

BUSINESS AND HUMAN RIGHTS IN THE CENTRAL AND EASTERN EUROPE
with participation of the UN Working group on Business and Human Rights



September 23-25, 2020

On-line (zoom)

Working languages: English and Ukrainian (simultaneous translation), Sign language translation



The main mission of the Forum is to promote the Business and Human Rights agenda in the Central and Eastern Europe region (CEE), to integrate business, academia and experts communities from the CEE countries to the broader dialogue on BHR issues, to raise awareness and build capacity of the business, civil society organizations, state bodies and academia on UN framework on BHR, to create the platforms to exchange developments and good practices on BHR for the different groups of stakeholders – governmental bodies, businesses associations, CSOs, academia, to ensure communication and exchange with other regions to draw from the best examples, practices around the world, and ways to address the key challenges on UN Guiding Principles on Business and Human Rights implementation etc.

Background. In the countries of Central and Eastern Europe, the level of UNGPs implementation remains extremely low. There are only a few positive examples in the region of the adoption of National Action Plans on Business and Human Rights (Lithuania, Czech Republic, Poland, Slovenia, Georgia). But the implementations of such NAPs are not stories of the success yet.

The countries of the region have the socialist past. Many of them were the part of the Soviet Union for a long time, others bordered with it to be ruled under the Soviet regime or influenced by it in political and economic ways very much.

Despite the quite different historical background, one face a very similar situation regarding corporate responsibility to respect human rights in the CEE region.

In turn, we make the assumption that the low level of corporate respect for human rights is due to the following factors, which are also common for countries in the region, although in different degrees:



- the absence of free private business for a long time, or concentration of State owned businesses in key sectors; strong state control on all economic processes and a large share of state participation in the economy which led to the lack of tradition for business to take responsibility and the lack of expectations of society for responsible business behavior;
- long period of undemocratic political regimes in region or being under its strong influence which led to a lack of tradition of understanding the values of human dignity and personal autonomy which core basis of corporate responsibility to respect for human rights; the idea of human rights was subordinate to state policy; collective interest prevailed over the individual/private, legal regulation was based on the principle of the supremacy of the state will, but not on the rule of law principle;
- the fall of undemocratic regimes allowed civil society strengthening and development, but the main focus of the CSOs is still state's activities since the state is considered the main threat to human rights. In this sense one finds very few cases in the regions when human rights defenders work with human rights abuses by business; business and human rights is practically not represented in high schools' curriculum and even in higher education producing lawyers, including corporate lawyers, company managers with lack of awareness on business and human rights issues in the most countries of the region.

Countries which are expected to participate:

Armenia, Azerbaijan, Belarus, Brazil, Columbia, Germany, Great Britain, Georgia, Denmark, Estonia, India, Kazakhstan, Kenya, Lithuania, Mexico, Moldova, the Netherland, Nigeria, Poland , Slovakia, Slovenia, USA, Ukraine, the Czech Republic, Switzerland, Turkey.

Supported by:

Coordinator of the OSCE projects in Ukraine



In cooperation with



Polish Institute for Human Rights and Business



Polish Institute
for Human Rights
and Business

Parliamentary Commissioner on Human Rights



Ombudsman
of Ukraine

Global Business and Human Rights Scholars Association

BR2R Global Business and Human Rights
Scholars Association

European Business Association



UN Global Compact in Ukraine

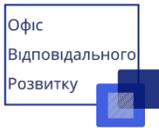


Network Ukraine

Events' partners:



Kingdom of the Netherlands



Керівні принципи ОЕСР
для багатонаціональних підприємств
НАЦІОНАЛЬНИЙ КОНТАКТНИЙ ПУНКТ
УКРАЇНА



September 23, 2020 (Wednesday)

PRESENTATION OF THE CENTRAL AND EASTERN EUROPEAN BUSINESS AND HUMAN RIGHTS ASSOCIATION

Online (zoom)

12.00 – 16.00 (Kyiv time)

Working languages: English and Ukrainian (simultaneous translation will be provided)

12.00-12.15 **Opening greetings**
Mr. Anatoliy Getman, Vice-Rector for Scientific Research, Yaroslav Mudryi National Law University
Ms. Natalia Stupnytska, Rule of Law and Human Rights Programme Manager of the OSCE Project Coordinator in Ukraine
Mr. Yurii Barabash, Vice-Rector for Academic Affairs, Yaroslav Mudryi National Law University

