

CONCEPT NOTE FOR EAST AFRICA CONFERENCE ON BUSINESS AND HUMAN RIGHTS:

“Opportunities to Integrate Human and Environmental Rights into Land Based Investments”

When: 14 - 15 June 2023

Where: Kampala and online

Co-organisers:



Collaborating partners:



UGANDA HUMAN RIGHTS COMMISSION
Human Rights: The key to Development



Main supporter:



Context:

The East African region is home to more than a quarter of a billion people with an aggregated GDP of around 300 billion USD (EAC 2021). The region attracts substantial Foreign Direct Investments (FDIs) flows which increased by 35% in 2021, especially for Ethiopia, Uganda and Tanzania (World Investment Report 2022). While investments offer opportunities for economic growth, job creation and social development, it is always necessary to ensure that businesses are operating with respect towards international human rights standards. Still, issues of forced evictions, displacement of indigenous communities, low wages and exploitation of migrant workers have all been highlighted as concerns to ensuring human rights within business operations in East Africa (A4ID and Role UK 2020).

The East African region is one of the world's richest natural resource regions and attracts significant attention in the extractive and energy sectors. Many countries in the region possess vast areas of fertile land, which are essential for sustenance of communities and agricultural industries. Land Based Investments (LBIs) are implemented with a view to contribute to GDP growth and agri-food value chains, which are essential to tackle food security challenges persisting in the region. In 2019, more than 50% of East Africa's population was employed in the agricultural sector (AUC/OECD 2022). While LBIs contribute to economic development and provide for multiple employment opportunities and infrastructure development in the region, they have also been associated with risks to workers-, land-, and environmental rights. For example, LBIs have been linked to worker discrimination and lack of remuneration, child labour and eviction of communities from their land without proper compensation (UNECA/AU/ADB 2014, AUC/OECD 2022). At the same time, an increased number of private sector actors are determined to identify and mitigate environmental and human rights risks throughout their value chains. In this process, states play an essential role in offering proper guidelines to inform private sector operations and in ensuring accountability and remedy mechanisms in cases of negative impacts and rights abuses.

The United Nations Guiding Principles on Business and Human Rights (UNGPs) – the established international framework defining private sector responsibility to respect people's and environmental rights – are increasingly being domesticated at the national level through National Action Plans on Business and Human Rights (NAPs). The framework identifies three pillars that define concrete steps to be taken by governments and private sector to prevent human rights violations and ensure effective remedies in cases of violations and abuses of these rights. The business and human rights agenda has gained particular traction in the East African region, where Kenya and Uganda as the first countries on the African continent have adopted a NAP, and other countries have committed to embark on similar journeys. Whereas NAPs constitute a unique opportunity to guide activities to enhance the implementation of existing national human rights law, states and businesses must also prepare for the increase in binding regulation of global supply chains. The adoption of the European Union's Corporate Sustainability Due Diligence Directive (CS3D) in 2022 will soon increase the demand from private corporations to account for human rights and climate impact throughout their value chains. Once the rules of the directive are enforced, states and private sector entities already embracing business and human rights frameworks will gain a comparative advantage in attracting investments from Europe and beyond.

Objectives of the Conference:

The overall objective of the Conference is to progress the implementation and strengthen the uptake of relevant business and human rights policy frameworks in the East African region. The specific objectives are:

- i. To discuss challenges and opportunities related to business and human rights frameworks and law including learnings from national policy development and implementation across the East African region focusing on national action plans on business and human rights (NAPs) and promote increase in binding national law.
- ii. To strengthen the multistakeholder dialogue and alliances in the East African region and promote the integration of business and human rights safeguards into East African Community (EAC) trade policy.
- iii. To assess the regional status of human and environmental rights risks linked to Land Based Investments by looking at sector-specific value chains and to explore tangible procedures to ensure respect for human rights.
- iv. To explore the impact of the EU Corporate Sustainability Due Diligence Directive on East African-based businesses and discuss how national initiatives can enhance compliance.

Organisers and participants:

The Conference will be convened by DanChurchAid, co-organised in collaboration with the Network of African National Human Rights Institutions, the Danish Institute for Human Rights and the Business and Human Rights Resource Centre, in partnership with the Ministry of Gender Labour and Social Development (UG) as well as a number of local collaborating partners.

The Conference invites participants from the member states of the East African Community (EAC), including Burundi, the Democratic Republic of Congo, Kenya, Rwanda, Tanzania, South Sudan and Uganda and Ethiopia, to join the first sub-regional Conference for East Africa on Business and Human Rights. Approximately 100 participants will be comprised of stakeholders representing states, private sector, international organisations, national human rights institutions, civil society and grassroot entities. The participants for the physical event will be welcomed by invitation, however, a select number of the Conference sessions will be accessible to the general public via streaming.

Programme and Working Methods

To meet the conference objectives, Day 1 will focus on policy and regulatory developments and Day 2 will focus on the energy transition and agricultural value chains. Issues related to the just transition, gender and vulnerable groups, land rights and the informal sector will cut across the discussions facilitated throughout the programme.

Taking a participatory and interactive approach, the Conference will comprise keynote presentations, plenary debates and small-group participatory workshop sessions.

Host country:

Uganda (in collaboration with the Ministry of Gender, Labour and Social Development).

Supporters:

The main financial supporter to the Conference is the European Union. Additionally, the Conference is supported by the Danish Institute for Human Rights and DanChurchAid (the latter two via the Danish Ministry of Foreign Affairs).