



Pilot Project for the Promotion of Social Dialogue in the Southern Mediterranean Neighborhood

Regional Seminar on Business and Human Rights

September 7-8, 2016

Gefinor, Rotana Hotel, Beirut

Final report



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Introduction

A regional workshop on business and human rights was held in Gefinor-Rotana Hotel, Beirut in the seventh and eighth of September 2016. And this workshop comes as part of a project to enhance social dialogue in the neighboring countries south of the Mediterranean Sea between civil society organizations, syndicates and the business sector to look at the challenges facing human rights under the critical economic, social and political environment and at the contribution of social dialogue in improving human rights respect. The subject of business sector and human rights is considered an important topic discussed since ever. Its importance lies in the negative effects the multinationals have on human rights and the difficulty of restoring the balance or compensating for the losses caused by them, especially if the individuals who have been subjected to violations are from the developing countries where it is difficult for the individuals and governments to hold such firms accountable. Moreover, the enforced local legislations may not be applicable to international companies due to the absence of the power or the lack of jurisdiction of national courts.

In this context, during June 2014, a decision was made by the Human Rights Council to establish a work group to set a binding agreement for multinationals and other commercial firms concerning human rights. Among main points of the group discussions we cite the following:

- The importance of reaching a new binding legal tool in business and human rights.
- The transnational firms are the main driver for economic globalization with long term effects on human rights, therefore these firms shall be bound to respect human rights.
- UN guidelines are an important tool to enhance and protect human rights, but their effect is limited when it comes to reducing the impact of human rights violations committed by the firms on victims.
- There are no contradictions between implementing UN guidelines about trade business and human rights, through national action plans and the adoption of a legally binding instrument, noting that both processes are complementary and support a common goal.

Those were the most important issues discussed during the two days when hard work was done to set up a common direction that contributes to laying grounds for shared efforts and for a wider engagement of Arab civil society organizations in such an important international path.

Opening session

Mr. Ziad Abdel Samad, the executive manager of the Arab NGO Network for Development (ANND), has greeted the audience and delivered the inaugural address. Mr. Ziad stated that the workshop's main goal is to look into the business and private sectors in the new developmental model which,



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through its basic components, constitutes a big challenge for the developing countries communities especially in the Arab region. More importantly is the relation of the business sector with other developmental partners lead by the State which, according to the liberal system adopted since decades, powers and potentials were reduced as well as the space allowed for making policies and influencing developmental decisions while the policies and programs related to fighting injustice and inequality need that the State assumes a larger role notably in the protection of human rights and redistribution of wealth. From one hand, systems are currently heading towards reducing the State role in order to enhance the market work mechanisms, encourage investment, decrease the constraints imposed on investments and reduce the production cost, in contrary, there is an increasing demand to activate the State role in the context of protecting human rights and adopting mechanisms to redistribute wealth in order to preserve the stability and equality. However, balancing this relation is difficult, which makes discussing same deeply and approaching the private sector role necessary in this context.

After keeping up discussions about the action plan 2030 and the resulting dialogues on financing the development process, it is necessary to realize that there is a larger trend to give the private sector and the partnership between the public and private sectors a key role in financing the developmental process, and that there is a urgent need that it is subject to a set of requirements and conditions, for the engagement of the business sector and the private sector to be useful and have a positive reality. So, there is a series of international tracks that are considered in this field, such as:

- 1- A governmental international work group to approve a new agreement concerning setting human rights standards that are binding for the private sector.
- 2- Responsibility outside the multinationals work limits, etc.

Within each of these questions and issues this workshop was needed. Since the launch of an action plan in 2015, through to the -2030, the Arab network emphasizes the need to adopt a new developmental model in order to achieve developmental goals. This workshop came in the context of a project funded by the European Union EU in partnership with the Arab Trade Union Confederation ATUC with a primary goal to build the syndicate movement capabilities in the Arab countries as an international and active partner, in addition to enhancing the cooperation between the movement and the civil society organizations and the network. Based on that, an agenda for this workshop was set to highlight the most important problematic:

- 1- What is the status of the private sector within the new developmental model frame?
- 2- What are the criteria set by the private sector as a developmental partner, notably human rights standards?



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3- What is the State role and distribution policy (especially tax policy) as a part of the challenge facing the governmental policies when dealing with the private sector and increasing its role?

4- What are the internationally adopted mechanisms that help to implement human rights whether on the available mechanisms levels within the United Nations Commission on Human Rights (UNCHR) or those provided by the international financial and trade institutions involved in the developmental process as well as economic and social policies?

5- How the private sector can be held accountable and how the civil community can apply accountability mechanisms?

First session: Private sector and the new developmental model - Approach from a human rights perspective

➤ *Roberto Bissio, Social Watch*

Mr. Roberto Bissio talked about financing development from a human rights perspective, considering the subject one of the hottest topics of the discussions related to the new developmental agenda which was released almost a year ago and which would replace and expand the millennium goals binding the United Nations and international groups in the developmental role. The fundamental difference between the two developmental plans is that the millennium goals were based on the theme of eradicating extreme poverty in the world, while noting that extreme poverty is defined as living on less than one US dollars a day, and have set other goals as secondary targets in this regard. After lengthy, broad and participatory discussions between business leaders, civil society and governments about the new sustainable development goals, many of them required to focus on the other half of the extreme poverty eradication, considering that the millennium goals uprooted the first half. But many opposed that considering that it is very important to work on totally eradicating poverty and not just half of it and that relative poverty (as per its national relative definition) must be addressed in all countries including developed and middle-income countries, not only in developing countries.

Bissio added that the agenda repeatedly calls for the effective participation of the private sector and partnerships in the developmental process and that many topics in this agenda are still pending with the most important of them being indicators measuring inequality, sustainability and the factor list that will monitor the progress and commitment of the developed countries and firms, etc. The important question lies in the following: how this change will be funded? The agenda and discussions curriculum about financing the development includes different financing resources each having its own properties and problems related to the private sector:



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1- Official development assistance offered by the Organization for Economic Co-operation and Development OECD (the traditional Official development assistance).

A paradox appears at this level. Regardless of the fact that it has been agreed, 40 years ago, that the international commitment to provide development assistance shall be 0.7% of the budget total, unless half of the same was completed so far, and regardless the fact that a great improvement was registered in this regard in the European levels, the beneficiary form these European aids are the European countries themselves since most of them help immigrants and refugees. Germany remains the only country to register an improvement in ODA rate and calculate the share spent locally. On the other hand, there is trend to adopt a concept of the overall support for sustainable development since there are different opinions concerning whether aids granted for firms and military aids shall be calculated form the total ODA.

Among the questions asked in this context: to which extent international aids support private investments to achieve the required development level?

Shall the costs and profits of this investment be calculated in the financial contribution assessment process? What about the damage caused by this investment to the community? Such as toxic gas emissions? How can we address the problem resulting from increasing UN contributions from outside the budget from 20 to 80% which threatens the governments of not being able to manage this money based on their priorities but to be subject to international decisions most of the time?

2- Investments and foreign credits?

This point is important, all countries are interested in attracting foreign investments, but fear their risks, as investors managed to protect their rights and their authority in international law through international courts to enable them to hold the government accountable in confiscation cases while the government does not have such power. Knowing that the concept of confiscation has recently faced a significant expansion that induced exploitative reactions: In Uruguay, the State has incurred large sums of money as a result of a lawsuit filed by Philip Morris accusing the government of damaging his brand after issuing a decision to enlarge the warning against smoking on the cigarette packs. In Salvador, the government paid an amount of a one hundred million dollars after forbidding the gold and minerals extraction company from working near the cleanest river in the country in order to prevent any harm that might be caused to the health of the citizens due to the contamination of the only healthy water source and that only when the company expressed its will to invest there, in an ostensible violation to the Charter of the United Nations Human Rights Commission.



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3- Local resources use

It shall be considered as the main source of funding since it relies on a tax system that can be ascending (that move wealth from rich to poor) or regressive (as in Brazil). In some countries, tax rate decreases while increasing the firm's size which makes the employee pays a larger tax than the employer (in absolute value) , which applies in particular to the private sector.

4- Partnerships

In general, there are plenty of ways to make the tax system ascending and fair in accordance with economic, social and developmental conditions of each country and this requires, in many cases, the creation of partnerships with the private sector. But it lacks accountability, especially for major institutions involved in development, which threatens the ability of coordination on how to use the funds and thus achieve the desired goal. Bissio has reported two examples, the first about the weakness of accountability in one of the largest-funded institutions for development Bill and Melinda Gates Foundation and the loss that occurred in the reduction of maternal mortality project in Botswana as a result of the same problem).

➤ *Samir Aita, Concept and Circle of Arab Economists*

Dr. Samir Aita has talked about the private sector role in the new developmental model and started with an important note saying that there is no new developmental model in the Arab world because we are witnessing the Arab spring chaos but there is an attempt to reformulate the social contract and it has not been agreed upon an analytical origin for the new developmental model failure reasons. Concerning the new social contract, he stated that in the existing Arab constitutions, there are a lot about women, family, syndicates, and political parties as social bodies but nothing on the private sector or partnerships as a social body whether on the rights or obligation fronts. Only topics related to private property and public interest were mentioned despite that these constitutions do not explain the public interest accurately, which allows big violations in this regard. Then Aita asked the following question: what is the private sector? It needs working on setting a concept that clarifies its meaning.