12.15-13.15 **Presentation of the Central and Eastern European Business and Human Rights Association: *Different experiences for a common goal***

Moderator: Ms. Elżbieta Karska, member of UN Working Group on Business and Human Rights, Professor and the Head of the Department of Protection of Human Rights and International Humanitarian Law and the Director of the Institute of International Law, European Union and International Relations at the Faculty of Law and Administration, Cardinal Stefan Wyszyński University in Warsaw, Poland

Key speakers:

Ms. Beata Faracik, Co-Founder of the Association, President of the Polish Institute on Human Rights and Business, Poland

Mr. Jernej Letnar Čerňič, PhD, Co-Founder of the Association, Faculty of Government and European Studies, Nova Univerza, Slovenia

Ms. Tara Van Ho, co-President of the Global Business and Human Rights Scholars Association, Lecturer, School of Law and Human Rights Centre, University of Essex, Great Britain

Mr. Humberto Cantu Rivera, Latin American Regional Association on Business and Human Rights Scholars, Professor, School of Law University of Monterrey, Mexico, and **Ms. Danielle Anne Pamplona**, Professor at Pontifical Catholic University of Parana, Brazil, Vice-Director of the Latin American Branch of the Global Business and Human Rights Scholars Association

Video greetings from **Mr. Michael Santoro**, Co-Founder of the Global Business and Human Rights Scholars Association (BR2R), founding Co-Editor of the Business and

Human Rights Journal (Cambridge University Press), Professor of Management and Entrepreneurship at the Leavey School of Business at Santa Clara University, USA

Discussion

13.15-13.30 Break

13.30-16.00 **Academic Round Table**
“Business and Human Rights in the CEE Region: Research Perspective”

Moderator: **Ms. Olena Uvarova**, PhD, Co-Founder of the Association, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University, Ukraine

Opening: **Mr. Oleksandr Petryshyn**, Doctor of Legal Sciences, Professor, President of the National Academy of Legal Sciences, Head of the Legal Theory Department of Yaroslav Mudryi National Law University

Speakers (10 min presentation, 15 min discussion):

Mr. Jernej Letnar Čerňič, PhD, Co-Founder of the Association, Faculty of Government and European Studies, Nova Univerza, Slovenia
The Rule of Law in Business and Human Rights

Ms. Beata Faracik, Co-Founder of the Association, President of the Polish Institute on Human Rights and Business, Poland
“Substantive Elements of Potential Legislation on Human Rights Due Diligence” in the EU

Ms. Ekaterina Deikalo, PhD, Associate Professor of the International Law Chair, Faculty of International Relations of the Belarusian State University, Belarus
Elections and Protect Movement-2020 in Belarus: Challenges and New Perspectives for Business and Human Rights Research

Mr. Arnas Liauksminas, member of Human Rights Laboratory, Mykolas Romeris University, Lithuania
Access to Remedy in the Area of Business and Human Rights

Ms. Yuliya Razmetayeva, PhD, Associate Professor, Yaroslav Mudryi National Law University, Ukraine
Business and Human Rights in Digital Era: Global Perspective and Features in the Central and Eastern Europe

16.00-16.30 Break

PRESENTATION OF THE IDEA: INTERREGIONAL COLLECTIVE MONOGRAPH “BUSINESS AND HUMAN RIGHTS: UNHEARD FEMALE VOICES”

Online (zoom)

16.30 – 17.30 (Kyiv time)

Working languages: English and Ukrainian (simultaneous translation will be provided)

Moderator: **Ms. Olena Uvarova**, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University, Ukraine

Key speakers:

Ms. Danielle Anne Pamplona, Professor at Pontifical Catholic University of Parana, Brazil, Vice-Director of the Latin American Branch of the Global Business and Human Rights Scholars Association

Ms. Carolina Olarte-Bácares, Associate Professor and Dean, Faculty of Law, Pontificia Universidad Javeriana, Bogota, Colombia

Ms. Harpreet Kaur, Business and Human Rights Specialist, UNDP Asia

Ms. Destiny Mugasha Kebirungi, Researcher on Exploring the Business and Human Rights Environment for Women Working in Supply Chains, Uganda

