Business and Human Rights: the Role of NHRIs

Edinburgh, Scotland

CONFERENCE PROGRAMME
THURSDAY 7 OCTOBER 2010

ICC BUREAU (Scottish Parliament Committee Room 2, separate agenda)

NGO Forum (Edinburgh City Council, separate agenda)

14.00-17.00 ICC Working Group on Business and Human Rights (Edinburgh City Council, separate agenda)

14.00 – 18.00 Registration of participants available (Scottish Parliament)

18.00 – 20.00 Welcome Reception hosted by the Presiding Officer of the Scottish Parliament, Alex Fergusson MSP
FRIDAY 8 OCTOBER 2010

A SHARED UNDERSTANDING OF BUSINESS AND HUMAN RIGHTS:
OVERVIEW AND KEY THEMES

8.30 - 9.00 Registration of participants, participants enter debating chamber

<table>
<thead>
<tr>
<th>9.00 – 9.20 Opening Session (Main Chamber)</th>
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<tr>
<td>Welcoming statements by:</td>
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<tr>
<td>Presiding Officer of Scottish Parliament,</td>
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<td>Advocate-General for Scotland, UKGovernment</td>
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<td>Justice Secretary, Scottish Government</td>
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<td>Scottish Human Rights Commission</td>
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<th>9:20 – 9:30 Opening Statement</th>
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<tr>
<td>Rosslyn Noonan</td>
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<td>ICC Chair</td>
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<th>9.30 – 9.40 Opening Statement</th>
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<tr>
<td>Navi Pillay</td>
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<td>UN High Commissioner for Human Rights</td>
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<th>9:40 – 10:20 Session 1 (Main Chamber)</th>
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<td>Key Note Speaker</td>
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<td>Prof. John Ruggie</td>
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<td>UN Secretary-General’s Special Representative on Business &amp; Human Rights</td>
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Objective: This session will provide an overview of the Special Representative’s 3-pillar framework for addressing human rights in the business sphere, including the state duty to protect against corporate human rights abuses, the corporate responsibility to respect human rights and the principle of access to a remedy for abuses of human rights by corporate actors. It will also consider the current and future roles of NHRIs in operationalising the UNSGSR’s framework and “Guiding Principles” to be delivered by the UNSR to the Human Rights Council at the conclusion of the UNSGSR’s mandate in June 2011.

10:20 – 10:30 Questions and discussion

<table>
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<th>10:30 – 11:10 Session 2 (Main Chamber)</th>
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<td>Key Note speaker</td>
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Mary Robinson
President, Realizing Rights: Ethical Globalization Initiative, Former President of Ireland, Former UN High Commissioner for Human Rights

Objective: This session will explore the need and benefit of interaction of NHRIs with business, NGOs and government; linking business and human rights to issues such as climate change, empowerment of women and the Millennium Development Goals.

11:10 -11:20 Questions and discussion

11.20 Official Photo

11:25 - 11:50 Coffee break

11:50 – 12:40 Session 3 (Main Chamber)
Interactions on Business and Human Rights

Objective: Responding to the keynote presentations, this session will provide a space for further exploration of the key issues of the conference and will include contributions from academic, UN, business, trade union and NHRI representatives.

Keynote speaker – Professor Olivier Maurel (25 minutes)

Objective: Drawing upon examples of corporate-related human rights issues, this session will underline how NHRI's are legitimate and crucial in operationalising Professor Ruggie’s 3-pillar framework and contributing to corporate accountability. Particularly trying to clarify their role in the “State duty to protect”, the session will seek how to keep principles alive through efficient regulations and mechanisms, so as to strengthen Responsibility, Trust and Justice.

Speakers
° UNDP representative (5 minutes)
° Business representative (5 minutes)
° Trade union representative (5 minutes)
° NHRI representatives (10 minutes)

12.30-12.40 Questions and Discussion
12:40 - 13.30 Session 4 (Main Chamber)
Promoting and protecting human rights in the corporate sphere:
Contribution from the NGO Forum and dialogue on the roles, priorities and challenges for NHRIs

Objective: This session will provide an opportunity for a contribution from the NGO Forum which will take place on 7 October and for dialogue between the NGO Forum representatives and NHRIs.

Speakers
° Representative(s) from NGO forum
° Interventions from other delegates

13.30-15:00 Lunch Break (Members' Restaurant)

15:00 -17.00 Working Group Session 1 (Four Committee Rooms)
Thematic Working Groups convened by ICC Regions: NHRI priorities and themes in business and human rights

Objective: These Working Groups will provide an opportunity for focussing on particular thematic issues within the overall business and human rights arena that have been identified as of high relevance by each of the ICC Regional Networks.

Each Working Group will include NHRIs from each of the regions as well as NGO and Business representatives

The aim will be to allow participating NHRIs to deepen their understanding on specific substantive topics of relevance to fulfilment of their mandates within their respective national contexts.

Day 1’s workshops will then be built upon on Day 2 by workshops on approaches that can be used by NHRIs, individually, at regional level and collectively via the ICC, to address effectively the challenges discussed on Day 1.
Format: The four themes identified by the Regional Chairs from Africa, Americas, Asia Pacific and Europe through consultation with NHRIs from the regions and the Conference Preparatory Committee are:

Africa – Child Labour
Americas – Environmental Degradation
Asia Pacific – Human Trafficking
Europe – Privatisation and Public Procurement

Regional Chairs will be responsible for convening the working group and selecting speakers including representative from NHRIs, organised society (including trade unions), business and others.

