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# Business and Human Rights: Towards a Common Agenda for Action

A Conference organised by Finland's Presidency of the Council of the EU

**Brussels, Monday 2 December 2019**

**Agenda** *(as at 22 October 2019)*

**08:30-09:00**      **Welcome Coffee/Tea**

**09:00-09:30**      **Welcome and Opening Statements**

Opening Statements from

- Timo Harakka, Minister of Employment, Finland
- Senior speaker from EU institutions to be confirmed

**09:30-10:15**      **Keynote by Professor John Ruggie**

Keynote by Prof Ruggie, followed by a short, moderated Q&A.

**10:15-11:15**      **I. Promoting Human Rights Due Diligence through State Financing**

A critical way for states to incentivise businesses to respect human rights is through the provision of public financing for private sector investments abroad through development finance, export credit and other forms of support. This discussion will explore the importance of leadership by individual state-based financial institutions and by government in this area.

Moderator: Tyler Gillard, Head of Sector Projects, Responsible Business Conduct Unit, Investment Division, OECD

Discussants:

- Mairead Lavery, CEO, Export Development Canada
- Jaakko Kangasniemi, CEO, Finnfund
- Joseph Wilde, Coordinator, OECD Watch global network
- Senior UN/government speaker to be confirmed

Questions are likely to include:

- Where do we see leadership by state-based financial institutions in integrating human rights due diligence into their existing environmental and social risk management approaches, and what does this change in practice?
- How can severe risks to human rights defenders in high-risk contexts be better addressed through enhanced due diligence?
- How can governments play a greater part in bringing greater policy coherence to this area?
- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

**11:15-11:45**      **Coffee/Tea**

**11:45-13:30**      **II. The Role of Regulation in a Mix of Measures to Foster Responsible Business Conduct**

From non-financial reporting requirements to supply chain traceability to comprehensive human rights due diligence legislation, we see a range of approaches to incentivise or require business respect for human rights being adopted or debated at the Member State and EU level. This discussion will explore the role of regulatory measures in the "smart mix" of approaches that the UN Guiding Principles call on governments to adopt.

Moderator: Rachel Davis, Vice President, Shift

Discussants:

- Senior government speaker to be confirmed
- Nina Norjama, Director, Social Responsibility, UPM
- Filip Gregor, Head of Responsible Companies Section, Frank Bold
- Virginie Mahin, Global Social Sustainability and Human Rights Lead, Mondelez

*Following the discussion, comments from:*

- Giacomo Mattino, Head of Unit, Enterprise Europe Network and Internationalisation of SMEs, DG GROW
- Rebekah Smith, Deputy Director for Social Affairs, Business Europe
- Claire Methven O'Brien, Strategic Adviser, Danish Institute for Human Rights
- Margaret Wachenfeld, Independent Director, Corporate Human Rights Benchmark

Questions are likely to include:

- What are the aims of the different mandatory initiatives that we see emerging – such as greater transparency, better prevention of negative impacts, enhanced access to remedy?
- What lessons can we learn from what has already been tried? What is needed to ensure the effectiveness of regulatory measures in practice, both in changing company behaviour and in leading to better outcomes for people on the ground?
- What do businesses see when they look at this landscape – what opportunities do they see to move to a level playing field and what concerns do they have?
- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

### 13:30-14:30      **Networking and Lunch**

### 14:30-15:45      **III. Using Collective Leverage and Cooperation to Improve Human Rights Outcomes**

To address systemic human rights harms deep in global supply chains, we need creative and collaborative approaches to using leverage, involving business, government, international organizations, civil society and others. What have we learnt about what makes cooperation effective between different stakeholders in addressing human rights risks, including in contexts where labour rights are not respected and/or where there are severe risks to human rights defenders?

Moderator: John Morrison, Executive Director, Institute for Human Rights and Business

Discussants:

- Cecilia Tiblad Berntsson, Social Sustainability Manager, H&M
- Jenny Holdcroft, Assistant General Secretary, IndustriALL Global Union
- Michael Ineichen, Programme Director, International Service for Human Rights
- ILO country office representative to be confirmed

Comments from:

- Indre Vaicekauskaite, Policy Officer, DG TRADE
- Andy Hall, Human rights defender and migrant rights activist
- Other commentators to be confirmed

Questions are likely to include:

- How can businesses help ensure respect for human rights defenders, especially in high risk countries or countries with weak rule of law?
- What role can human rights (including labor rights) provisions in free trade agreements play, and how can we support more effective implementation of these provisions?
- What steps can governments take to participate in and support these kinds of collective efforts? What about intergovernmental organisations?

- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

**15:45-17:15**

## **Plenary Discussion: Towards A Common Agenda for Action**

The event moderator will facilitate an armchair-style conversation on key components of an agenda for action on the three areas discussed in the conference, and more broadly, to accelerate implementation of the UN Guiding Principles at Member State and EU level.

Moderator: Rachel Davis, Vice President, Shift

Discussants:

- Michaela Spaeth, Director for Energy and Climate Policy, Business and Human Rights, International Employee Rights and Employee Issues, German Foreign Ministry
- Heidi Hautala, Vice President, European Parliament
- Christine Kaufman, Chair, Working Party on Responsible Business Conduct, OECD
- Dante Pesce, UN Working Group on Business and Human Rights
- Phil Bloomer, Executive Director, Business and Human Rights Resource Centre

Questions for discussion are likely to include:

- How can we best advance the implementation of a truly 'smart mix' of measures, including government support to business, voluntary measures by business, and regulation, at both Member State and EU levels?
- How can we best enhance implementation of existing regulation in countries with weak governance at both Member State and EU levels?
- How can we ensure attention and effort is directed to addressing impacts on those who are most vulnerable to harm, including human rights defenders?

**17:15-18:00**

## **Presentation of Agenda for Action and Statements of Support**

Presentation by high-level representatives from Finland of an "Agenda for Action" and statements of support from other EU Member States.

Formal closing of conference.