The main reason of the Arab Spring uprisings is often the failure of the developmental model that has prevailed since the Arab countries got their independence. The primary responsibility is also placed on government authorities and the tyranny for seizing resources and hindering the development. This analysis is relatively true, but it does not support the induction of the new developmental model elements as it reduces a more complex reality and large developments that



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occurred and denies the responsibility of other actors: the community itself, especially the so-called private sector. On the other hand, if we compare the development indicators in the Arab countries with global counterparts, not on a general basis but according to per capita GDP, we will be surprised that some densely populated Arab countries with few resources have made a relative advance (such as Yemen) while under-populated countries with many resources lag behind their global peers (such as Bahrain) and this is a shocking fact.

There are also different historical stages experienced by the Arab economies since the fifties, the most important of which are the oil prices and revenues surge in the early seventies and the involvement of all the Arab states in the structural reform and globalization in the late nineties, what cause big changes to the economic policies. This has had a clear impact on the development and led to the consolidation of tyranny and the weakness of the State apparatus before the authority and the private sector and not vice versa (ie tyranny is a result and not a reason).

Arab States had therefore experienced an economic illness dominated by the curse of depending on natural recourses, then the involvement in globalization was flawed since technology rules us while many Arab regions were unable to provide such facilities, which have led to their failure in establishing multinational firms having a good status globally. It shall be highlighted that the new developmental model must enlarge its options in addition to social justice and empowering people. The main concerned party shall be the private sector, i.e. the public interest. Based on that, we must work on achieving the following:

- 1- Protection of small projects owners and provide them with a body corporate and social entity in their law so they enjoy their rights.
- 2 -Definition of public interest and clarification of the private sector rights and duties favoring the public interest.
- 3- Removal of the ambiguous wall between the public and private sector through laws and constitutions that protect the rights of each of them.
- 4- Provision of what allows the judiciary to fight monopoly, dumping and economic loyalties. The multinationals objections on dumping policies reveal the need for a special legal frame to limit that and to keep up with the fast globalization and technology.
- 5- Protection of the private sector right to assembly and holding accountable the government policies especially when it comes to developing industrial policies useful for the country notably in regards with its geographical location, etc.



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6- Protection of the private sector right to have policies, and financial and banking institutions to activate economic activity, look for, develop and address injustice cases and protection from risks (along with providing an example about what happened to the Tunisian economy after the revolution).

7- The civil community and syndicates shall assume their roles in defending the public interest, monitoring the State and private sector as well as protecting the private sector rights.

➤ *Dr. Abdel Salam El Said Ahmad*, U.N. High Commission for Human Rights

Dr. Abdel Salam talked about human rights and business sector and started with the idea of conflict between development and respect of human rights, which appeared in the Asian Tigers, India and Chile's experience, for example. Then he said that the issue of human rights has been given great importance in the world of business and finance; economic activities play an important role in meeting human rights and all what firms are doing affect the human rights significantly. The links between human rights and international investments have evolved, which increased fears of risks workers can be subject to at their work.

Many analyses were built on the fact that investment treaties limit the ability of States to fulfill their human rights, so everyone nationally, regionally and internationally headed toward finding ways to secure investment with protecting the investor and the State and consolidating their accountability towards human rights protection. On the other hand, the United Nations system has sought to develop frameworks and mechanisms aiming at protecting human rights in the field of trade business, investment and organization of the process of consolidating and respecting them as well as ensuring equity and methods of addressing them in the international and domestic law in the event of violations and related crimes for the government and the private sector; and even if they are not legally binding, they show the efforts made in this area.

This approach is an intellectual or normative frame for the planning or programming process, since it activates the international standards related to promoting human rights. The developmental work in this regard is based on a rights-based approach to be referred to during the discussion of the new developmental model. As part of the efforts made in this context, hundreds of firms are publishing their policy concerning human rights. More than 800 thousand firms have signed the United Nations Global Compact and its principles regarding workers, environment and fighting corruption. During 2005, it has been requested to appoint a person responsible for human rights and to form a council to replace the current committee in order to follow up on the issue. This frame contains basic principles:



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- 1- The State duty to protect human rights
- 2- Firms responsibility to protect human rights.
- 3- The need to help human rights violations victims to refer to justice.

UN Human Rights Council has unanimously supported the need of firms' commitment to the International Bill of Human Rights. After 6 years of researches and consultations, it has set the following guidelines to protect human rights from being at risk due to any commercial activity:

- 1- Justify the steps that countries shall take to promote the respect of trade works for human rights.
- 2- Draw up a plan for firms to identify human rights and respect them.
- 3- Limit the risk of causing or contributing in any harm to human rights .
- 4- A set of criteria was laid down for stakeholders to use them while assessing their compliance with human rights.

After that, it has set the principles of concluding contracts that include liability towards human rights and related to the next 10 levels:

- 1- Preparation and planning
- 2- Management of negative effects on human rights
- 3- Program implementation criteria
- 4 - Provision of additional goods and services
- 5- Project's financial security
- 6- Legislative terms confirmation
- 7- Community engagement
- 8- Tracking the project and its extent of compliance
- 9- Grievance mechanisms
- 10- Transparency and disclosure of the contract terms



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➤ *Olexi Pasyuk, Bank Watch Network CEE*

Mr. Olexi spoke about the role of international financial organizations in achieving sustainable development and began by defining the Bank Watch that it does not belong to any bank, deals with environmental groups, relies on funding from Central and Eastern Europe, while working on projects all over the world, and it is actually based on European funding. Bank Watch works are focused on the following: the environment is all what interests the multilateral development banks, workers' rights, social issues, and the risks of investing. He has highlighted the agenda of Addis Ababa and its involvement of the private sector in the expected role of international financial institutions in achieving sustainable development. On the one hand, the multilateral development banks pays billions and trillions of dollars to support the private sector while the latter respond through returns on capital, determining market prices, consumption and demand better infrastructure. The international financial organizations feel the need to invest in infrastructure and most importantly to reshape the previous projects and promote partnership between the public and private sector, which is realized by the management of a private institution operating the public affairs and making profits.

He has also cited the most important problems in the partnership between public and private sectors:

- 1- The mistaken belief that these partnerships move the additional financial resources.
- 2- Public money is useful as investments reserve.
- 3- Public money takes all risks.
- 4- The private sector forcing the public one to adopt a certain level of profits and the necessity to compensate for the private sector in case that level was not reached.
- 5- The existence of other conditions and guarantees to protect from any change at certain levels such as loans and exchange rate.
- 6- In exchange for additional profits related to those partnerships, there are additional risks that must be faced (notably in the filed of investment in the infrastructure).

On the other hand, multilateral development banks do not help countries to make the right decisions, and the international financial institutions lay the responsibility on the countries for the rule of law absence for example and they might avoid responsibility to adopt other goals such as promoting democracy as did EBRD or limit their objectives towards one political trend (commitment of EIB to EU agenda). Interventions that might help improving this situation are:



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- 1- Aiming at strengthening accountability in donor countries.
- 2- Working on improving policies and procedures as needed and removing conditions set by donor countries when supporting developmental projects.
- 3- As for the institutions of civil society, public banks shall call the latter to abide by international legislation policies, set stable mechanisms to file complaints, and promote media appearance.

Based on the aforementioned, we will cite the most important examples of mechanisms adopted by EIB to file complaints:

1- Filing a complaint against the European Investment Bank (EIB) to access environmental information and for the absence of a safe environmental impact assessment EIA on the lines of High Voltage in Ukraine. It had a positive impact of EIB requesting the update of the official electronic page and securing the safe environmental impact assessment.

2- Filing a complaint against EIB for the absence of safe environmental impact assessment on projects to build the highway through the nature protection area in Poland and the process continues as long as funds are not transferred yet.

3- Filing a complaint to access environmental information on emissions from a power plant in Poland. The result was positive since EIB had to reveal the information, etc...

➤ *Discussion:*

Questions and Remarks:

- The problem is not the participation of the private sector but rather the nature of this sector, especially in developing countries given the security and political instability, namely in the Arab World, which led to capital flight, weak capacity, lack of direction and vision.
- Regarding taxes to finance development - noting that we disregard savings and attraction of local savings in Arab countries, which is transformed to negative factors such as buying arms and jewelries - they are not included in the developmental process. This may be solved through a more transparent banking system. Also, there is a pairing between capital and governing authorities.
- Regarding external finance, there is sometimes donations of thousands of dollars for finance but cannot be reached and followed up because of the governments and their disposal of same.



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- Is the private sector qualified to face old failure under totalitarian regime by finding a new development pattern under the current regimes?
- How world trade organizations were organized, how agreements were made and in favor of who? They undermined the society's ability to affect their activities, therefore, they should be reconsidered in terms of respecting human rights. For instance, there is a suspicion between FDI and international agreements preventing us from doing so.
- The new developmental model is essentially linked to our Arab region through both wide experience and our special experience since the new developmental system required in particular a series of radical rather than just formal reforms. Are we getting there yet? What about the corruption and tax evasion challenge we're facing?
- Concerning the developmental process, local and not international finance is what really matters. Despite the fact that the private sector is based on the selfish self-interest, it plays a role in achieving social and development interests, thus the necessity of discussing this matter.
- What are the subjects agreed upon between all social partners in this new developmental system? We didn't participate at all. Do the actions of international organizations satisfy us and match our principles? And the most important, did they put a special mechanism in this regard?

Answers and feedbacks:

- One of the remarks on the new agenda is that it consists of a political text and not a binding agreement, though the political obligation helps in the implementation. Our responsibility is to ensure this. Arab governments were impressively active in this field. However, the halt level of this subject differs according to various factors. Moreover, corruption is not always their fault but in many times the citizen's fault.
- The goal is not stating facts but a call to think outside the box. Low-cost infrastructure and public service to be provided for all citizens is not at all the responsibility of the private sector. Talking about corruption is a moral talk, but creating a partnership between private sector and the one that causes corruption (i.e. the public sector) should be considered as promising.
- It is good that the United Nations Human Rights Council (UNHRC) is considering making the private sector responsible in front of the society since it's easy to deal with public sector but it's hard to understand the private sector in terms of developmental policies.



