



## **“PROTECT, RESPECT, AND REMEDY: A FRAMEWORK FOR BUSINESS AND HUMAN RIGHTS.”**

Regional Consultation Held by the Special Representative of the Secretary-General on Human Rights and Transnational Corporations and Other Business Enterprises

NEW DELHI, INDIA, FEBRUARY 5 AND 6, 2009

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### **INTRODUCTION**

In his 2008 report to the Human Rights Council, the SRSG proposed a conceptual and policy framework “to anchor the business and human rights debate, and to help guide all relevant actors.” The framework comprises three core principles: the state duty to protect against human rights abuses by third parties, including business; the corporate responsibility to respect human rights; and the need for greater access by victims to effective remedies. In June 2008 the Human Rights Council was unanimous in “welcoming” the policy framework. It extended the SRSG’s mandate for another three years, and asked him to “operationalize” the framework in order to provide concrete guidance to states and businesses. In furtherance of the above, the SRSG intends to hold regional consultations in different parts of the world.

These regional consultations are not country visits organized to investigate the situation of human rights at the national level but are intended to benefit from different regional perspectives of stakeholders not based in North America or in Europe, and who are without the means to participate in the consultations organized there. Each of these consultations will follow the same format, focusing on the three principles to protect, to respect and to remedy and potential ways, challenges and opportunities in operationalizing them. A final open session will give the opportunity to participants to discuss business and human rights related issues of particular importance for them.

The first of these consultations took place in Delhi, India, on February 5 and 6, 2009. The consultation included representatives from states, corporations and civil society as well as academics and legal practitioners from 16 countries. Annex 1 contains a list of participants and their affiliations. Each session was introduced by the SRSG and a commentator provided remarks – see Annex 2 (agenda).

The SRSG is thankful to the Government of Denmark and the Office of the High Commissioner for Human rights for their financial support. The SRSG is also extremely grateful to “Partners in Change” and its staff for their invaluable substantive and logistical support.

In order to encourage full and frank discussion, the consultation was held under the Chatham House rule. Accordingly, set out below was a summary of the consultation proceedings

### INTRODUCTION

This introductory session framed the debate on business and human rights and provided a brief summary of the SRSG's work up to date, outlining the rationale behind the development of the policy framework, the results, the reaction of the main stakeholders groups and the expectations for the consultation.

The SRSG described his original mandate to identify and clarify standards of corporate responsibility and accountability with regard to human rights. It ultimately led to his final report, "Protect, Respect and Remedy: A Framework for Business and Human Rights". He placed the development of this framework against the backdrop of the financial sector collapse of 2008 and said that it offered many lessons about responsible corporate behavior and how to achieve it. One lesson was clear above all others: business as usual isn't good enough for anybody, including business itself. All relevant players, everywhere, must learn to do many things differently. Even before the crisis hit, the SRSG had underlined that "there was no magic in the marketplace," that governments tended to have a fairly narrow view of what was involved in their duty to "protect," that companies generally lacked the systems that would allow them to demonstrate their responsibility to "respect," and that neither has developed adequate "remedies" for when things went wrong.

In discussions, several participants suggested that Human Rights need to be internalized in company operations and non-judicial mechanisms to be promoted for redress of complaints of victims of abuse by companies. It was also said that the most important way to secure respect of human rights by companies was to make sure that the state respects the human rights of people. One of the company representative said that it was necessary to sensitize both management and the employees of the company to internalize human rights. The issue was also addressed as to whether there was a need for a separate policy on human rights, when companies were already overburdened by a number of guidelines on environment, sustainability, etc. and that human rights could very well form a part of any of these. Trade union representatives recalled that it was essential to see labour rights are key human rights but also underlined that companies' reports on human rights, especially those related to labour, were based on very fuzzy indicators and therefore highly imprecise.