Ms. Gloria Ngumi, Center for Security and Emerging Technology, Keniya

Ms. Tatyana Zinovych, Director of the Legal Policy Research Centre, Kazakhstan



WOMEN WHO ARE HUMAN RIGHTS DEFENDERS FROM BUSINESS RELATED ABUSES: PRESENTATION OF STORIES WHICH CHANGED THE WORLD

Online (zoom)

17.30 – 19.00 (Kyiv time)

Working languages: English and Ukrainian (simultaneous translation will be provided)



Moderator:

Ms. Mariya Yasenovska, President of the Kharkiv Regional Foundation «Public Alternative»

Key speakers:

Ms. Katerina Levchenko, Governmental Commissioner on Gender Equality, Ukraine

Ms. Erika George, Samuel D. Thurman Professor of Law, Interim Director, Tanner Center for Human Rights, Presidential Leadership Fellow, S.J. Quinney College of Law, University of Utah, USA

Ms. Heidi Meinzolt, Member of the Board of Women's International League for Peace and Freedom / WILPF, coordinator of the Working Group on Women&Gender realities in the Civic Solidarity Platform/CSP of OSCE, Germany

Ms. Annemarie Sancar, Board Member of WIDE-Women in Development Europe Switzerland, PeaceWomen Across the Globe (PWAG)

Ms. Ani Khachatryan, Armenian Environmental Front, Armenia

Ms. Marina Kapustina, Lawyer of the international law firm bnt attorneys in CEE, Bratislava, Legal expert of the public organization Sme Spolu, Slovak Republic

Ms. Olena Uvarova, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University, Ukraine

September 24, 2020 (Thursday)

PANEL DISCUSSION “BUSINESS AND HUMAN RIGHTS IN CENTRAL AND EASTERN EUROPE: ACHIEVEMENTS, TRENDS AND CHALLENGES”

On-line (zoom)

Working languages: English and Ukrainian (simultaneous translation, sign language translation)

- 9.00-9.30 Opening greetings
- Mr. Yuri Barabash**, Vice-Rector of Yaroslav Mudryi National Law University
- Ambassador Henrik Villadsen**, Coordinator of the OSCE projects in Ukraine
- Ms. Lyudmila Denysova**, Parliamentary Commissioner on Human Rights
- Ms. Valeriya Kolomiets**, Deputy Minister of Justice of Ukraine on European Integration
- Ms. Anita Ramasastry**, Chair of the UN Working Group on Business and Human Rights, the Roland L. Hjorth Professor of Law and the Director of the Graduate Program in Sustainable International Development at the University of Washington School of Law
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- 9.30-12.30 **I Session: *Business and Human Rights in Eastern Europe region: main trends***
- Moderator: **Ms. Elżbieta Karska**, member of UN Working Group on Business and Human Rights, Professor and the Head of the Department of Protection of Human Rights and International Humanitarian Law and the Director of the Institute of International Law, European Union and International Relations at the Faculty of Law and Administration, Cardinal Stefan Wyszyński University in Warsaw, Poland
- Panelists:**
- Ms. Beata Faracik**, Co-Founder of the Central and Eastern European Business and Human Rights Association, President of the Polish Institute on Human Rights and Business, Poland
- Mr. Jernej Letnar Čerňič**, PhD, Co-Founder of the Association, Faculty of Government and European Studies, Nova Univerza, Slovenia
- Ms. Ganna Shvachka**, PhD, Head of Charity Fund “Ukraine-Slovakia SOS”, Head of Civic Association «SME SPOLU», Slovak Republic
- Discussion
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- 10.30-10.45 Break

10.45-12.15

Ms. Salome Zurabishvili, Executive Director, CIDA and Global Compact Network Georgia

Mr. Aleh Gulak, Head of the Belarusian Helsinki Committee, Belarus

Ms. Tatyana Zinovych, Acting director of the Legal Policy Research Centre, Kazakhstan

Mr. Pancho Valchanov, President of the Institute for Business and Human Rights, Moldova

Ms. Ani Khachatryan, Armenian Environmental Front, Armenia

Ms. Olena Uvarova, PhD, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University, Ukraine