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Second session: Human rights approach regarding the business sector participation in development

➤ *Ziad El Hayek, The Higher Council for Privatization in Lebanon*

Mr. Ziad spoke about the business sector role in protecting human rights. He started by stating that the European farmer only got his rights when he was freed from feudalism and moved to the city. Work liberates and the most important human right is the right to work. Thus, one should focus on the worker's rights and obligations. Accordingly, in 1997 the International Covenant on Economic, Social and Cultural Rights (ICESCR) was issued. Human rights concepts in socio-economic field always remain within the principles and ideas framework and hard to be materialized on the ground since it requires perseverance in both political and union activities. There are many rights and Mr. Ziad enumerated the most important ones as internationally acquired rights and was officially signed. However, Islamic Shariah for example revoked many of them, namely those related to women rights but this doesn't preclude their existence and the abidance of many countries by same.

Mr. Hayek then confirmed that finance is the only way to achieve sustainable development. Every country suffering a deficit making it unable to pay its public servants should focus on its economy growth that may be achieved through the private sector's growth. This latter creates job opportunities and contributes in financing projects and establishing companies, banks, etc. However, there is generally a problem in implementing Public-Private Partnership (PPP), most partnerships fail to achieve their goals as well as preserving citizens' rights. The reason is that the government lacks sufficient competence to negotiate with private sector. So, this partnership is subject to many risks solved through the contract. The state assumes the tariff and negotiation that should be handled by experts in this matter. In general, there are essential goals for partnership, which are:

- 1- Ensure transparency
- 2- Complete part of specifications
- 3- Participation of stakeholders

It is also important to form a special unit for negotiations in PPP in order to reach a successful way to commission big projects providing job opportunities and contributing in achieving sustainable development goals. In our countries, there is no budget surplus and we should have recourse to private sector for finance. We also need job opportunities this sector provides for graduates and displaced, in addition to the solution provided for other socio-economic problems.



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➤ *Ahmed Mansour, Habitat International Coalition (HIC)*

Mr. Ahmed talked about Human rights in PPP. He started with confirming the presence of real new developmental plans, but one should differentiate between international initiatives and attempts to create developmental plans and between the practices existing in the scope of our countries. Civil Society participated in all those previous plans. If PPPs are necessary to meet socio-economic rights and create a high-quality and fair sustainable framework, the society must be part of this partnership from many aspects, so people become part of the partnership since the state itself emerges from the people and the civil society. Thus, the importance of recognizing persons and integrate them in public interest and engage them in the development process, namely those damaged from same, knowing that people are the main capitalists and stakeholders most of the time.

The government’s role changes in case of partnership between private, public and popular sectors and becomes just a facilitator and supervisor of the private sector performance with the lack of accountability, answerability and transparency. Therefore, the state should abide by the International Human Rights Law on terms of engaging the society and trusting its ability to offer services and goods at reasonable prices on a sustainable basis. Engaging the society is an essential principle of International Human Rights Principles. Regarding political commitments, all international agreements confirmed that human dignity is materialized by engaging him in all decisions directly affecting his life.

The second habitat agenda stipulated the achievement of active participation at all levels to ensure protection from discrimination. Article 61 confirmed that this is the only way to provide proper habitation; also article 72 confirmed that the Stat is committed to avoid unfavorable intervention regarding the citizen, etc. in some PPP assessment reports; there is a confirmation that the international financial crisis aggravates current gaps in financing development, paving the way to future loans in developing countries. The most important is the necessity of engaging civil society and officially organize the three sectors (public, private and popular) for long term in order to ensure their effective participation. It is worth mentioning corruption that might result from the private sector intervention in some countries. As for the most important questions to be taken into consideration when discussing this subject, they include:

- 1- The scope of business sector growing influence in political discussion and preparing the development agenda
- 2- Fragmentation of governance international frame according to the personal interests of private sector
- 3- The scope of diminishing democratic representation of public institutions, especially in fragile and developing countries



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- 4- Finance instability and threat of general goods availability
- 5- Lack of accountability and answerability mechanisms
- 6- How is it possible to halt forced eviction and looting of lodgings and lands under the dominance of private sector?

➤ *Moustafa Said, International Labor Organization (ILO)*

Mr. Moustafa discussed flexibility and investment in labor market, namely integrating work and started by stating that this is an important and delicate issue and that flexibility is extremely important in enhancing the private sector role. This latter was iconized as a savor sector with huge efforts to contribute in developing societies looted by this same sector when it had the chance to do so. It's not meant to have a stance against the private sector but to note that private sector in Arab countries only represents the interests of royal families, kings and ministers' sons and relatives and enjoys advantages for being close to these parties. As such, it started to act aggressively since these supportive authorities respect neither their international commitments, nor constitutions or national laws, they don't provide as well their citizens' rights.

To be added the real failure of civil society and union movements that are subject to authorities neglecting their role in accountability and answerability as well as repairing the standard system through which they can intervene and negotiate fairer conditions and broader freedom margin. This leads us to labor market in Arab region where most of the manpower works in irregular economy where there are no preserved rights, a fact that is increasing with the presence of immigrants and refugees. Moreover, there is the failure in government policies.

As for the interesting rights system, there are two main rights the lack of which had led to more destruction and failure in partnership: Organization right of large segments and the participatory collective negotiation right. Investments in private sector resulted in more unemployment, since freeing or seizing the market didn't lead to the reduction of production cost of goods and service but to transforming economies to more rented ones. Thus, who determine investment conditions?

Shortly, we don't lack flexibility since around 90% of the manpower belongs to unstructured work category; therefore we conclude that the problem mainly is the lack of the two mentioned rights.



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- Mahmoud Abel Jawad, *The Egyptian Center for Economic & Social Rights (ECESR)*

Mr. Mahmoud discussed how to preserve human rights in investment agreements and started by focusing on the fact that talking about investment agreements clearly leads us to talk about multinational partnerships. Then, he highlighted the main problems and constraints those multinational partnerships face:

- 1- Those partnerships started thanks to international financial institutions and world organizations as well as other players more dominant than the State.
- 2- These partnerships violate litigation systems, for example, the citizen is unable to report any kind of corruption such as tax invasion, etc.
- 3- Those investors enjoy a huge immunity not available for local investor himself whether inside or outside the country, which leads us to bank secrecy and the State not taking any measures to control the amount of foreign currency in the country.
- 4- There are no limits binding the investor who has many incentives to create job opportunity and abide by the minimum wage or commit to any guarantee stipulated by the national law. Egypt for example experimented a period where it was the most countries used arbitration in legal proceeding and paid huge fines as a result.
- 5- There is a bureaucracy in dealing with lawsuits by legislations parties and others (an example on Egypt).
- 6- There is a duality between investors and authority that control investment whereas it is hard for the citizen to appeal any violation.
- 7- To which extent the multinational companies are committed to human rights agreements depending instead on voluntary abidance not obligatory one.

Then AbdelJawad concluded by a recommendation stipulating the necessity that all international investment agreements contain a clear provision on the predominance of human rights agreement in case of inconsistency between the country's commitment to human rights and its commitment by virtue of other treaties.

- Discussion:

Questions and Remarks:

- The difficulty to obtain positive partnership results is a core issue that is not caused by the lack of competent employees but rather by the persistence of the private sector to escape its



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social liability and legislations in particular pertaining to the environment by resorting to the authority.

- We always tend to forget the context of the partnership between the public sector and the private sector stipulating that the partnership must be within the frame of a strong state and active civil society, thus the issue must be seen in a more comprehensive manner.
- In countries like Lebanon, we find a surplus in nonproductive government employees as a high number of these employees serves in the army, security or political forces or the education sector.
- In contrary to the previous showcases, your employment in the governmental system makes it easier for you to manage the public services and thus the liabilities of the state will increase as the private sector occupies a large segment of the economy due to the multinational firms and huge budgets.
- The problem is not only the unorganized activities but rather the unorganized activities within an organized sector, particularly the private sector. The main issue is also the danger accompanying the exclusion of investment agreements from the national law. Thus, the limits between the public interest and the private sector must be defined. In addition to the aforementioned, international investments must comply with the national laws although the capital brought is only partial, meaning that the whole theory should be reassessed.
- The discussion must focus on the nature of the internal or national private sector: Can we bet on the private sector in the Arab countries? As this sector is disassembling the country piece by piece as if we are about to have a parliament formed of the private sector in the near future due to its large involvement in the elections.

Answers and Feedbacks:

- States must clearly set their priorities pertaining to partnerships and the conditions thereof, in addition to the governance of the contracts concluded with the private sector in order to guarantee the rights of the state and the community and the ability to recover these rights. Samples of investments must be compatible with the nature of each community.
- The Syrian factor must be added to the organized labor system in order to protect and respects its rights. We should work on promoting the control system rather than holding the private sector accountable for all the breaches.
- It is not implemented only in Arab countries but also in Latin America that is confronting the same challenges with the support of a more efficient civil society.
- In this frame, we must insist on the right of freedom of association and negotiation. However, the private sector must only be allowed to make profits after respecting all rights and fulfilling all recognized conditions.