The SRSG responded by noting that according to the surveys he had conducted of states policies and practices in the area of business and human rights, it was clear that majority of them were not focusing on the issue as much as they should, the best proof being that many of them did not even respond to the questionnaire. To the question of the need of separate guidelines on human rights, the SRSG said that human rights could be incorporated in the various other guidelines and put in a language business understood provided that its basic principles are upheld. He stressed the need to demystify human rights for companies.

### SESSION I: THE STATE DUTY TO PROTECT

The first principle identified by the SRSG was the State duty to protect against human rights abuses committed by third parties, including business. International law provides that States are required to take appropriate steps to prevent, investigate, redress and punish abuse by private actors, including business.

After presenting the state duty to protect and underlining the importance of the roles of states in the business and human rights discussion, the SRSG presented some of the new projects he is pursuing in his new mandate. The SRSG indicated his intention to continue studying the possible impacts of trade and investment agreements on the ability of states to fulfill their duty to protect against business-related human rights abuses. He also described a recent initiative to bring together nineteen leading corporate law firms from around the world to identify whether and how national corporate law principles and practices currently foster corporate cultures respectful of human rights. More

than 40 jurisdictions will be surveyed. He said that the relationship between corporate law and human rights remained poorly understood but the willingness of so many firms to provide their services pro bono in order to expand the common knowledge base indicated that corporate law firms worldwide appreciated that human rights are relevant to their clients' needs. At the end of the mapping project, the SRSR would publish a compilation and analysis of the findings. In consultation with relevant stakeholders, he will then consider what recommendations to make to states and businesses.

Another point of interest was to find responses to the traditional dilemma for extraterritoriality, especially in conflict zones, where the need was greatest. Current opinion from international human rights bodies suggests that States are not required to exercise extraterritorial jurisdiction over business abuse, but nor are they generally prohibited from doing so provided certain conditions are met. He also indicated that there are many policy reasons for so-called home States to take a greater interest in what "their companies" are doing abroad. While extra territorial jurisdiction typically was resented as it is seen as an intrusion into the domestic affairs of others, the SRSR indicated that it was an area where practical solutions needed to be found.

Another initiative was to work with a group of states in an informal brainstorming set-up to find innovative solutions to prevent abuse of human rights in conflict affected areas.

The commentary was provided by Prof. David Kinley, Chair in Human Rights Law, Faculty of Law, University of Sydney, Australia. Prof. Kinley agreed that the SRSR's political economy approach coupled with the wide consultations the SRSR has pursued were important reason for his success. He further stated that beyond the relatively non-expansive view of State duties in relation to business and human rights proposed by the SRSR, the significant attention put on state actions was to be welcomed, and he emphasized the need to look at its regulatory role but also to the need for states to engage with business to reduce human rights abuse. Prof. Kinley also stressed that companies are mostly concerned by domestic laws and hence highlighted that states were the most effective actor to make business accountable by using legislation, policies, and prosecutions. But he also flagged the key challenges existing when Human Rights abuses by corporations can't be heard in local courts. Finally, Prof. Kinley underscored the need to keep the dialogue open with business and to build pressure slowly, but also the key fact that companies will engage meaningfully only if a greater amount of commitment was shown by government. He particularly flagged the need for some leading developing countries like India, Brazil, South Africa to show the ways to the other developing countries on this business and human rights agenda.

Comments and questions focused on many different aspects of the role of states. There was broad acknowledgement of a very strong need for capacity building of State on Human Rights. It was suggested by several participants that only strong political will by states could bring about a real business and human rights regime but that this would be extremely difficult as a downward pressure created by the race among governments to attract businesses regardless of the social costs, coupled with the lack of interest in business and human rights issues by many companies causes the whole problem. This was identified as one of the major dilemmas with no clear solutions at the moment, as participants feared that neither governments nor local companies would constitute a significant force for positive change any time soon. It was stated that change will only come when there was equal distribution of power and socially democratic institutions exist in the State. One participant expressed the view that the rules created by the Doha round of the WTO were the fundamental reason for many abuses committed by developed nations and their companies. So it was necessary to define the boundary of such institutions like the IMF, WTO, etc. Thus change can only be brought by the SRSR if he redefines the current global architecture. Another participant questioned even the possibility of reconciling economic interests and human rights, as human rights and the profit motive of the companies and the policies of the regime of the WTO and others are diametrically opposed. The frameworks applicability to the SME sector was also questioned. Most of the workforce in the developing nations was from the unorganized sector and the mandate does not include this. Finally, it was also pointed out that access to information was an important component of compliance with regulation and that was missing in the mandate.

