



Agenda

OHCHR Consultation on business and human rights: Operationalizing the “Protect, Respect, Remedy” framework

**Palais des Nations Room XVIII
5 and 6 October 2009**

Chairpersons

Her Excellency Ms. Bente Angell-Hansen, Permanent Representative of Norway to the United Nations, and His Excellency Mr. Martin Ihoeghian Uhomobhi, Permanent Representative of Nigeria to the United Nations

Monday 5 October 2009

10.00 – 11.00: **Opening session**

Speakers:

Ms. Navanethem Pillay, UN High Commissioner for Human Rights

Mr. John Ruggie, Special Representative of the UN Secretary-General on business and human rights

11:00 – 13:00: **State duty to protect I – Domestic policy coherence**

- What are the challenges of domestic policy coherence in the field of business and human rights? How can all states be encouraged to advance their human rights policies regarding business beyond currently narrow institutional confines? For example, to what extent should relevant state agencies be considering human rights when making policy in business-related areas traditionally kept separate to

human rights, such as export credit, corporate and securities law? What is the role of NHRI's, civil society and business in assisting Governments in achieving policy coherence in this field, and in holding Governments to account for incoherent policies that may contribute to human rights abuses?

Speakers:

Mr. Jody Kollapan, Chairperson, the South African Human Rights Commission (until 30 September)

Ms. Hannah Ellis, Coordinator, The Corporate Responsibility (CORE) Coalition

Mr. Ed Potter, Director, Global Workplace Rights, The Coca-Cola Company

13.15 – 14.45 Lunch time session on Investment agreements and human rights, chaired by SRSJ John Ruggie (NOTE: this session will take place in Room XVI)

- The Special Representative has said that States should not undermine/diminish their own capacity to meet their duty to protect against human rights abuses. One area where this may happen is when states enter into investment agreements. What guidance can be provided to States on how to avoid such risks in the context of investment agreements so that such agreements do not constrain the fulfillment of the state to protect, and encourage companies to respect rights?

Speakers:

Mr. Herbert M'cleod, Office of the Presidency, Sierra Leone

Dr. Dominic M. Ayine, Executive Director, Center for Public Interest Law (CEPIL), Ghana

Mr. Stéphane Brabant, Partner, Herbert Smith LLP

15.00-16.30: State duty to protect II – Guidance from international mechanisms

- Have the UN Human Rights bodies and regional human rights mechanisms provided adequate guidance to states in relation to the state duty to protect against corporate-related abuse? What steps could be taken by all stakeholders to increase the level of effective guidance from these bodies, including, within the UN system, the treaty bodies, special procedures and universal periodic review process; and to encourage sharing of best practices and challenges? How can UN and regional mechanisms be better informed about the perspectives of those impacted by corporate activity so they can reflect such perspectives in their guidance to states?

Speakers:

Ambassador Luis Gallegos, Ecuador, Member of the Committee against Torture

Ms. Julie Cavanaugh-Bill, Western Shoshone Defense Project USA

Mr. Victor Ricco, Strategic Advisor to the Executive Direction of the Center for Human Rights and Environment. Former General Coordinator of International Environmental Affairs for Argentina

16.30 – 18.00 Responsibility to Respect I - Human Rights Due Diligence

- What practical guidance should be provided by the SRSG in relation to the four components of human rights due diligence, particularly as it relates to the role of stakeholder consultation and engagement with impacted communities.

Speakers:

Ms. Marietta Paragas, Chief Executive Officer, Shontoug Foundation, the Philippines

Mr. Rafael Benke, Senior Executive, Corporate Affairs & Sustainability,
Vale International SA

Mr. Adam Greene, Vice President, Labor Affairs & Corporate Responsibility,
U.S. Council for International Business

Tuesday 6 October 2009

10.00 – 10.30 Responsibility to Respect I - Human Rights Due Diligence continued

10.30 – 12.00 Responsibility to Respect II - Conceptual issues and challenges

- Discussion of the conceptual challenges and dilemmas related to the responsibility to respect, e.g. what should companies do when faced with conflicts between international human rights standards and national law.

Speakers:

Ms. Ebele Okobi-Harris, Director, business & human rights program, Yahoo! Inc.

Mr. Mads Holst Jensen, Adviser, Danish Institute for Human Rights

Mr. Aurret van Heerden, President and Chief Executive Officer, Fair Labour Association

12.00 – 13.00 Access to Remedies I - judicial remedies

- What are some of the main legal and practical barriers preventing affected individuals and communities from accessing justice in the business and human rights context and how might they be addressed? What role can or should “home state” courts play? What are some of the particular barriers facing potentially vulnerable groups? How can business best approach these issues?

Speakers:

Ms. Audrey Gaughran, Head of Economic Relations, Amnesty International - International Secretariat

Mr. Martyn Day, Senior Partner, Leigh Day solicitors, UK

Mr. Salvador Quishpe, Saraguro community, Ecuador.

Mr. Jan Eijsbouts, mediator NMI, ACB and CEDR, Business Law & Conflict management

15.00 – 16.00 **Access to Remedies I - judicial remedies continued**

16.00 – 17.45 **Access to Remedies II – non-judicial mechanisms**

- Two cases studies on what role non-judicial mechanisms can play in ensuring more effective access to remedies for affected communities and individuals.

Speakers:

The Tintaya Copper Mine case:

Ms. Rocio Avila, Extractive Industries Program Officer, Oxfam America South America Regional Office, Peru

Mr. Enrique Velarde, Xstrata (Peru)

Renegotiation of memoranda of understanding between Chevron and surrounding communities in the Niger Delta:

Mr. Austin Onuoha, Executive Director, Center for Social and Corporate Responsibility, Nigeria

Ms. Silvia Garrigo, Manager, Global Issues and Policy, Chevron Corporation

17.45 – 18.00 Closing remarks by the SRSG