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Third Session: Distribution policies in the new development model:

➤ *Sorley McCaughey, Christian Aid Ireland*

Mr. Sorley discussed the impact of tax evasion on human rights and summarized the issues surrounding this subject as follows:

1. Death and taxes: the real number of victims of tax avoidance.
2. The next day and the day before: the impact of the financial crisis on developing countries.
3. Life tax: how does tax evasion limit the Ireland's support to poor countries?
4. Fake profits: robbing the poor to help the rich escape tax commitments.
5. Who pays? The hungry, this is the hidden price of the absence of tax justice.

He also discussed Panama Papers, confirming that the increasing discrepancies led to more and more corruption. He gave an example about Luxembourg leaks that cut the Irish tax bills. He also gave another example about HSBC files that showed how Swiss Bank helped its customers avoid taxes and hide millions in order to highlight the importance of different challenges in this field. Then, Sorley addressed other facts such as the fact that developing countries has shares of the gross domestic product deposited in foreign banks in developed countries that are much higher than the shares of these countries themselves in these banks.

Then, he started to showcase what makes the tax a humanitarian cause, including the following:

1. Sufficiency in resources.
2. Arrangement of priorities.
3. Redistribution.
4. Accountability.
5. External commitments.

In this frame, we must shed the light on the speech of the United Nations Special Rapporteur on extreme poverty and human rights, Philip Alston, in February 2015: "There are always reasons why poverty cannot be eliminated and why alternative projects need to take priority. The sanctity of tax policy is too often invoked as though there are no choices to be made".

We must also focus on few recommendations adopted by the corroborative and defensive activities:

1. Transparency of firms.
2. Judicial involvement.
3. Ownership of firms for public interest.
4. Assessment of impact on political and financial rights.



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5. Budget extreme transparency.
6. Analysis of extensive complications.

At the end, he explained the agreement on eliminating all types of discrimination against women and the changes in the income tax rates of firms and the revenues of the income tax of firms between 1980 and 2012.

➤ *Salaheddine Jourshi, Arab NGOs Network for Development*

Mr. Salah discussed the social protection and new development model. In the beginning, he stated that the network does not pretend to have an alternative development model but affirmed that the alternative must be ready in the nearby future. The development model is going through a structural crisis on all levels. Therefore, it is time to work on changing this pattern. As for social protection on the Arab countries level, the system is facing dissociation and breakdown. There were also discussions saying that even countries like Tunisia have a great possibility of facing bankruptcy and the inability of funds to meet the commitments. In order to analyze the reasons behind this crisis, there are two main factors:

1. Local factor: the corruption of the system management and international liabilities regression.
2. International external factor: social protection policies, due to major changes in the concept of political economy leading to the regression and restructuration thereof. As a result thereof, it was deemed necessary to separate the concepts of growth and development, the limitation of the governmental liabilities and the separation of the profit and the social liability.

In this frame, the private sector was considered the main key of development. Therefore, we reduced the burdens of this sector and gave it an opportunity to flourish under minor conditions. In the current prevailing international system, only 20% of the individuals benefit from 70% of the international income and accordingly the poverty is the main subject of argumentation and discussion. Therefore, the network insists on redefining the term of poverty as new indicators are trying to show that the situation is stable and thus the concept must be reassessed and measured.

The network is suggesting to rediscuss the social protection concept and to acknowledge the core problems of protection policies and the solutions thereof. It is essential to affirm in the beginning that social protection is a right rather than an obstacle hindering the path of liabilities assessment according to the network. A circumstantial solution must be found to eliminate social protection from security networks in order to avoid future discrepancies and marginalization. The network



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insists that social protection is a core element meaning that civil wars can outbreak once it breaks down as well as it is a main element of the development strategy. The protection status shows the nature of choices and the liabilities management. Therefore, the protection services must be available to everyone without exception or else the system will be built on deepening differences and promoting inequality between the citizens. Protection policies are straightly linked to fighting poverty and thus we have an opportunity to develop poverty fighting policies.

➤ *Firas Jaber, Al Marsad, Palestine*

Mr. Jaber discussed tax justice from a local point of view and listed the main indicators on the absence of tax justice as follows:

1. Systems based on collection principles only aiming at enhancing governmental disbursement or reducing the deficit rather than a fair economic and social vision.
2. Major differences between the community layers.
3. Major abstraction in the exchange and investment agreement.
4. The lack of State's access to the marginalized community layers.

He shed the light on different issues in this regard including but not limited to the following:

1. Most of tax evasions are performed by or through senior taxpayers.
2. Non-inclusion of a large layer of professionals with high incomes as recent studies in Tunisia showed that 8000 Tunisian national physician pay around 500 Dinars annually only while 100 Dinar are being deducted monthly from the salary of employees with limited income.
3. Absence of differentiation in tax exemption depending on the family size and gross income meaning the inflexibility in tax systems.
4. Blind taxes imposed on consumption which is a burden on the poor and families with limited income.
5. On the structural level, the absence of information or unified statistics pertaining to tax issues such as evasion and other matters.
6. The losses of Arab countries on the level of taxes and fortunes (resulting of tax evasion by way of example) do not even reflect the level of assistance provided by these countries, although the international integrity study estimated the financial flow and tax evasion between 950 and 1.1 billion dollars. Thus, the outgoing is far higher than the incoming in our countries.



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On one hand and as for tax evasion, some figures were listed:

In Palestine and Tunisia for example, the tax evasion forms 50% of the total tax value; as for Lebanon, it forms 70%; It adds up to 700 – 800 million dollars in Jordan; it amounts at 5 – 6 billion Dirham in Morocco and 350 billion Egyptian pound in Egypt. The worst part is the indirect taxes or harmful blind taxes forming 50% of the gross income in Jordan and Tunisia, 40% in Egypt, 56% in Morocco and 94% in Palestine (special case – including customs). Confessions confirmed that around 26 billion dollars were illegally smuggled outside their countries by famous Arab figures through a one Swiss bank.

On the other hand, there is a straight link between public debts and taxes:

Most commercial agreements between two parties and international agreements signed by Arab countries obliged them to open their markets to foreign countries meaning in the following: awarding customs exemption to these countries and authorizing them to invest without paying taxes or complying with the investment laws. Thus, the tax collection was weakened, the public services were reduced and the local taxes increased in a compensation attempt.

The other subject is the contraction of debts and loans that are subject to reducing the disbursement, abstinence and limiting the assistance provided by the State resulting in increasing the financial burden of the citizen.

As for the different commercial relations encouraging exportation, they only led to further commercial deficit (in a comparison between Europe and Jordan for example).

➤ *Dr. Howaida Roman, the national center for social and criminal studies in Egypt:*

Dr. Howaida discussed the gender factor in distribution policies of the new development model highlighting the situation of women under the current model and the new one. Women in the work field are confronting the following:

1. Marginalization.
2. Appointments in non-public sector.
3. Unpaid labor.
4. Large number of breaches, particularly in the private sector.
5. Cultural tendencies of our communities.
6. High rate of unemployment.

Internationally, women are the main victims of the large discrepancies in wage forming a large part of the economically and socially marginalized layer of the community. This injustice highly



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impacted women, particularly on the level of violence increase, economic crisis, privatization of public services in the health and education sectors which are the main mechanisms in fighting poverty, leading to further marginalization of women and children. The last report of UN Women showed that 1% of world population own 40% of the assets, in addition to another aspect of the problem which is female refugees; as according to the United Nations High Commissioner of Refugees, female refugees constituted 47% in 2015 in the Arab countries that are facing a crossroads.

The next global and international challenge is the following: “is it possible to come up with a development model based on a redistribution policy?”. The main facets of neoliberalism growth are the following:

1. Weakness of the State in resources mobilization.
2. Partial exhaustion of the shares.
3. A State depriving its citizens from resources that can be spent on health and education.
4. Not listing addressing poverty in the State’s liabilities, particularly when the State fails to allocate the necessary funds for this issue.

The objects of sustainable development included a comprehensive discussion of the subject of women particularly in the fifth object addressing unpaid labor, public services and unplanned economy as well as in the eighth object suggesting a different pattern for economic development recommending a fair redistribution of assets as one of the policies that help in improving the situation of women.

In the neoliberalism model, the government adopted in 2011 contraction policies that led to further unemployment of women and suggested the absence of an alternative for this model. However, these policies discharged more employees and weakened the ability of the government in mobilizing resources. Thus, the new development model must adopt economic policies with decent social objects aiming at employing a higher number of people and increasing the demand of products and services and as a result thereof achieving a high level economic growth. The State must redistribute the assets, focus on human investment in order to form a productive workforce and work on finding solutions for obstacles pertaining to the cultural dimension. It was confirmed in an important report that women form 50% of unpaid labor which must be calculated in the budget responding to the needs of a social category, while taking into consideration the main challenges confronting the implementation of the new development model:

1. Conflict of interests.
2. Reestablishing balance between sectors.
3. Development and protection role of the State.



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4. Role of the civil society, grassroots and private sector, particularly the social liability awarded as a favor while being a fundamental labor right.
5. Failure in defining concepts.