The second session looked at the corporate responsibility to respect human rights, in essence the responsibility of companies to act with due diligence to avoid infringing on the rights of others. After outlining the the corporate responsibility to respect, the SRSG took some time to discuss the importance of maintaining the right balance of responsibilities among different actors, i.e. to make sure that the corporate responsibility to respect human rights did not create incentives and situations where states felt relieved of their own obligations to respect, protect and fulfill human rights. He stated that de-capacitating was a grave danger to the business and human rights agenda as there was no substitute for the State. Even where business was offered to control institutions which work for the public, they should be offered on a partnership basis.

The SRSG-reminded that companies are specialized organs of society and not public entities and therefore that their responsibilities cannot simply mirror the duties of State. And he indicated that the responsibility to respect all rights was a baseline expectation for companies, without precluding a higher level of responsibility like those which have public functions or for those who choose them voluntarily.

The SRSG stressed that due diligence was at the core of the principle of corporate respect for human rights and he flagged some of the processes that this might entail, such as adopting a human rights policy, conducting impact assessments of business operations, crafting plans to avoid negative human rights impacts, integrating human rights concerns into company operations, and developing monitoring and auditing processes. While this was the expectation for all companies on all human rights, the SRSG also underlined that heightened due diligence was required in contexts of weak state governance or in areas of the world where tensions or conflict prevail and that a serious effort needed to be done to make this relevant to SMEs and the informal sector.

Comments were provided by Mr. William Anderson, Vice President and Head of Social & Environmental Affairs, Asia Pacific ADIDAS group. Mr. Anderson started by saying that he was a strong supporter of the principle of corporate responsibility to respect as a “baseline responsibility for companies” and mentioned that the true challenge for business was to understand what that baseline was and how did “human rights” apply to day-to-day business operations and, ultimately, what influence should it play in business decision-making. Mr. Anderson then explained that this baseline had to be built around greater due diligence by business through the mapping and assessment of human rights impacts, the development and integration of human rights policy and subsequent monitoring which would lead to a more systematic treatment and understanding of human rights from a business perspective. But he also underlined that these processes can only be successful if accompanied by broad engagement - outreach that enables business to better manage the expectations which are placed upon it, to deliver against human rights. Both need internal capacity building to act through the right processes but also to understand the breadth of human rights, obligations and duties. Mr Anderson noted that while there are companies, particularly in the consumer goods industries, that have invested in Social Compliance Officers, to manage corporate codes of conduct along extended supply chains, there was no emergence of Corporate Human Rights Officer; although under the guidance of such organizations as the UN Global Compact, multinationals have begun to consider, formulate and publish human rights policies. Given the breadth of the subject area, business must look to others, be they governments or expert bodies, to provide the tools and training which are needed to build internal capacity, that is, capacity to both measure and manage business impacts on human rights, and of course, vice versa..

Mr. Anderson also flagged a key dilemma for companies as their knowledge and need to respect rights was driven primarily by an understanding of the local law, as proscribed and enforced by their national government. But governments themselves have had a less than exemplary record when it came to fulfilling their State duty to protect and promote human rights and these gaps in legal enforcement by governments presented a real and ever-present challenge. In this context, Mr. Anderson indicated that joint action by business can be a powerful tool and that support for the fulfillment of human rights by business should be a shared goal and a shared process. At the same time, he also stressed that setting the boundary conditions of what companies can, and cannot do, as companies

were able to focus their efforts only in those areas which lie within their own direct sphere of influence which does not extend to State politics, or to the setting of domestic and foreign policy.