Discussion

12.15-13.00

Break

13.00-13.30

Presentation of the Research on Business and Human Rights in time of Covid 19

Office of the Ukrainian Commissioner on Human Rights
in cooperation with Danish Institute for Human Rights

13.30-15.30

II Session: *Combining efforts: Effective instruments to ensure responsible business conduct*

Moderator: **Ms. Natalia Stupnytska**, Rule of Law and Human Rights Programme Manager of the OSCE Project Coordinator in Ukraine

Key presentation by **Ms. Tatyana Sakharuk**, Executive Chair of the UN Global Compact in Ukraine:

Implementation of SDGs: Business and Human Rights Correlations

UN Global Compact in Ukraine in cooperation with Ministry of Economy of Ukraine will present Ukrainian experience

Business companies will share good practices

Mr. Nicolaj Sonderbye, Senior Democracy and Human Rights Advisor, UNDP Ukraine

UNDPs Potential Role Supporting Ukraine in Promoting Business and Human Rights

Ms. Ganna Khrystova, Doctor of Legal Sciences, Senior Project Officer, Council of Europe's project "Internal Displacement in Ukraine: Building Solutions"

Corporate Responsibility to Respect Human Rights of Internal Displaced Persons

Ms. Narmina Strishenets, Communications and Advocacy Analyst, UN Women in Ukraine
Business and Gender Equality

Discussion

15.30-16.00

Break

16.00-18.00

III Session: *Business and Human Rights between now and 2030: Key Advancements and Key Challenges*

Moderator: **Mr. Oleksandr Sydielnikov**, PhD, Rule of Law and Human Rights Project Officer of the OSCE Project Co-ordinator in Ukraine

Key speaker: **Ms. Anita Ramasastry**, Chair of the UN Working Group on Business and Human Rights

Discussion with participation of:

Ms. Nataša Bergelj, Head of Human Rights Department at the Ministry of Foreign Affairs of Republic of Slovenia

Human Rights Secretariat of the Government of Georgia (TBC)

Ms. Aistė Jakštienė, Second Secretary of Human Rights Division of the Ministry of Foreign Affairs of the Republic of Lithuania

Ms. Olena Stepanenko, Representative of the Ukrainian Parliamentary Commissioner for Human Rights on Socio-Economic and Humanitarian Rights

Ms. Olha Boiko, European Business Association

Ms. Marina Kupchuk, Investment Department of the Ministry of Economic Development, Trade and Agriculture of Ukraine

Directorate for Strategic Planning and European Integration of the Ministry of Justice of Ukraine



September 25, 2020 (Friday)

OPEN DISCUSSION “BUSINESS AND HUMAN RIGHTS IN UKRAINE: COMBINING EFFORTS OF THE STATE, CIVIL SOCIETY AND BUSINESS”

Online (zoom) with video broadcast

9.00 – 11.00 (Kyiv time)

Working language: Ukrainian with sign language translation

Moderator: **Mr. Yevhenii Shakotko**, Head of Department of Legal Affairs and Regulatory Policy of Ukraineinvest

Key discussants:

Ms. Olena Stepanenko, Representative of the Ukrainian Parliamentary Commissioner for Human Rights on Socio-Economic and Humanitarian Rights

Ms. Marina Kupchuk, Investment Department of the Ministry of Economic Development, Trade and Agriculture of Ukraine

Directorate for Strategic Planning and European Integration of the Ministry of Justice

Ms. Olga Boiko, European Business Association

Ms. Alla Sanchenko, PhD, Senior Research Fellow, Department of Problems of Modernization of Business Law and Legislation, Head of the Center for Advanced Studies and Cooperation on Human Rights in Economics of the Institute of Economic and Legal Research of the National Academy of Sciences

Ms. Olena Uvarova, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University

Mr. Victor Smorodynsky, PhD, member of the Scientific Advisory Board at the Supreme Court

Ms. Katerina Buryakovska, PhD, assist. prof. of the Legal Theory Department, expert of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University

UKRAINIAN CORPORATE EQUALITY INDEX 2020

NON-DISCRIMINATION AND RESPECT FOR DIVERSITY: CORPORATE POLICIES AND IMPLEMENTATION MECHANISMS

11.00 – 12.30 (Kyiv time)