➤ Discussion:

Questions and Remarks:

- The concept of tax evasion changes from a country to another and from a world to another as it is related to two aspects: the first aspect being the corruption and the second one the need to study the usage of funds and bank financing as it plays a major role in the increase of social differences.
- The current pattern adopted in the world led to a gradual and continuous breakdown of development indicators. Therefore, it is essential to come up with a new vision as we are on the edge of a civilizational and technological deep and neutral turnover. We are moving towards new productive patterns not understandable by traditional theories (such as digital economy, etc.).
- The objects of sustainable economy were mentioned as they form an alternative development model, but to which extent can it be considered an alternative development model following our experience with the previous millennium objects MDGs?
- The international treaties support the public and basic services by imposing governmental commitment rather than meeting the needs of the citizens.
- Human investment is one of the most important issues; experiences in this field showed quality improvements; however, education and health in addition to other services are going through a breakdown and therefore this should be addressed within the frame of a new model.
- As for the fair tax, our civil society must adhere to two conditions in order to create an improvement in this context: the right to access information, to know how to deal with the state budget by learning to read the budget program and establish a solid relationship with the decision makers. The social diversity and human needs should be taken into consideration not only the gender dimension when discussing poverty protection. The human needs changing with age due to physical and circumstantial changes must also be taken into consideration.
- The tax policies cannot be separated from other economic policies in the country; therefore we must stay humble in this regard.
- Do the figures mentioned by Christian Aid reflect tax evasion or tax avoidance? After the Panama Papers scandal, is there an international tendency to limit the tax evasion or not?



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- This session must be linked to the previous session as they address the same issue.

Answers and Feedbacks:

- The information must be accessed in order to deal with financial affairs; however, it is the responsibility of the citizens to claim this right. A tax is paid to enable the State to provide services in the name of the citizens. The evasion and avoidance are two critical issues. The figures provided by UNCTED presented the evasion rate and the other figures presented the avoidance rate. In the Panama papers, the main issue was the fact that we don't know the owner of these firms as most of the owners were virtual.
- The social assistance and services in the past were better as the State was the one in charge; however, we are assigning this liability in nowadays to the private sector and other parties, making the provision of the same assistance and services sound like a charity work rather than a right.
- We are recreating dictatorship which must be avoided by focusing on the civil society as well as enabling it through continuous pressure and demands.

Fourth Session: International Mechanisms on Business Sector and Human Rights:

➤ *Joshu Curtis, Extraterritorial Obligations Consortium*

Mr. Josh Curtis discussed Maastricht Principles, development financing and partnership between the public sector and the private sector.

He started with a brief background of ETOs Union, meaning extraterritorial obligations of human rights and Maastricht Principles including the following:

1. Extraterritorial obligations of human rights meaning the states' obligations in connection with human rights towards the persons living in other countries.
2. What are these obligations? What is the origin of these commitments? An integral part of the human rights principles is the abolition of slavery – United Nations Convention on the Abolition of Slavery – development right.
3. Are these obligations a part of the law? Can they be imposed?
4. Do these obligations represent political guidance within the frame of due diligence to provide a legal principle organizing globalization along with the social values?

He stated that ETOs aim at addressing the gaps in human rights protection resulting from the negligence of extraterritorial obligations of human rights by setting a methodology and an



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implementation strategy under the guidance of an elected directive committee, the representatives of civil society organization and academics from different areas in the world; the resource of Maastricht Principles (2011) is the international law in accordance with Article (38) of the Statute of the International Court of Justice noting that these principles do not impose a new law but rather clarify the ETOs based on the international law.

Then, he defined the following principles as follows:

1. Extraterritorial Obligations:
 - The obligations related to the actions and negligence of the State providing that people enjoy their rights outside its territories.
 - Global obligations to take the necessary procedures and work together through international cooperation in order to achieve the human rights internationally.
2. The jurisdiction authority scope:
 - States' commitment to respect, protect and meet all rights.
 - Exercising the effective authority.
 - Taking decisions of great impact.
3. Obligations to avoid causing harm:
 - States avoiding anything that may cause a real danger in order to annul or weaken the extraterritorial rights.
 - The uncertainty about possible impacts is not an explanation for such a behavior.
4. Assessment of Impact and Protection:
 - The States must perform a prior assessment of risks and impacts surpassing the possible regional borders of the laws, policies and practices in enjoying the economic, social and cultural rights.
 - The assessment must include the measures to be taken by the State.
5. The obligations of States as members of international organizations:
 - The State remains liable for its behavior.
 - All reasonable measures must be taken to ensure that the competent organization is complying with the international obligations of this State in the human rights field.
6. Indirect interference:
 - It weakens the ability of the country or international organization in accordance with the laws and obligations of this country.



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- It helps, guides, and controls a State or another international organization.

7. Cooperation obligation:

- It includes the measures to prevent human rights violations committed by active parties from other countries in order to hold them accountable for these violations and to ensure the implementation of effective fair strategies.

The SDGs give an important opportunity to insist on the obligations surpassing the regional borders of countries. However, there is a recent major concern regarding the Group of 77 (G77) pertaining to the attrition of the development cooperation and an invitation to renew and enhance global partnership between states. Furthermore, the main method to enable the ETO's in financing the development awards a particular attention to the procedural aspects of the decision-making process and framing the related economic policies. There is no doubt that these provisions cover not only the businesses surpassing the regional borders but also the policies covering these borders. As for the ETO's and public funds, the following must be mentioned:

1. Main principle: Public funds must always be subjected to accountability and human rights.
2. Liable financial deed.
3. The principles of the United Nations on related agreements and the risks threatening human rights.

➤ *Kinda Mohammadiéh, The South Center*

Mrs. Kinda discussed the binding international instrument pertaining to business institutions and human rights and confirmed that multinational firms are based on an economic and political force empowering them in our societies. In this frame, we must address the rights of investment and commercial firms that require to be redrafted particularly at the level of agreements between two parties and regional agreements authorizing the investors to sue the State. As for the business firms' law and the fundamental principles thereof, it gives each business corporation a legal personality and authorizes it to benefit from limited obligations, with reservations.

Mrs. Kinda showcased some breaches of these principles in the Ivory Coast, Almina Mar, Palestine, India, South Africa, etc. which highlighted many problems in this field and then shed the light on the basic problems of human rights violations made by these firms:

1. Judicial authority: inconvenient challenges of the forum → creating a forum to settle the dispute.



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2. Creating the causality (parent company and subsidiary company): assessing the evidences and uncovering the firms → defining whether or not the actions of the individual caused harm and whether or not this individual is responsible for his actions.
3. Judicial assistance: the inability to fund lawyers and experts → mechanisms to cover the related legal expenses and settle a lawsuit.
4. Cooperation between judicial authorities → cooperation between different judicial authorities in order to achieve more in specific claims, pertaining to the access of victims to the rules.
5. Challenges at the execution level → confession and executing the judgments of one country in another country.

As for the discussion on the United Nations, Kinda stated that we are still at the stage of voluntary instructions and highlighted the convention A/HRC/26/9 declared in July 2014 stating that “...drafting a legally binding international instrument to organize the activities of transnational firms and other business institutions in accordance with the international human rights”. Then, she explained the key elements of such a discussion: the scope (which company and which legal violations?), international obligations, firms’ obligations, solutions and implementation.

She also added that when we ask if “the possible tool was implemented in all business institutions or transnational firms?”, we must refer back to term no (1): “other business institutions” refer to all business institutions with a transnational aspect in its operational activities, that does not apply to registered national firms in terms of the related national laws. Does this limit the discussions pertaining to the scope and coverage of the tool? She affirmed that this tool must cover the gaps in accordance with clear standards for these obligations. She also displayed a sample of official opinions on the state’s obligations towards the actions of perpetrators from other countries. One of the most important standards is the positive obligation of member states to ensure that the rights provided for in the convention fully enable the states to protect the individuals not only from the breaches made by signatories of the convention’s right but also from the actions of the individuals and entities. She also mentioned the opinions of the Inter-American Court of Human Rights, African Commission on Human and Peoples' Rights, etc.

As for the obligations of firms, she discussed the following:

1. Are the firms subject to the international law?
2. Does the tool include direct or indirect obligations for the countries? How to define the firms to be covered by this tool?
3. Is there a need for a clear definition?
4. Can the tool define the conduct of the firms under its scope?



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5. Will the tool create an international enforcement mechanism? Who will comply with the international mechanism (states, firms or both)?

At the end, she stated by saying that this tool aims at serving the victims not opposing to firms, highlighting the terrorism tendency and sovereignty of extraterritorial obligations.

➤ Discussion:

Questions and Remarks:

- What about the eclectic method of extraterritorial obligations as there is a great focus on this issue particularly in terms of financing terrorism and money laundry among other subjects? To which extent the sovereignty of the country can be flexible to make the extraterritorial obligations effective and subject to accountability (based on the aforementioned example on extraterritorial slavery, etc.)?
- What kind of connection is required to make the implementation of extraterritorial obligations successful? For instance, if the parent company is operating in a country and the natural company is operating in another country, what is the accredited course of action?
- Is it true that Maastricht Principles are the basis of international law which reflects revenues consistency and international agreements concluded 5 years ago only?
- G20 summit: will drafting a new law affect the international strategy to mobilize large firms and the world economy especially that they are very proud of their economic achievements in the last couple of years? As they support the goals of sustainable development and encourage the adoption of the same method in commerce, etc. without raising the subject of human rights.
- Does the project to draft a binding instrument to the private sector pertaining to extraterritorial obligations include the countries occupying the territories of other countries or conducting similar actions?
- As for the liberation of the mechanism of obligations and obligations: can the victim file a lawsuit against the state or the entity of the investment institution violating the right to accommodation, environment or health or does this accountability remain restricted to the international community to be exercised according to its international mechanisms?
- As for the national conventions, how can we push the national private sector to respect the human rights particularly in vulnerable areas with refugees or conflicts? How can we implement international treaties in the national sector and bind everyone to respect the conditions thereof?