During the questions and answers session, participants stressed the need for companies to engage with their supply chain. Some expressed the need for developing the business case for CSR for the SME sector but above all participants stressed the need for capacity building as one of the major components to see real progress in the corporate responsibility to respect human rights. One of the participant suggested that TNCs should be made party to international conventions and treaties. The rationale was they are not seen as a separate legal entity under the international law and so no charges can be brought against them in the international criminal court or other forums in the international arena. Another participant questioned the scope of due diligence and asked whether companies had a responsibility to monitor the labour conditions in the factories in their supply chain. Some participants also flagged the fact that mostly corporations and states push the responsibility on one another and in the end human rights were not fulfilled. A trade union representative stated that the CSR standards are more biased towards environmental performance rather than improvement of the plight of the workers. Finally, many participants urged to have a better alignment of state regulations with existing international guidelines.

### SESSION III: ACCESS TO MORE EFFECTIVE REMEDIES

The third session looked at the need for access to more effective remedies and ways and means to better develop them. The SRSR opened the discussion by framing the issue in underlining that even where institutions operate optimally, disputes over adverse human rights impacts of company activities are likely to occur, and victims will seek redress. Currently, access to formal judicial systems was often most difficult where the need was greatest. Non-judicial mechanisms are seriously underdeveloped—from the company level up through national and international spheres. And access to them was hampered by the lack of readily available information about them. He asserted that what he regards as a patchwork of mechanisms remained incomplete and flawed, and, thus, must be improved. The SRSR stated that treaties do not require states to exercise extraterritorial jurisdiction over business abuse. But nor are they generally prohibited from doing so. International law permits a state to exercise such jurisdiction provided there was a recognized basis: where the actor or victim was a national, where the acts have substantial adverse effects on the state, or where specific international crimes are involved. Extraterritorial jurisdiction must also meet an overall reasonableness test, which includes non-intervention in other states' internal affairs. Debate continues over precisely when the protection of human rights justifies extraterritorial jurisdiction.

The SRSR also stated that, National Human Rights Institutes (NHRI) could provide an useful remedial forum and be particularly well-positioned to provide processes that are culturally appropriate, accessible, and expeditious. The SRSR underlined that the “remedy” part of the business and human rights framework required further in-depth thinking and consultations, about both judicial and non-judicial mechanisms with goal of creating a well-developed and coherent plurality of avenues for redress. The SRSR briefly presented some of the projects he was conducting in this area such as a mapping of the obstacles faced by victims in accessing remedies with the objective of providing recommendations on ways to overcome those obstacles; and strengthening existing structures, such as the National Contact Points for the OECD Guidelines, which he described as an important vehicle for providing remedy.. He also expressed the importance of effective grievance mechanisms at the company level as they provide an essential risk management tool by which a company can identify early on concerns about their impacts, and possibly resolve them before they escalate into protests, campaigns, or lawsuits. He restated the key elements such mechanism should have in order to be effective grievance mechanisms: they must be legitimate, accessible, equitable, rights-compatible, transparent, and have predictable processes.

Comments were provided by Dr. Usha Ramanathan from the International Environmental Law Research Network in India. Dr Ramanathan stressed the fundamental aspect of the business and human rights debate was to ensure that corporations need to be brought within the folds of accountability and in full compliance with human rights law. She underscored the fact that ignorance of law was no excuse. This holds for those who reside in the remotest part of

countries, so it should hold for corporations too. Despite some improvements, this would require a paradigm shift in the thinking of the business community, she felt. She further stated that corruption and the way the law on information has developed, i.e. barring commercial secrecy from public recourse, are major causes for abuse of human rights by companies. She stated that the concept of absolute offence developed after the Bhopal gas tragedy could be used as an effective recourse but also that the bullying tactics of the companies as soon as they are blamed by civil society for an abuse needed to be looked into as was often the case, for example in land acquisition, where the corporations have used the state as a conduit to exploit the communities. She concluded that there are a range of issues which needs to be looked at and corrected so that the companies do not exploit their situation of dominance with regards to community.

