



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)

**09:10**

#### **Introduction – Historical perspectives**

1976: the economic, diplomatic and legal context

Evolution of the instrument

- Jeremy Carver, Senior Advisor, Transparency International UK
- Rainer Geiger, Attorney-at-law, Sybarius Avocats and former Deputy Director, Directorate for Financial and Enterprise Affairs, OECD

**09:30**      **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
- Margaret Wachenfeld, Director of Research and Legal Affairs, Institute for Human Rights and Business
- Kirstine Drew, Senior Policy Advisor, Trade Union Advisory Committee to the OECD (TUAC)

**11:00**      **Coffee break**

**11:30**      **Content of the OECD Guidelines**

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)
- Julie Vallat, Legal Counsel CSR, Total SA
- Stephan Schill, Professor of International and Economic Law and Governance, University of Amsterdam

**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)

- Joseph Wilde, Coordinator, OECD Watch
- Maylis Souque, Secrétaire General, French NCP
- Ola Mestad, Chair, Norwegian 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)
- Kari Tapiola, Executive Director, International Labour Organization and formerly Secretary General, TUAC
- Raymond Saner, Titular Professor in Organization and International Management, University of Basel
- Geneviève Bastid-Burdeau, Professor of Public Law, Université Paris 1, Panthéon-Sorbonne

**17:50 Concluding remarks**

- Nicola Bonucci, Director of Legal Affairs, OECD

**18:00 Conference ends**

**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](http://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>.

Weber, Rolf (forthcoming) - Development of Coherent Procedural Rule for OECD Guidelines' Mediation.