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Answers and Feedbacks:

- Many northern countries do not report any issues with extraterritorial obligations pertaining to the arms trade such as the United Kingdom and its legislations on the arms trade that can be circulated in other countries due to the principles stipulated therein protecting human rights. The eclectic method mentions human rights and the obligations already exist. However, the question remains are they being implemented, when and how? Furthermore, it must be noted that the sovereignty of states is not related in anyhow to extraterritorial obligations.
- The standards related to extraterritorial obligations are too vague but the agreements came to summarize them and the Maastricht Principles is the origin of the law, meaning that they encourage the implementation of these obligations in a specific manner to clarify the essence thereof.
- The discussion on this agreement started recently and we defend it as developed countries and the G20s are objecting to it, therefore all the previous subjects are a part of the discussion material. The United Kingdom is a very good example as it applies the due diligence of a parent company towards subsidiary companies on a legal basis in order to be able to account the perpetrators in case of violation of any of these principles. Thus, this helps a country to protect its sovereignty and not to violate it. Therefore, when a country takes judicial measures against a subsidiary company, it will not affect its sovereignty.
- As for the national private sector, all countries need to develop their national laws and legislations in order to develop its ability to manage this sector. However, the question is the following: do we need to cover the purely national institutions or should we leave it to the national entities? We must be more realistic and practical and push to keep the focus on transnational companies.
- Regarding Joshua's statements, do we need a new international judicial arbitration body for the damaged parties to resort to directly? As it is the demand of several social organizations and we must discuss it and give our opinion in this matter.

Fifth Session: Other Human Rights Mechanisms

- *Akram Khalifa, Office of the United Nations Commission on Human Rights in Beirut (UNCHR)*

Mr. Akram talked about the control of the business sector through the mechanisms of the United Nations Commission on Human Rights (UNCHR) and insisted on the necessity to enrich the discussion with other experiences, new challenges, how to deal with these mechanisms and the role of the civil society in controlling the commitment of the business sector. He added that the core



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international human rights instrument is the Declaration of Human Rights and the main covenants signed in relation thereto: International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights. Both covenants promote the inadmissibility of discrimination and the equality between genders as interrelated principles that must be implemented with specific rights. He mentioned the rights provided for in the international human rights instrument and the rights provided for in the core conventions of the International Labor Organization.

Then, he discussed the legal obligations of the States pertaining to human rights:

1. Respect: States are not allowed to violate rights.
2. Protection: States should take the necessary procedures to ensure that rights are violated by a third party.
3. Fulfillment: States should ensure the enjoyment of rights through facilitating and providing the basic services necessary for these rights.

He stated that restrictions imposed on legal obligations provided for in agreements aim at maintaining a balance between the individual interests and public interest. For these restrictions to be deemed lawful, they shall abide by the following:

1. To be legislated by the law.
2. To serve one or more lawful objects.
3. To be necessary for one or more of these objects in a democratic community (consistency).
4. Takes into consideration the threats of the United Nations.

He explained the human rights protections mechanisms and how to ensure, control, respect and protect human rights internationally:

1. Either through contractual mechanisms – Treaty Bodies: international human rights agreements binding to States that signed these agreements.
 - Receiving and assessing reports from member States (all of them).
 - Receiving individual complaints (of some of them).
 - Confidential investigation on serious, major and systematic breaches of agreements' provisions (CAT, CEDAW, CPRD).
 - Early-Warning Measures and Urgent Procedures (CERD).
 - Commenting on agreements and interpreting the clauses thereof (general comments).



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2. Or through non contractual mechanisms (Charter-Based Treaties) that are affiliated to Human Rights Council including special procedures, universal periodic review and complaint procedure → Human Rights Council.
 - Complaint Procedures 1503.
 - Special Procedures 1235.
 - Universal Periodic Review (UPR).

He separated the works and procedures of the committee specialized in economic, social and cultural rights from the extremely important role of civil society in this field as NGOs can operate in networks, coalitions and alliances in order to motivate and push countries to join the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to accept the cooperation with the committee in leading investigations in events of serious or systematic violations of economic, social and cultural rights provided for in the covenant and to deliberate complaints between States. Then, he discussed the composition and the activities of the human rights council in 2015; the exposition and suppression of violations; the response to international emergencies including serious and systematic violations; provision of recommendations on human rights issues; development of international law of human rights, etc.

Mr. Khalifah concluded his statements by detailing the universal period review that includes the principles, objects, objects and system of review and reference documents particularly the general guidelines of drafting a report (equality, non-discrimination, civil and political rights and fundamental freedoms, personal freedoms and security, torture, justice, etc.), and complaint special procedure, in addition to the fundamental tasks of the High Commission and work procedures:

1. Interfering as a moral authority and voice of the victims.
2. Encouraging the education on human rights.
3. Encouraging the research and reflection on the prevention of violations and new challenges.
4. Merging the human rights with the United Nations System.
5. Serving international bodies specialized in human rights.
6. Providing access to information on human rights.
7. Enhancing the capacities of the civil society elements.

➤ *Manar Zeaiter, Lebanese Women's Democratic Gathering*

Mrs. Manar talked about the universal periodic review procedure as one of the United Nations procedures to protect human rights. She considers that it is too early to criticize this procedure as countries didn't even lead at least two discussions in this regard at the Human Rights Council since the procedure was issued in 2016. However, she highlighted the added value of this procedure and



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how can the civil society benefit from this procedure. She started with shedding the light on the established principles. We must go back to prior March 2006 as a change was made in the United Nations by transferring the body competent in the human rights causes from the Human Rights Committee to a high commission for human rights formed of representatives of 47 States that is directly affiliated to the General Assembly of United Nations. The universal periodic review is classified as one of the most important procedures and is included in the Charter-Based Bodies that are unrelated to the State's obligations and did not sign this agreement, giving it three strength points as follows:

1. Not all agreements issued by the United Nations pertaining to human rights are committees and accordingly protection bodies.
2. Not all countries that are signatories to these agreements are bound to present reports, particularly Arab countries.
3. In contrary to the UPR that bound all countries so far to present international reports and confronted them in case of failure to do so.

As for the objects, Resolution No (60 – 251) of the year 2006 created this procedure theoretically to serve the following:

1. To improve human rights status in the reality.
2. To enhance the capacities of the State.
3. To promote international cooperation.
4. To provide technical assistance to countries.
5. To exchange best practices.
6. To promote the States' fulfillment of their human rights obligations through a periodic report presented by a signatory or non-signatory State about the human rights status in it.

Before showcasing the positive aspects of this procedure, the following questions must be asked:

1. Is this cooperative procedure based on authenticated and objective information?
2. Is it practically a complementary procedure rather than a repetition of other procedures?
3. Despite the important role of this procedure in involving stakeholders and the civil society, is it considered an added value to our participation in introducing the procedures in the our reports?
4. To which extent can we bet on international procedures within the context of the United Nations works and activities?
5. How are we staying away from pressure to create international and regional procedures? Are we avoiding dealing these procedures and creating real fair procedures at the national level?
6. How can we create this link between development and human rights in the development's agenda in the nearby future? How can we create a link between the universal review based on the international instrument for human rights and the instrument set in this regard decades ago?



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Mrs. Manar concluded with mentioning the positive aspects of this procedure:

1. It was difficult to imagine before 2006 that all countries around the world will be held accountable by all countries around the world on its commitment to human rights.
2. This procedure is not linked to the membership of a State to the United Nations or being a signatory to agreements, thus it prevents the countries from trying to avoid sending these reports.
3. It insists on participatory path.
4. As for the civil society, our report is not fair as shadowing reports but rather a parallel report and stakeholders' report.
5. Several information resources of the Human Rights Council.

However, the international relations and political context affect the recommendations. One of our critics of this procedure is related to the recommendations as they are formal and general in addition to a deep analysis of human rights and missing the causes related to children, women, marginalized groups and gays. They also come in the form of legislations binding the countries to acknowledge a law. We should also mention the gaps in our reaction to these problems.

➤ *Moustafa Said, International Labor Organization:*

Mr. Moustafa, discussed the conventions of the International Labor Organization. He started with giving a brief overview about the history, activities and vision of the International Labor Organization while stressing on the fact that it is the only organization based on a tripartite structure including the governments, stakeholders and employees. The organization aims at achieving social justice, better living conditions and work opportunities all around the world. Then, he discussed the following main principles of the International Labor Conference held in Philadelphia in 1944: labor is not a good, freedom of opinion and freedom of assembly / freedom of association are two essential freedoms. Poverty all around the world is a danger to wellbeing and promotion of social justice and improvement of work conditions for both men and women. He also mentioned the following priorities of the organization: fair globalization, fighting poverty and unemployment, social merge, dignity (labor is not a good), the necessity to include these priorities when drafting the economic and social policies internationally or nationally (according to the needs of each country), structure of the International Labor Organization, legislative body and International Labor Conference. Then, he talked about the structure, frame and works of the organization including the standard activities and technical cooperation.

He also discussed the international labor standards as follows:

1. Agreements (total: 189).
2. International conventions open for signature.
3. Conventions become binding once signed.
4. Even if not signed, conventions are a source of inspiration.
5. Recommendations (total: 204) and declarations (total: 6):



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- They are neither open for signature nor legally binding - except for the Declaration on Fundamental Principles and Rights at Work and Declaration of Principles concerning multinational enterprises and social policy in 1977.
- Guidance on protocols (total: 6 around forced labor, work inspection, women night work for women, agriculture, commercial ships, occupational health and safety).
- Review, partial or optional correction previous agreements.