The main issue discussed in open debate was the desirability of extra territorial jurisdiction in cases of abuses by transnational corporations operating abroad in a state with a weak judicial system or in cases where government were perceived to put investment interests ahead of those of its citizens. Fear of persecution, corruption or lack of resources to fight a case against MNCs, frequently preclude any practical possibility of legal action in MNC host states. It was also mentioned that there needs to be some mechanism to hold parent corporations to account from their overseas operations as holding them to account in their home jurisdiction would make compliance more easier and overcome obstacles to access to justice locally. Many participants also highlighted the fact that progress could be possible only if greater cooperation among civil society would take place and representatives from trade union stated that the agenda should be taken up by their movement as the issues were common.

#### OPEN FORUM: THE CONTRIBUTIONS TO THE SRSG'S MANDATE

The final session of the consultation provided an opportunity for all participants to express their ideas, advice, and recommendations to the SRSG on any issue related to the overall mandate, and how it could contribute to the specific situation in various parts of Asia. There were many calls to pay specific attention to indigenous communities as they were most often negatively impacted by corporate activities before the companies even started to operate through resettlement, but also at the end of the activities because of pollution. The lack of knowledge about access to remedies was cited as a key obstacle to a realistic operationalisation of the business and human rights framework and it was suggested that education and information should play a more central role. Different opinions were expressed regarding the state of the debate within companies: some participants felt that companies had now begun to realize the agenda but regretted that the civil society did not play any role in it and that engagement was extremely limited while others felt that progress and better respect for human rights by companies was only happening because of the continuous struggle of the civil society to push the agenda and bring the corporations within the boundaries which were earlier pervaded by them. There was a broad consensus on the fact that states needed to play an important role to avoid TNCs hiding behind weak laws. The need to develop tools for SMEs was also emphasized and there was many calls to increase research to understand how to include this important sector as SMEs constitute the main part of the formal economy.

There was a strong support to use the right to information more effectively to access important facts from companies, especially from those engaged in public work. Another plea was raised for the protection of whistle blowers within the companies. The potential of exploring all bodies of laws was noted many times, in particular in the context of India where consumer courts could provide an essential remedy if the manufacturing process or products affected human rights.

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## ANNEX 1: LIST OF PARTICIPANTS

Mr. William Anderson, Head of Social & Environmental Affairs, Asia Pacific, Adidas Sourcing Limited, Hong Kong

Ms. Laure Anne Courdesse, Land and Livelihood Programme Head, United Nations Human Rights Office, Cambodia

Mr. Vibhor Bansal, Acting Centre Coordinator, CUTS International, India

Ms. Anjali Bedekar, President, UNI-APRO Global Union Federation, India

Ms. Emily Bild, Associate, HAQ, India

Ms. Surabhi Chopra, South Asia Researcher & Representative, Business & Human Rights Resource Centre, India

Mr. Rahul Choudhary, Associate Advocate, Legal Initiative for Forest & Environment, India

Ms. Leila Choukroune, International Federation for Human Rights (FIDH), France

Dr. Alice De Jonge, Senior Lecturer (Law), Department of Business Law & Taxation, Monash University, Australia

Dr. Lam Dorji, Executive Director, Royal Society for Protection of Nature, Bhutan

Ms. Sayantoni Dutta, Senior Researcher, SADED, India

Prof. Rene E. Ofreneo, Director, Centre for Labor Justice, School of Labor and Industrial Relations, University of the Philippines, Philippines

