

Expert Consultation

Development of Guiding Principles – Human Rights Impact Assessments of economic reform policies

Monday 2 and Tuesday 3 July 2018, Geneva

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Venue: Room 1.016- Palais Wilson- OHCHR, 52 Rue de Pâquis, Geneva

09:30-09:45	<p>Welcome and introduction</p> <p>Natacha Foucard, Chief, <i>Sustainable Human Development Section, OHCHR</i> Hubert René Schillinger, <i>Director, Geneva Office Friedrich-Ebert-Stiftung (FES)</i></p>
09:45-10:15	<p>Introduction of participants</p> <p>Introduction to the process</p> <p>Juan Pablo Bohoslavsky, Independent Expert on foreign debt and human rights</p> <ul style="list-style-type: none">• Overview of the process towards the Guiding Principles.• Brief presentation of the building blocks leading to the development of this tool.• Objectives and methodology for this meeting:<ul style="list-style-type: none">❖ Day One: General discussions, substantive issues and questions for further exploration❖ Day Two: Learning from the discussion, refining the Guiding Principles
10:15-11:30	<p>Session I: Scope and structure of the Guiding Principles</p> <p>The draft Guiding Principles aim to be applicable to different circumstances in the context of acute economic crises as well as in less challenging economic times. They could be used throughout any part of the potential reform process (including before, during and after). They aim to be applicable in developing economies and in highly advanced economies alike.</p> <p>Moderation: Hubert René Schillinger Presentation: Matthias Goldmann</p> <p>Guiding questions:</p> <ul style="list-style-type: none">• Scope: What are the views, challenges and opportunities of this wide scope for the GPs? How can the scope be refined, if necessary? What measures require an ex ante assessment?

	<ul style="list-style-type: none"> • Context and terminology: from acute crisis to less challenging economic times, from austerity to fiscal consolidation. Do they need to be defined? • How to ensure that the GPs are at the same time effective, pragmatic and comprehensive? • How are measures taken during economic stability connected to those taken in times of economic upheaval? • Bearing in mind the broad scope of the GP, is there something missing? What should be cut or moved?
11:30-11:45	Coffee break
11:45-13:00	<p>Session II: Main components of the Guiding Principles</p> <p>When States design / adopt economic measures, and when lenders/IFI advice on such measures, those measures should be guided by existing international human rights law and standards relating to civil, cultural, economic, political and social rights, at the global and regional levels.</p> <p>Moderation: Ingo Venzke Presentation: Liz Nelson</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> • What is the legal basis for the development of the Guiding Principles and their policy implications? To what extent do the current draft GPs capture the core obligations of States/ lenders with regard to human rights? • How can the draft GPs effectively tackle specific challenges and gaps in relation to economic reform when their implementation affects both national and subnational levels? • Is the range of policies covered by the GP wide enough? What might be too broad or too narrow and would require revision? What is missing? • How can the GP support stakeholders in their efforts to address negative effects of economic reform policies through paying bringing into the discussion other policies (fiscal policy, monetary policy, debt restructuring, etc.)?
13:00-14:00	Lunch break
14:00-15:00	<p>Session III: Transversal view of the Guiding Principles - specific populations groups, specific rights and how they are incorporated or relevant for the Guiding Principles</p> <p>A human rights impact assessment should first and foremost be used to understand how proposed measures may impact equality and human rights of the whole population, especially vulnerable and marginalized individuals and groups, and those at risk of vulnerability. It should take into account the services, goods and sectors that are particularly relevant to the fulfillment of human rights. Also, it should help prevent human rights violations, and anticipate and mitigate negative impacts.</p> <p>Moderation: Kasia Staszewska Presentation: René Urueña</p>

	<p>Guiding questions:</p> <ul style="list-style-type: none"> • How to ensure the incorporation of women's perspectives throughout the Guiding Principles? • Practical guidance and tackling discrimination, including indirect, indirect, systemic and intersectional: how can the GPs offer guidance for preventing negative impacts on specific populations groups in times of crisis? • What specific guidance should be included in the GPs to address particular issues related to various human rights, such as health, housing, social security, access to justice and legal aid?
15:00-15:15	Coffee break
15:15-17:15	<p>Session IV: Operationalising the Guiding Principles and HRIA methodology</p> <p>The key steps in preparing a human rights impact assessment should build on accepted and evolving impact assessment practice but be flexible enough to adapt to other processes if the assessment is integrated into other, broader assessments.</p> <p>Moderation: Julieta Rossi Presentation: Chafik Ben Rouine</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> • How to integrate human rights impact assessments into existing assessment methodologies that governments, international financial institutions and other bodies may already be using? • Good practices and challenges: how to ensure impartiality, independence and transparency when conducting the assessment? • What mechanisms or guidance is required to ensure genuine consultation, participation and accountability? • How can the Guiding Principles address key points for actors of the business sector (national and/or transnational)? • What complexities and challenges involved in collecting and using qualitative and quantitative data need to be taken into account? • How to ensure that a robust scientific methodology is effectively and timely used to assess?
17:15-17:30	<p>Session V: Closing remarks, missing issues</p> <ul style="list-style-type: none"> • Additional reflections on implementation • Wrap-up and overview of the programme for the morning of 3 July 2018

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09:30-11:00	Specific discussion Focus on lessons learned from the discussion on Day 1, refining the Guiding Principles - with discussion on examples, references, other legal sources, counterfactual arguments, rewording and suggestions for further revision Moderation: Juan Pablo Bohoslavsky Presentation: Nicolas Luisiani
11:00 – 11:15	Coffee break
11:15 – 12:30	Specific discussion continues
12:45-13:00	Next steps and close of the meeting Wrap up and tour the table on potential missing issues and further suggestions