He also mentioned the fundamental principles and rights in different agreements including the Forced Labor Convention, Abolition of Forced Labor Convention, Convention concerning Freedom of Association and Protection of the Right to Organize, Right to Organize and Collective Bargaining Convention, etc. He also focused on the declaration of principles concerning multinational enterprises and social policy stating that this declaration defines the binding principles in the following fields:

1. Employment, including increasing work opportunities and standards in addition to enhancing the equalization of opportunities and equality between employees.
2. Training, including a suitable training for the employees in the host country / opportunities for local employees to enrich their expertise in their field of specialty, by way of example business relations within the group as a whole.
3. Work and living conditions, including the following:
 - Incentives and work conditions that are less than those enjoyed by employees in the host country.
 - Salaries must be sufficient for the employees and their families to meet the basic needs.
 - Effective abolition of children labor.
 - Instructions on specific risks and safety procedures when introducing a new product and/or operations.
4. Business relations, including the right of employees in assembly, organization and collective bargaining.
5. Right of the employees to file complaints without being subjected to revenge penalties.

He concluded with listing the main issues addressed by other conventions: working hours, occupational health and safety, social security, motherhood protection, social policy, migrant workers, human immunodeficiency virus (HIV) /AIDS, sailors, fishermen, dockworkers, indigenous and tribal peoples, specific categories of employees, final materials, orientation and training of employees, occupational security and salaries. Then, he listed the characteristics thereof: tripartite agreement, minimum protection, global determination, flexibility and taking into consideration the needs of member states. Before showcasing the bipartite discussion procedure, he described how to adopt international labor standards as follows:

1. Determining the cause/problem and drawing the attention of the International Labor Law to this cause/problem
2. The Board of Directors includes the cause in the agenda of the international labor conference or the international labor conference at the request of the two third majority.
3. The cause should be discussed at the international labor conference.



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- Twice: double discussion
 - Once: single discussion (in urgent special circumstances or other circumstances).
4. The international labor standards are accredited/adopted by the two third majority of the present delegations at the international labor conference.

➤ Discussion:

Questions and Remarks:

- There is an ongoing discussion on whether or not the International Labor Organization and the International Trade Union Confederation that plays a vital role in issuing a convention concerning gender based violence which is highly important and helps in implementing procedures particularly to protect women and their labor rights especially in the private sector.
- Unfortunately, the transnational or trans-continent private sector is not included in the efforts deployed to fight corruption as these efforts exclude it most of the times. For instance, UNCAC addresses corruption in 71 articles and corruption in the private sector in one article only. The lawful rights given by constitutions should be separated from what is going on in international organizations which is totally different.
- As for the committee specialized in complaints at the International Labor Organization, should complaints be enabled by the organization under the weakness of the capacities of the victim meaning the employee who cannot afford to take any judicial measures? What about the countries in miserable conditions such as Egypt?
- Is there a possibility to benefit from the UN Global Compact signed by more than 8000 enterprise and organization concerning accountability, as they have annual reports detailing the commitment extent to human rights?

Answers and Feedbacks:

- Regarding the UN Global Compact, we believe the mechanism is not available. The main object is to encourage the units that didn't sign yet to do so and accordingly spread this positive initiative.
- As for the access of an ordinary citizen to international bodies, this is the role of the civil society.
- There is a weakness in the recommendations of the countries signatories to the agreements of the International labor Organization at the level of the human rights council. There is also a weakness in referring the obligations of the states by virtue of the human international law such as joining Rome including the countries that signed and didn't sign the Geneva Convention. As for UPR and the economic and social rights, the trade subject is almost absent particularly in the recommendation made by the Arab countries as most of the made recommendations are general recommendations concerning the education. In terms of the access to equality, we must assume our responsibilities because we are far from the related procedures thereto as Arab countries.



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- At the International Labor Organization, there is a procedure to control the commitment to the agreements and a complaint procedure protecting the right of a syndicate to file a complaint and the right of a state to file a complaint against another state for not complying with a certified agreement, then the organization shall assess the situation. The frame agreement is not a private agreement but rather the result of syndicate movements that can be used by any company.
- The law organization, activists and syndicates must be questioned about the available procedures to benefit therefrom.

Sixth Session: Business Sector Accountability

➤ *Ashraf Al-Hussein, Egyptian Initiative for Personal Rights*

Mr. Ashraf talked about human rights obligations in the private sector and stated that the first step is to launch the implementation by the civil society. Therefore, he decided to explain a case study on how to use international bodies and treaties and environmental standards in the business sector accountability. The case study will be about a cement company operating in Alexandria in Egypt that was transferred to a public sector institution with a foreign capital as it was partially purchased by a Greek company in millions of dollars and then it was privatized. Due to the foreign funds, the company was forced to respect the recognized environmental and social standards. It was deemed necessary to control the commitment to the standards as these standards are separable and measurable, which makes it easier to us. However, the company was located in a residential area since before its establishment, in contrary to its allegations. Major consequences impacted the residents of the area at the health level. The company obtained four licenses to build 4 small bakeries but it expanded and surpassed the public road and air. It took measures against that but continued working the same way, therefore environmental and health consequences showed on the residents including chest diseases and an increase in cancer diseases, etc.

The second important element is the breaches of the company regarding the business relations. After privatizing the company, the number of employees was reduced as 7 out of 8 employees were discharged due to technological development. The labor laws and international standards were employed in favor of its interest by stating that these employees will be reappointed through a manpower supply and recruitment company and thus they become employees of this company and they start directing their demands to this supply company, leading to a duplicity in the legal situation of these employees as they are considered temporary employees although they are still doing the same tasks but they will no longer benefit from any rights despite that the law stipulates that employees in such a situation shall benefit from the same protection, incentives and rights. These employees filed a complaint and the civil society institutions helped them.

As for the procedures accredited when filing a complaint, a delegation representing an independent party in the international financial institution must be sent to meet the employees, company owners and area residents to investigate the facts and to write a report to be distributed to the



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concerned parties. However, the company totally refused the negotiation under the pretext that this party does not represent the local community and accused it of being a delinquent and suspicious unit. There were no other possibilities for negotiation despite the openness and management especially that the discharged employees put their demands in the picture and different interests for the residents of the area, etc. Then, the inspection team sent its recommendations confirming that this is a serious complaint and defined the related issues and principles that this is financial requirements' disputes. Then, concerns about environment protection extent from pollution in addition to other health issues were raised. It was resorted to international organizations to major these factors, but the problem was the bureaucratic complications and strong connections. The labor standards and equality between employees where reassessed and below are the lessons and experiences:

1. The role of the human rights organizations at the national level must be based on listening to the residents and prioritizing them in the negotiation operation.
2. Our role is limited to providing information and raising rights awareness.
3. This work requires a wide variety of expertise at the health, legal and environmental levels etc. and the logic of absence of intellectual property and control over the operation process.
4. The report has a non-binding consultancy nature to be presented directly to the president of the international bank. It may have impacts on the support future of this company but most importantly is that it raises a tension in future projects to the environmental assessment operation prior to the establishment thereof.

➤ Bahaa Ezz Al Arab, Business and Human Rights Resource Center

Mr. Bahaa talked about two issues in details: the first being the titan issue meaning the cement factory in Egypt mentioned by Mr. Ashraf, and gave an example about the Jordan issue. He started by stating that companies accountability types can be different but the most important are the legal accountability and the public accountability but titan issue was a mix of the two knowing that they started the procedures before our interference and assistance and then we discovered that the initiative had two issues: the first was presented to the administrative adjudication in terms of allowing the company to use coal in factories and the concerns from the increase of pollution and the other was presented to the prosecution in terms of the health and environmental damage caused by the company to the ocean.

We previously discussed the restrictions imposed on national litigation and accordingly we should think about new methods and therefore we worked with the initiative on two subjects: the first was researching different methods of litigation and dispute settlements based on the previous statements of the international financial institution that helped us to hold the company accountable through its headquarters in Greece and the other was around involving the civil quart not only the criminal and administrative quart, meaning that the citizens shell claim indemnifications.

One of the pretexts presented by the company itself: the area is located on a high way road and has many factories meaning that the pollution maybe caused by these factories and thus it is difficult to



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prove the source of the pollution hindering the litigation, in addition to the inability to divide the damage from the victim’s point of view. However the guilty company must be forced to assume its full responsibility even if it caused only a part of the damage while reserving the right to sue other guilty parties if evidence was available. As for public accountability, a major part of our work is to coordinate with organizations active on the ground regarding the damages caused by the companies and leading negotiations with these companies to make them respond to the accusations brought against them.

For instance we find in Jordan Century Miracle factory which is one of the most important tissues factories and a high number of employees are migrants and refugees which harms the balance between the employee and employer allowing the employer to fully control the employee. Thus, a report issued in February 2015 by the Institute for Global Labor and Human Rights alleged that three thousands migrant employees work in forced labor circumstances (confiscation of passports and limitation of the movement freedom, etc.), and accordingly the company in question was addressed and responded in details as it felt the attention given to this issue by global centers which provided us with an authentications status. The company initiated a settlement mechanism which provided a discussion space and helped in avoiding quarrels. All these violations were added to the record of the company which is a sort of warning and a deterrent from committing similar actions in the future.

➤ *Naizi Mustapha, Cairo University*

In annex to the two previous interventions, Mr. Naizi has given an example of Egypt and said that Egyptian State has major potentials to emerge and develop and to be one of the strong economies since it has different raw materials such as mines, quarries, natural gas with high reserves in addition to archeological, touristic, environmental and industrial areas and special features such as Suez canal and large human resources. All what was not exploited and used to develop the economy due to the sarcasm of some institutions and multinationals and private companies. The State has become unable of assuming its functions, and corruption has become the rule. It had many negative effects such as on the demographical level, black economy size expansion and the misuse of media, etc.