Mr. Patrick Earle, Executive Director, Diplomacy Training Program, Faculty of Law, UNSW, Australia

Ms. Fatemeh Eslami, Law Scholar, University of Delhi, India

Mr. Saffah Farooq, Pakistan

Ambassador Luis Gallegos, Ambassador, Member of the SRSB Leadership Group, Ecuador

Ms. Richa Gautam, Indo-German CSR Initiative Senior Technical Expert, German Technical Cooperation (GTZ), India

Ms. Christina Hill, Acting Mining Ombudsman & Extractive Industries Advocacy Coordinator, Oxfam Australia, Australia

Mr. Mark Hodge, Programme Manager, BLIHR, India

Dr. N J Singh, Whole Time Director (EHS), DCM Shriram Consolidated Ltd., India

Mr. Gopal Jha, Manager Projects, Partners in Change, India

Ms. Angela Joo-Hyun Kang, Advisor, Korea Human Rights Foundation, Korea

Mr. N K Verma, Chief Manager (Process), Technical Service Division, IFFCO, India

Mr. Gerald Pachoud, Special Adviser to the SRSB

Mr. Gopinath K. Parakuni, General Secretary, Civepep India, India

Mr. Sudhir K. Sinha, Country Head-CSR and R&R, ArcelorMittal, India

Ms. Bhanumathi Kalluri, Coordinator, International Women and Mining Network, India

Ms. Samta Kapur, Programme Officer, Partners in Change, India

Ms. Daljinder Kau, Sr. Communication Officer, Partners in Change, India

Mr. Riyazuddin Khan, Programme Officer, Partners in Change, India

Mr. Chul Ki Ju, Vice President & Secretary General, Global Compact Korea Network, Republic Of Korea

Prof. David Kinley, Chair in Human Rights Law, The University of Sydney, Australia

Ms. Kanchan Komari, Research Assistant, NHRC, India

Ms. Ranu Kulshrestha, Head CSR, MoserBaer India Ltd., India

Ms. Neha Kumar, Technical Manager, Indo-German CSR Initiative, German Technical Cooperation (GTZ), India

Dr. Manoj Kumar Singh, Director, The Indian Society of International Law, India

Prof. Nohyun Kwak, Co-Chair, Korean House for International Solidarity, Korea

Mr. Pill Kyu Hwang, Attorney at Law, Korean Public Interest Lawyers' Group, GONGGAM, The Beautiful Foundation, Korea

Prof. J. L. Kaul, Professor, Campus Law Centre, University of Delhi, India

Ms. Taniya Malik, Law Student, University of Delhi, India

Mr. William Mason Nee, Public Education & Research Officer, China Labour Bulletin, Hong Kong

Mr. Suneet Mehta, Attache, Ministry of External Affairs, India

Mr. Viraf Mehta, Chief Executive, Partners in Change, India

Ms. Deepa Menon, Head CSR, PVR Nest , India

Ms. Meera Mitra, Independent Consultant, India

Mr. P. Muthulingam, Director, Institute of Social Development, Sri Lanka

Mr. Khurram Naayaab, Programme Manager, Partners in Change, India

Mr. Jeudy Oueng, KRT Program Officer, Cambodian Human Rights Action Committee, Cambodia

Mr. Christophe Peschoux, Representative, United Nations Human Rights Office, Cambodia

Dr. Nymia Pimentel Simbulan, Executive Director, Diplomacy Training Program, PhilRights, Philippines

Mr. Rajiv Pradhan, Division Manager, Industry & Rural Sectors Division, Katalyst, Bangladesh

Ms. Ravadee Prasertcharoensuk, Executive Secretary , Sustainable Development Foundation, Thailand

Ms. Usha Ramanathan, Advocate, International Environmental Law Research Network, India

