



Organised by the OECD in coordination with the International Law Association and the Société française pour le droit international

FORTY YEARS OF THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES

DRAFT AGENDA

19 December 2016

OECD Conference Centre, Paris

8:30

Registration

9:00

Welcome remarks

- Nicola Bonucci, Director of Legal Affairs, Organisation for Economic Cooperation and Development (OECD)
- Catherine Kessedijan, President, French Branch of the International Law Association (ILA) and Member of the Council, Société française pour le droit international (SFDI) (Chair)
- Alain Pellet, President, (SFDI)

09:15

Introduction – Historical perspectives

1976: the economic, diplomatic and legal context

Evolution of the instrument

- Rainer Geiger, Attorney-at-law, Sybarius Avocats and former Deputy Director, Directorate for Financial and Enterprise Affairs, OECD
- Manfred Schekulin, Chair of the OECD Investment Committee
- Kari Tapiola, Special Adviser to the Director-General, International Labour Organization and formerly Secretary General, TUAC

09:45 **Role of the OECD Guidelines in the wider Responsible Business Conduct landscape**

The unique nature of the OECD Guidelines and their relationship with other RBC instruments (e.g. the UN Guiding Principles on Business and Human Rights)

An inter-governmental standard for enabling sustainable global supply chains

The role of the Guidelines in supporting global policy objectives (e.g. the post-2015 development and climate-change agenda)

- Roel Nieuwenkamp, Chair of the Working Group on Responsible Business Conduct, OECD (Chair)
- Hervé Ascensio, Professor of Public Law, Université Paris 1, Panthéon-Sorbonne
- Kirstine Drew, Senior Policy Advisor, TUAC
- Tyler Gillard, Manager Sector Projects and Legal Adviser, Responsible Business Conduct, OECD
- Margaret Wachenfeld, Managing Director, Themis Research

11:15 **Coffee break**

11:30 **The OECD Guidelines for Multinational Enterprises and Legal Approaches to Responsible Business Conduct**

Is the legal nature of the OECD Guidelines an impediment to their effectiveness?

How can carrying out due diligence contribute to corporate legal compliance and risk management?

What are the impacts of embedding the Guidelines in other instruments and agreements (e.g. export credit agencies' policies, trade and investment agreements, public procurement)?

- Nicola Bonucci, Director of Legal Affairs, OECD (Chair)
- Karin Buhmann, Professor, Copenhagen Business School and member of the Danish National Contact Point for the OECD Guidelines (NCP)
- Robert McCorquodale, Professor and Director of the British Institute of International and Comparative Law
- Stephan Schill, Professor of International and Economic Law and Governance, University of Amsterdam
- Julie Vallat, Head of Ethics and Human Rights, Total SA

13:00 **Lunch break**

14:30 **National Contact Points (NCPs)**

How do NCP structures and processes impact their legitimacy?

Challenges in co-operation between NCPs

Can the NCP system provide adequate remedy?

- Rolf Weber, Director of the European Law Institute and Director of the Center for Information Technology, Society and Law at the University of Zurich (Chair)
- Kirstine Drew, Senior Policy Advisor, TUAC
- Ola Mestad, Chair, Norwegian NCP
- Maylis Souque, Secretary General, French OECD NCP
- Sander van 't Foort, Research Fellow and PhD Candidate, Nyenrode Business University

16:00 **Coffee break**

16:20 **Roundtable – The next 40 years**

Increasing the relevance and global reach of the Guidelines: adherence by non-OECD Members, development of sectoral guidance, and improving the efficiency of the NCPs.

- Catherine Kessedjian, President, French Branch of the ILA and Member of the Council, SFDI (Chair)
- Geneviève Bastid-Burdeau, Professor of Public Law, Université Paris 1, Panthéon-Sorbonne
- Mathilde Mesnard, Deputy Director, Directorate for Financial and Enterprise Affairs, OECD
- Hanni Rosenbaum, Senior Director, Policy and Strategic Planning, BIAC
- Raymond Saner, Titular Professor in Organization and International Management, University of Basel

17:50 **Concluding remarks**

- Roel Nieuwenkamp, Chair of the Working Group on Responsible Business Conduct, OECD
- Nicola Bonucci, Director of Legal Affairs, OECD

18:00 **Conference ends**

18:00 **Cocktail**

Background papers

OECD (2014) - Investment Treaty Law, Sustainable Development and Responsible Business Conduct: A Fact Finding Survey, www.oecd.org/investment/investment-policy/WP-2014_01.pdf.

OECD (2016) - Implementing the OECD Guidelines for Multinational Enterprises: The National Contact Points from 2000 to 2015 <http://mneguidelines.oecd.org/15-years-of-ncps.htm>.

BIAC (2015) – Responsible Business Conduct: The OECD Guidelines for Multinational Enterprises <http://biac.org/wp-content/uploads/2015/06/FIN-15-06-GUIDELINES-BROCHURE.pdf>.

Norton Rose Fulbright (2016) - Exploring Human Rights Due Diligence <http://human-rights-due-diligence.nortonrosefulbright.online/>

Saner, Raymond and Yiu, Lichia – Looking on the bright side: www.csend.org/images/articles/files/EFMD_Global_Focus_on_BD.pdf.

Weber, Rolf - Development of Coherent Procedural Rule for OECD Guidelines' Mediation <http://mneguidelines.oecd.org/40-Years-OECD-Guidelines-2016-Background-Paper1.pdf>.