Companies in Egypt suffer from a large duality when it comes to social responsibility such as cement companies. These companies respect their obligations when working in developed countries but spare no efforts to get rid of their responsibilities when working locally. How can we speak about social responsibility for those companies when operating abroad while they evade their responsibility locally, and how can we force them to abide by the law? As for investment regulations in Egypt, starting with the Arab and foreign capital investment law to all other laws, we encounter a big problem since all laws are set up to increase the weak role of the State and the possibility of supervising the role of the companies subject to such laws and the State intervention.



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There is also a big problematic which is a labor inspection system. For the labor inspector to enter he must ask for the permission of the President of the Free Zone Management Council and gets the approval at least 24 hours ahead. Therefore, we ask the following question: how a center can request permission from the inspection target? As for the profits workers in investment companies, unfortunately it has linked the workers' rights in the profits and dividends and acquiring them with the shareholders profits. It also depends on the General Assembly, which raises the issue of corruption again. The biggest proof is that a lot of companies have started small and turned into huge companies but without any distribution of profits under the pretext of the General Assembly; as well as trading in the stock market is tax exempt, which in turn helps evading responsibility at that level too.

Many companies were sold at book value, which is much smaller than their real value with many examples being displayed. In addition, the State was unable to run 3000 factories suspending operations while it could have pumped some money for this purpose. We shall also mention that the protection of competition and antitrust law in Egypt is a bad law that violates all international norms, even in capital countries. The government has approved a number of laws that do not take into consideration human rights; although this issue was the main motive of the revolution, especially on the tax and environment levels. However, the Egyptian state is still slacking in solving all those things. We have participated in amending many laws, but work has been halted on the draft of Labor Law and Trade Unions Act. It was the main reason for refusing to keep this committee running. Today we are in dire need of concerted efforts to get rid of the bad situation and it must be in coordination between everyone at the local level to expose the behavior of these companies publicly.

➤ *Discussion:*

Questions and Remarks:

- Concerning the multinationals that are considered as responsible for the corruption, can the foreign companies be required to compel and subject to accountability before their foreign companies about their works in our country? And how?
- There are essential issues including that the civil community must find a strategy and stop focusing on finding a mechanism for the international organizations since it does not have any experience in international affairs. This strategy shall be national to deal with the State, workers capacities must be built and instruments such as enhancing the demand of the right for strike and organization must be used.
- There is a problem with the examples given about Egypt and Jordan, the laws were set within a regime that favors privatization and encourages international companies to invest



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locally along with taxes facilities on the long run. Before reaching the civil community there is our legislations and constitutions that do not grant power or parliamentary authority.

Answers and feedbacks:

- It is necessary to work according to the international laws and coordinating with some lawyers who are in foreign countries and are interested in these issues which are global issues such as environmental and other in terms of raising local issues. There is also the so-called fault liability which obliges these companies locally and globally. Some countries accept cases in their countries even if they were not related to the local parties. An international committee can also be formed to take measures that give us the ability to assume our role.
- I do not agree with removing focus form the international mechanisms because we must understand them. But of course it is preferable to produce a local mechanism.
- The main idea is what language should be adopted in each case (criminal language?) It makes us benefit from the mechanism without being forced to deal with the situation from a certain perspective.
- These mechanisms were set within a global capital but we are currently working under undesired situations.

The round table

This round was similar to a dialogue between the civil community and workers aiming at highlighting the challenges we are facing along with focusing on recommendations.

- *Ahmad Awad, Arab NGO network for development*

Mr. Ahmad has highlighted the necessity of negotiation, discussion and talking about developing the existing work criteria. But unfortunately, the nature of the data related to the units, mechanisms and relations between the civil community and workers is supposed to improve since we are still fighting for rights that shall be taken as granted and we were supposed to enjoy without any claim. The civil community efforts today are concentrated on defending its existence only. The standards are mentioned in the Universal Declaration of Human Rights in a comprehensive frame but they are imported and compelling. Not to mention that the mechanism they set are not effective.

Concerning the World Bank, it has issued last month and after a major conflict with civil community, the environmental and social framework that includes standards to be followed by the business sector financed by the World Bank. The EBRD presented a document containing a set of requirements under social environmental policy, in which it required all institutions that receive funding for projects to abide by same. The standards are divided on several families, notably the



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environmental standards: prevention of environmental pollution, not causing water damage, and then the alternative environmental sources, land ownership, indigenous rights, etc. But the standards set by these two financial institutions were not based on the Universal Declaration of Human Rights and the International Labor Organization, but restored the respect of projects and companies to the criteria listed in the local labor legislation. The following question arises: what is the value and role of the international standards and compliance to the frameworks of the United Nations as long as the national standards are adopted?

As for certain indicators and cases such as child labor, if we talk about a frame for social and environmental rights issued a while ago by EBRD, we notice that some national legislations allow children of 14.15 and 16 years old to work which is a violation of human rights. Concerning the adopted mechanisms, there is an example from Jordan where a plant named IPP4 violated the environmental standards and caused a major pollution which entailed protests but the government has sent to jail the president of the association that had launched the campaign and an official lawsuit was filed, but nothing has changed till present. It means that the people were not able to practice their right of protest. The recommendations in this regard are as follows:

- 1- Trade *Union* organizations are not independent which makes them unable of protecting their work.
- 2- Review of protection policies and deal with them in a way that ensures their base is international treaties.
- 3- Activate the complaints mechanisms in international funding organizations.
- 3- Develop the capacities and enhance the role of the trade unions.

➤ *Dr. Hind from the International Trade Union Confederation*

For us Commercial conduct standards are similar to decent work standards including the wage, the working hours, non-discrimination, absence of human trafficking, etc. The work standards exist, even that most of the Arab countries have ratified same and stipulated same in their local laws but they are still not applied. Therefore, we need a clear accountability with a clear mechanism. Our experience as a union of global trade was good with respect to networking between unions and workers in women's issues and work to facilitate their involvement in the labor market. She noted that achievements in different countries are a proof that the unions favor productivity and profit. Then she said that the development of decent labor standards means the development of society



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and that when talking about the standards of commercial conduct, we must consider improving these standards.

Finally, she encouraged the adoption of the mentioned method and benefiting from the networking experience and adopting it.

➤ *Adib Bou Habib, Union of Publishing and Printing house in Lebanon*

Mr. Adib noted that the trade unions are marginalized while they are one of the most important organizations of the civil community due to their fragmentation and taking control of them. The civil community shall be encouraged to be involved in the syndicates and trade unions, otherwise the main component of the social dialogue will remain absent as if we are diagnosing an illness but not treating it. The economic and social council in Lebanon is a basic dialogue center and very important as a pressuring component but is totally marginalized in Lebanon due to coalitions between the political authority and capital.

That is the reason why power balances must be changed; otherwise everything will remain Mostly bark and little bite. For instance, reduction in Egypt has been beneficial to power and money holders. We must admit that this disease spread in our Arab world has international prescription, part of which is in our favor such as during these periods. The diagnosis that has been made is very important but we need treatment through:

- 1- Unifying the efforts of the trade unions and feminist movements.
- 2- Linking the associations.
- 3- Finding some common points with employers with whom we can hold talks.
- 4- Dismantling the ineffective civil community associations.

➤ *Samir Aita*

We need to think outside the box. There are problems of rights lack and absence of laws for the legal person which is the company. There are a lot of people who own inefficient companies but registered in the commercial register and others where it is hard to define the owner as an entrepreneur or as an employee, as well as the informal sector and others. In contrast, in the private sector, there are large discrepancies between the chambers of commerce and industry and other common chambers with foreign countries, which were set up for the multinationals with a



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possibility to work on these contradictions and take advantage of them. On a global level, our problem is that we are fighting the company while arbitration occurs through international means, if we do not find fixed and agreed grounds for accountability, our expectations remain low.

Closing session

Mr. Ziad Abdel Samad from the Arab network assumed the closing session again and said, in order to close up the workshop we must gather ideas and issues that should be taken into consideration which are:

- 1- Mechanisms exist but we must find a kind of work to promote accountability, determine and build capacities about how to use the international mechanisms and accountability.
- 2- Right to access the information and be acquainted with policies, agreements and issues.
- 3- The necessity to promote defensive work to form specialized rights working teams of experts to follow up on mechanisms, courts and others.
- 4- Integrate and take an essential space related to women issues.
- 5- Right for union organizing and independent community organizing.
- 6- Strengthen cooperation between the community, trade unions and some specialized business segments, especially the marginalized ones and do a strategic agreement at the State level covering all sectors.
- 7- Activate dialogue through dialogue institutions.
- 8- Resolve the issue that the State is weak since it is very risky for the authority to be beyond State, which weakens transparency and accountability.

Practically, since our meeting is not unique and has been concluded several times, we must suggest forming common work groups including representatives of trade unions and civil community as well as all audience to follow up on issues based on three main axes:

- 1- State responsibility in defending human rights.
- 2- Companies responsibility in protecting human rights.
- 3- International institutions and international partners.



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With a focus on the exchange of experiences and development and building of capacities, as well as solidarity with the common issues at the national level or other: we must promote networking at the regional and international levels in order to follow-up. We have deeply discussed the Agenda 2030 and the shortcomings in its approach to be a catalyst of developmental challenges. Attention was also drawn to G20; what shows commitment to the protection of human rights on the one hand and violating policies of human rights on the other. And then he promised to establish a practical document by the network as a result and a summary for this workshop and circulate same to everyone.

He wanted to ask three open questions before closing the session for them to be intellectual nourishment about our topics:

- 1- Is social dialogue possible in absence and weakness of the political power outside the State?
- 2- Is social dialogue possible in absence of trade union movement?
- 3- Is social dialogue effective in absence of a substitute and sustainable developmental vision?



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