Ms. Monica Ramesh, Executive Director, ASK , India

Ms. Nandita Rao, Advocate, Corpwatch, India

Col. Surajit Rath, Special Advisor-CSR, Usha Martin Ltd., India

Mr. Ravi Rebergappa, Chairperson, Mines, Minerals & People, India

Prof. John Ruggie, Special Representative of the UN Secretary General on Business and Human Rights

Ms. Shahamin S. Zaman, CEO, CSR Centre, Bangladesh

Mr. Sumit Sen, Regional HR Manager - North, Hindustan Unilever Limited, India

Mr. Shashank Sharma, Sr. Prog. Support officer, Partners in Change, India

Mr. Farooq Shobhan, President, Bangladesh Enterprise Institute, Bangladesh

Ms. Soni Shrivastav, General Manager-Corporate Communications, C K Birla Group, India

Ms. Smita Singh, Programme Officer, Partners in Change, India

Mr. Anand Singh Bawa, Senior Advisor, External Affairs & Public Policy, Mercedes-Benz India Pvt. Ltd., India

Mr. Sune Skadegaard Thorsen, Partner / Director, Global CSR / Corporate Responsibility Ltd., Denmark

Mr. Matthew Smith, Project Coordinator, Burma Project, Earth Rights International, Thailand

Ms. Marietta T. Paragas, CEO, Shontoug Foundation, Inc., Philippines

Ms. Alison Tate, International Officer, Australian Council of Trade Unions (ACTU), Australia

Mr. Paresh Tewary, CEO, Voluntary Action Network India, India

Mr. Dawa Tshering, Chief Administrative Officer, Bhutan Chamber of Commerce & Industry, Bhutan

Ms. Amita V. Joseph, Director, Business & Community Foundation, India

Ms. Pukul Vidyaram, SADED, India

Ms. Halina Ward, Programme Director, IIED, United Kingdom

Mr. Robert Weisberg, Ethics Officer Corporate Affairs, Nokia Siemens Networks Pvt. Ltd., India

Ms. Theresia Widiyanti, Assistant Researcher, The Business Watch Indonesia, Indonesia

Brig Rajiv Williams, Corporate Head - CSR, JSL Limited, India

Mr. Sang Young Jeung, Civic Sector Education Team, National Human Rights Commission of Korea, Korea



## ANNEX 2: AGENDA

### THURSDAY, FEBRUARY 5

12.30-14.00	Registration / light lunch
14.00-14.20	WELCOME REMARKS - SRSR John Ruggie
14.20-14.30	WELCOME by Local Organising Partner - Mr. Viraf Mehta, Chief Executive, Partners in Change
14.30-15.00	INTRODUCTION - SRSR John Ruggie
15.00-15.30	Q&A
15.30-16.00	Tea/Coffee
16.00-17.30	Session I: THE STATE DUTY TO PROTECT
16.00-16.30	Presentation of the principle - SRSR John Ruggie Comments by Prof. David Kinley, Chair in Human Rights Law, University of Sydney, Australia
16.30-17.30	Q and A

### FRIDAY, FEBRUARY 6

09.30-09.45	Tea/Coffee
09.45-10.00	Summary of day 1
10.00-11.30	Session II: THE CORPORATE RESPONSIBILITY TO RESPECT
10.00-10.30	Presentation of the principle - SRSR John Ruggie Comments and Comments by Mr. William Anderson, Vice President and Head of Social & Environmental Affairs, Asia Pacific ADIDAS group
10.30-11.30	Q and A
11.30-11.45	Tea/Coffee
11.45-13.15	Session III: ACCESS TO MORE EFFECTIVE REMEDIES
11.45-12.15	Presentation of the principle - SRSR John Ruggie & Comments by Dr. Usha Ramanathan, International Environmental Law Research Network, India
12.15-13.15	Q&A
13.15-14.30	Lunch Break
14.30-16.00	Open forum: The contributions of the SRSR's mandate
16.00-16.15	Closing remarks - By SRSR John Ruggie
16.15-16.30	End of consultation with Tea/Coffee