Working languages: Ukrainian with sign language translation

Moderator: **Ms. Darya Nagaivska**, expert of the Corporate Equality Index 2020, project manager of CSO “Modern Woman”, co-founder of the Business and Human Rights Club



11:00 – 11:10 Greetings

Ms. Olena Uvarova, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University

11:10 – 11:40 **Why is it profitable for businesses to implement equality policies?**

Ms. Iryna Fedorovych, Director of the Center for Social Action, Co-Chair of the Coordinating Council of the Coalition against Discrimination in Ukraine

Mr. Timur Levchuk, expert of the Corporate Equality Index, Executive Director of “Fulcrum UA”

11:40 – 12:10 **Presentations of experience and success of companies in implementing the principles of equality and diversity**

Ms. Olga Boiko, European Business Association

Ms. Olga Shapoval, Director of the Kharkiv IT Cluster

Ms. Zlata Kostyuk, CSR expert, Ashan

12:10 – 12:20 **Together stronger: recommendations for business on vulnerable groups**

Ms. Anna Sharygina, Vice President of Women CSO “Sphere”, co-organizer of “KharkivPride” and “KyivPride”

12:20 – 12:30 Closing remarks

Ms. Darya Nagaivska, expert of the Corporate Equality Index 2020, project manager of CSO “Modern Woman”, co-founder of the Business and Human Rights Club

The event is organized by the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University in cooperation with the Corporate Equality Index, CSOs “Modern woman”, “Center “Social Action”” and “Fulcrum” supported by the International Fund “Renaissance”, and in partnership with the Business and Human Rights Club and the CSO “Sphere”.

THEMATIC DISCUSSION: “DIGITAL TECHNOLOGIES AND HUMAN RIGHTS: COULD DIGITAL TECH BE PROVIDER OF BEST PRACTICES?”

Online (zoom) with video broadcast

13.00 – 15.00 (Kyiv time)

Working languages: English and Ukrainian (simultaneous translation, sign language translation)



Kingdom of the Netherlands



Moderator:

Ms. Mariya Yasenovska, President of the Kharkiv Regional Foundation «Public Alternative»

13:00 – 13:20 Opening Greetings

Mr. Jennes de Mol, Ambassador of the Kingdom of the Netherlands in Ukraine

Ms. Olena Uvarova, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University

13:20 – 14:00 **Human Rights in the Digital World**

Ms. Dovile Gailiute-Janusone, PhD, Associate Professor at the Institute of International and EU Law, Lithuania

Ms. Yuliya Razmetayeva, PhD, Associate Professor, Yaroslav Mudryi National Law University

14:00 – 15:00 **IT-Companies and Corporate Policies on Human Rights: Good and Bad Examples**

Ms. Olga Shapoval, Director of the Kharkiv IT Cluster

Mr. Aleh Gulak, Head of the Belarusian Helsinki Committee, Belarus

Ms. Olena Uvarova, PhD, Associate Professor, Head of the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University

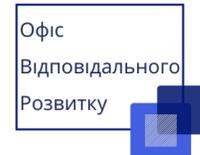
Discussion

TRAINING MARATHON: TOP-5 PROFESSIONAL SKILLS FOR A LAWYER ON BUSINESS AND HUMAN RIGHTS

Online (zoom)

15.30 – 18.00 (Kyiv time)

Working languages: English and Ukrainian



The training is conducted by the Office of Responsible Development (Kyiv) and the International Lab on Business and Human Rights in Yaroslav Mudryi National Law University (Kharkiv).

Special guests:

Mr. Paulo Pinto de Albuquerque, Judge of the European Court on Human Rights

Mr. Scott Martin, Founding Partner at Global Rights Compliance

Chevron Corporation Business and Human Rights Consultant (to be specified)

Mr. Igor Golubovsky, Assistant of the Judge of the Supreme Court

The training is aimed at developing the following practical skills:

1. Corporate human rights policies developing.
2. Analysis of risks of human rights violations (human rights due diligence), including in company's supply chains.
3. Non-financial reporting: human rights indicators.
4. Informing investors about the company's human rights policies.
5. Working with claims to company's violation of human rights.

Upon successful completion of the training, a certificate is issued to the participants.