Delegates will be invited to register for one of these sessions when they register at the conference. While the topics have been chosen on a regional basis, delegates should seek to ensure that each group reflects the diversity of the ICC as a whole.
## Session 5 (Main Chamber)

### State duty to protect against corporate human rights abuses

**Objective:** This session will explore how NHRIs can promote the fulfilment by states of their duty under international human rights law to protect against human rights abuses by corporation, including such issues as:

- Monitoring and promoting state legislation in compliance with human rights
- Modalities for action at national level e.g. investigations, reports, roundtables
- Working with government bodies e.g. Export Credit Guarantee Agencies, state pension funds, state procurement authorities
- State-owned enterprises
- Scope for working with other actors e.g. labour inspectorates, trade unions, NGOs
- Using regional and international mechanisms to promote fulfilment of the state duty to protect

*This session will involve NHRI with relevant and diverse experiences from across ICC regions. Regional Chairs will ensure that each region has one nominated NHRI as a member of a panel of NHRI.*

*Other delegates who would like to register their interest to make interventions during this session are invited to note their interest with the conference secretariat situated at the back of the Chamber before the session, or to indicate their interest to the conference chair during the session.*

### Speakers

- A panel of 4 NHRI, representative of the regions (5 minutes each)
- A business representative (5 minutes)
- An NGO representative (5 minutes)
- 10 Interventions from other delegates (3 minutes each)

## Session 6 (Main Chamber)

### Corporate responsibility to respect human rights

**Objective:** This session will explore how NHRIs can promote companies’ compliance with human rights standards. Including such issues as:

- Monitoring and investigations
- Education and awareness-raising
- Sector specific or issue specific initiatives
Working with labour unions and business associations
UN Global Compact national networks
Tools and resources to promote companies’ understanding and implementation of human rights-compliant policies and practices
The discussion could also address current challenges to full respect for human rights by corporations and instances of abuses.

*This session will involve NHRI* *s with relevant and diverse experiences from across ICC regions. Regional Chairs will ensure that each region has one nominated NHRI as a member of a panel of NHRI*s.

*Other delegates who would like to register their interest to make interventions during this session are invited to note their interest with the conference secretariat situated at the back of the Chamber before the session, or to indicate their interest to the conference chair during the session.*

**Speakers:**

- A panel of 4 NHRI*s, representative of the regions (5 minutes each)
- A business representative (5 minutes)
- An NGO representative (5 minutes)
- 10 Interventions from other delegates (3 minutes each)

**11:30-12:00 Coffee break**

**12:00-13:00 Session 7 (Main Chamber)**

**Access to remedy for corporate human rights abuses**

Objective: NHRI*s’ role in providing access to a remedy and reparation for victims of human rights abuses committed by companies will be addressed in this session. Including such issues as:

- NHRI*s providing access to a remedy and reparation themselves e.g. through investigations and determination of individual complaints
- NHRI*s promoting access to remedy and reparation via judicial mechanisms
- NHRI*s promoting access to remedy and reparation via non-judicial mechanisms
- Challenges to ensuring access to remedy and reparation
- Remedy and reparation via regional and international mechanisms
- Company-level grievance mechanisms and multi-stakeholder initiatives
- Transnational private law litigation as a remedy
This session will involve NHRI with relevant and diverse experiences from across ICC regions. Regional Chairs will ensure that each region has one nominated NHRI as a member of a panel of NHRI.

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**Speakers:**

- A panel of 4 NHRI, representative of the regions (5 minutes each)
- A business representative (5 minutes)
- An NGO representative (5 minutes)
- 10 Interventions from other delegates (3 minutes each)

**13.00-15.00 Lunch Break (Members’ Restaurant)**

**15.00-17.00 Working Groups Session 2 (Four Committee Rooms)**

**Working towards Regional Action Plans on Business and Human Rights and opportunity for each region to discuss general internal affairs**

Objective: Day 2’s Working Groups will enable each region to discuss general internal affairs as well as to develop and propose strategies and actions on how to enhance NHRI work in business and human rights.

The Working Groups will allow NHRI within ICC Regions to exchange experiences of their actions on business and human rights, and lay foundations for the development of NHRI action plans on business and human rights at a national, regional or international level. During 2011, at follow up Regional workshops, each ICC Region will develop a Regional Action Plan to build capacity and effectiveness of their regional grouping to work in the business and human rights area.

Regional Action Plans should focus on achievable, concrete goals, to be achieved over the next 3 year period (2011-2014).

The Regional Action Plans could then be submitted to OHCHR to assist it in developing activities following expiry of the UNSR mandate. They could also provide a framework for further activities of the ICC Working on Business and Human Rights.

The ICC Working Group on Business and Human Rights will provide an optional framework for Regional Chairs to use to facilitate summary and feedback of the Working Group discussions to the plenary.
18:00 Drinks reception hosted by the Lord Provost of Edinburgh at Edinburgh City Chambers, for all delegates.

19:00 Nominated delegates are invited to join the Cabinet Secretary for Justice Kenny MacAskill at Edinburgh Castle for a gala dinner.
SUNDAY 10 OCTOBER 2010

9.30 - 10.00: Recap

10.00 -11.00 Session 8 (Main Chamber)
Presentations of working groups

11.00 -11.30 Break

11:30-12.30 Session 9 (Main Chamber)
Development, presentation and adoption of declaration/action plan.

12.30-13.00 Closing Ceremony

13.00 Lunch