁴ UNDP Sri Lanka, ‘A Test of Resilience’, 30 March 2021. Available from: < <https://www.youtube.com/watch?v=QhOCuMA06Fg&t=208s> >
- ⁴⁵ UNDP Sri Lanka, Myanathi Peiris, ‘Moving the Business and Human Rights Agenda Forward in Sri Lanka in a Time of Crisis’, 11 June 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/presscenter/articles/2021/Moving_the_Business_and_Human_Rights_agenda_forward_in_Sri_Lanka_in_a_time_of_crisis.html >
- ⁴⁶ Colombo Page, Myanathi Peiris, ‘Opinion: Moving the Business and Human Rights Agenda forward in Sri Lanka in a Time of Crisis’, 11 June 2021. Available from: < [Sri Lanka : Opinion: Moving the Business and Human Rights agenda forward in Sri Lanka in a time of crisis \(colombopage.com\)](https://www.colombopage.com/sri-lanka-opinion-moving-the-business-and-human-rights-agenda-forward-in-sri-lanka-in-a-time-of-crisis) >
- ⁴⁷ UNDP Sri Lanka, ‘Protect, Respect and Remedy’, 19 November 2020. Available from: < <https://undpsrilanka.exposure.co/protect-respect-and-remedy> >
- ⁴⁸ UNDP Sri Lanka, ‘Hanging by a Thread: Advocating for the Rights of Women Apparel Factory Workers in Free Trade Zones (FTZs)’, 9 April 2021. Available from: < <https://undpsrilanka.exposure.co/hanging-by-a-thread?source=share-UNDPSrilanka> >.
- ⁴⁹ UNDP Sri Lanka, ‘The Untapped Trade and Investment Potential of the Business and Human Rights Agenda in Sri Lanka’, 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-srilanka-publications-and-factsheets/untapped_trade_investment_bhr_srilanka.html >

-
- ⁵⁰ UNDP Sri Lanka, 'State Duties: Women's Participation in Sri Lanka's Workforce and the UNGPs', 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-sri-lanka-publications-and-factsheets/state_of_duties_womens_participation_sl.html >
- ⁵¹ Respective Infographics:
UNDP Sri Lanka, 'Can the Global Business and Human Rights discourse promote International Trade and Investment in Sri Lanka?', 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-sri-lanka-publications-and-factsheets/bhr_infographic_001.html >
UNDP Sri Lanka, 'The impact of the COVID-19 pandemic on women workers in the Free Trade Zones and Garment factories in Sri Lanka', 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-sri-lanka-publications-and-factsheets/bhr_infographic_002.html >
- ⁵² Press Release, 'Two New Business and Human Rights Issue Briefs published by UNDP Sri Lanka', 3 December 2021. Available from: < <https://bizhumanrights.asia-pacific.undp.org/content/bizhumanrights/en/home/news-centre/two-new-business-and-human-rights-issue-briefs-published-by-undp.html> >
- ⁵³ Grant: Centre for Environmental Justice, 12 July to 31 December 2021. Available from: < <https://undpsrilanka.exposure.co/protect-respect-and-remedy> >
- ⁵⁴ Grant: Centre for Policy Alternatives, 12 July to 31 December 2021.
- ⁵⁵ Grant: Women's Resource Centre, 12 July to 31 December 2021. Available from: < <https://undpsrilanka.exposure.co/hanging-by-a-thread?source=share-UNDPsriLanka> >
- ⁵⁶ Human Rights Due Diligence Training, 'Enabling Sustainable Economic Growth in the Food Sector through the Respect, Protect and Remedy Framework', 25 August 2021.
- ⁵⁷ Thailand's Progress with the Adoption of Ethical Recruitment Practices Based on the National Action Plan on Business and Human Rights, 17 May 2021
- ⁵⁸ Thailand's National Action Plan on Business and Human Rights, 2019. Available from : < https://www.th.undp.org/content/thailand/en/home/library/democratic_governance/thailand-s-1st-national-action-plan-on-business-and-human-rights.html >
- ⁵⁹ National Consultations on Promoting Fair and Ethical Recruitment and Employment Practices in Thailand, 15 June 2021.
- ⁶⁰ Livestream 'National Consultations on Promoting Fair and Ethical Recruitment and Employment of Migrant Workers', Available from: < <https://www.youtube.com/watch?v=Echvx5J5xUg> >
- ⁶¹ **Workshop**, 'Policy Framework for the Promotion of Responsible Business and Corporate Social Responsibility in Thailand: A policy dialogue in the context of COVID-19 and the upcoming trade and investment opportunities for Thailand', 25 August 2021
- ⁶² Thailand CSO Grant, Community Resource Center Foundation. Grant period: 25 November 2021 to 15 December 2022.
- ⁶³ Sub-National Consultation on Anti-SLAPP Laws and Measures, 25 May 2021
- ⁶⁴ Online Sub-National Consultation on the Protection of Human Rights Defenders, 5 July 2021
- ⁶⁵ the National Consultation on Protection of Human Rights Defenders and Anti-SLAPP, 7 December 2021
- ⁶⁶ B+HR Asia newsletter campaign statistics:
<https://undp.sharepoint.com/:f:/r/sites/BHRKnowledgeManagement/Shared%20Documents/Reporting/2021/BRH/Quarterly%20Report%20Drafts%20and%20Evidence?csf=1&web=1&e=vGynJl>
- ⁶⁷ UNDP, 'Human Development Report: The Next Frontier: Human Development and the Anthropocene', 2020. Available from: < <http://hdr.undp.org/en/2020-report/download> >
- ⁶⁸ United Nations Foundation, 'The Women Behind the Clothes: Worker Health and Well-Being in the Indian Apparel Sector'. Available from: < <https://unfoundation.org/blog/post/the-women-behind-the-clothes-worker-health-and-well-being-in-the-indian-apparel-sector/> >
- ⁶⁹ UNDP India, 'Baseline Assessment Report: Awareness About Laws and Access to Remedies for Women Migrant Workers in the Garment Sector within the Context of Business and Human Rights', 2 December 2021. Available from: < https://www.in.undp.org/content/india/en/home/library/Baseline_Assessment_Report.html >
- ⁷⁰ UNDP Indonesia, 'Infrastructure Development and Women's Rights in Indonesia', 7 December 2021. Available from: < https://www.id.undp.org/content/indonesia/en/home/library/democratic_governance/12072021.html >
- ⁷¹ Dialogue on Gender Perspectives to Infrastructure Development in Indonesia, 7 December 2021

⁷² UNDP Sri Lanka, 'Hanging by a Thread: Advocating for the Rights of Women Apparel Factory Workers in Free Trade Zones (FTZs)', 9 April 2021. Available from: < <https://undpsrilanka.exposure.co/hanging-by-a-thread?source=share-UNDPSrilanka> >

⁷³ UNDP Sri Lanka, 'State Duties: Women's Participation in Sri Lanka's Workforce and the UNGPs', 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-sri-lanka-publications-and-factsheets/state_of_duties_womens_participation_sl.html >

⁷⁴ For comparison, please see: <https://twitter.com/UNDPFairBiz>; <https://twitter.com/YouthCoLab>; <https://twitter.com/rscaprogramme>

⁷⁵

<https://undp.sharepoint.com/:b:/r/sites/BHRKnowledgeManagement/Shared%20Documents/Reporting/2021/BRH/Quarterly%20Report%20Drafts%20and%20Evidence/Analytics%20All%20Web%20Site%20Data%20Network%20Referrals%2020210101-20211231.pdf?csf=1&web=1&e=rNfyIj>