



## Conference

### **Non-financial due diligence and responsible business conduct**

- International obligations, expectations and best practice

Venue: Copenhagen Business School (CBS), Auditorium SP210, Solbjerg Plads 3, DK-2000 Frederiksberg

When: 25 November 2015 – at 10.00-16.15 (registration starts at 9.15)

Objective: Debating expectations and exploring ways of operationalizing due diligence in business in relation to CSR related matters under OECD's Guidelines for Multinational Enterprises, and UN's Guiding Principles on Business and Human Rights, and clarifying needs for additional knowledge.

Output: Conference report summing up conclusions.

Facilitator: John Morrison, Executive Director of the Institute for Human Rights and Business – a global and impartial “think and do tank”.

This conference aims at active participation from the audience, thus Q&A's are to be seen as an integral part of the flow, including in follow-up to speakers' presentations.

To stimulate open debate unfettered by attribution, the Chatham House Rule apply (there will be no records of specific comments or speakers, and no published records of attendees, and after the conference participants do not attribute views or statements to those who made them).

## Programme

### **9:15-10:00 Registration**

Registration, coffee and croissants at CBS ground floor outside auditorium SPs10.

### **10:00-10:10 Welcome (10 min)**

Mads Øvlisen, Chair of the Danish NCP and Adjunct professor at Copenhagen Business School and advisor to the UN Global Compact.

**10:10-10:45 Stocktaking of due diligence in the OECD (35 min)**

Speaker:

- Prof. Roel Nieuwenkamp, chair of the OECD Working Party on Responsible Business Conduct, and former chair to the negotiation of the update of the OECD Guidelines.

The updated OECD Guidelines for Multinational Enterprises (2011) introduced risk-based due diligence as a central recommendation. Since 2011 the OECD has launched several sector specific projects on the operationalization of due diligence.

This presentation will take stock of due diligence in the OECD, explore common denominators and context specific experiences across due diligence projects.

**10:45-11:05 A conversation on due diligence (20 min)**

Participants:

- Prof. Roel Nieuwenkamp.
- Annette Stube, Director of Group Sustainability, A.P. Møller-Mærsk.

Interviewer: John Morrison

Business play a key role in the implementation of due diligence. This session will explore the operationalization of the OECD recommendation on due diligence in dialogue with the Danish company A.P. Møller-Mærsk.

**11:05-11:35 Due diligence and specific instances/cases (30 min)**

Speaker:

- Joseph Wilde-Ramsing, Senior Researcher OECD Watch.

OECD Watch is a global network with more than 100 members in 50 countries. As a recognized stakeholder at the OECD, OECD Watch acts as a conduit for bringing the perspectives and interests of NGOs and disadvantaged communities into policy discussions at the OECD. In addition to monitoring and advocating for improved NCP performance

and implementation of the Guidelines, OECD Watch develops policy advice on, inter alia, due diligence.

This presentation will present facts, figures and experiences with regard to the resolution of due diligence relating to the implementation of the OECD Guidelines in specific instances/cases.

**11:35-12:15 A conversation on cases: Experiences and dilemmas (40 min)**

Participants:

- Maartje van Putten, member of the Dutch NCP, senior advisor of the Complaints Mechanisms of the European Investment Bank in Luxembourg and expert to the European Bank for Reconstruction and Development.
- Ola Mestad, Chair of the Norwegian NCP and professor dr. Juris at the University of Oslo.
- Danish Chopra, senior policy advisor at the UK NCP.

National Contact Points (NCPs) play an important role in operationalizing due diligence. This session will discuss case-based NCP experiences.

Interviewer: John Morrison

**12:15-13:15 Lunch break and networking (60 min)**

Lunch will be served on the balcony on the 2nd floor next to the main entrance.

**13:15-13:55 Social Expectations and best-practice due diligence: The Arla Case (40 min)**

Speakers:

- Irene Mortensen, CSR Senior Manager, Consumer International at Arla Foods.
- Troels Børrild, Policy Advisor at ActionAid Denmark.

Moderator: John Morrison

According to the OECD Guidelines “due diligence is understood as the process through which enterprises can identify, prevent, mitigate and account for how they address

their actual and potential adverse impacts as an integral part of business decision-making and risk management”.

The session will present Arla’s experience with implementing a due diligence process to identify and prevent potential impacts. With point of departure in this experience, the session will also debate how companies can address actual impacts (once they have occurred) as part of the due diligence process.

After years of dialogue ActionAid Denmark and Arla Foods reached an agreement to secure Arla’s compliance with international human rights standards, including on due diligence, when entering and operating in developing countries.

**13:55-14:25 What we know and what we need to know about due diligence under the OECD’s Guidelines (30 min)**

Participants:

- Professor Vibe Ulfbeck, University of Copenhagen, Head of the Research Centre for Corporate Liability.
- Mark B. Taylor, Senior researcher, FAFO – Institute for Applied International Studies, Oslo and member of the International Advisory Board of the Institute for Human Rights and Business.

Moderator: Karin Buhmann, member of the Danish NCP and Associate Professor, Copenhagen Business School.

This session will sum up insights gathered so far and discuss needs for additional knowledge on what is expected of companies under OECD’s Guidelines.

In order to stimulate the debate in the break-out sessions and questions that may be raised, the panel will discuss needs and challenges for due diligence in a globalized and fast-changing environment.

**14:25-14:40 Coffee break (15 min)**

Coffee will be served at the ground floor outside auditorium SPs10.

**14:40-15:40 Break-out sessions on sector specific due diligence  
(60 min)**

Each break-out sessions will take point of departure in a specific case where a company/organization has sought to operationalize due diligence in a sector.

- **Break-out session 1 - The Textile and Garment Sector**

Bestseller - Maria Kim Lassen, Bestseller Sustainability and United Federation of Danish Workers - Jesper Nielsen, International Advisor.

Moderator: Karin Buhmann

Auditorium : SPs16

- **Break-out session 2 – The Public Sector**

The Danish Export Credit Agency (EKF) - Claus Primdal Sørensen, Head of Department, CSR and Global CSR - Sune Skadegaard Thorsen, CEO.

Moderator: Marie Voldby, Head of the Secretariat of the Danish NCP.

Auditorium : SP210

**15:50-16:05 Summing up and looking ahead (15 min)**

Sum up of the day, including the two break-out sessions, and look ahead with input from the audience.

Moderators: John Morrison and Karin Buhmann.

**16:05-16:15 Closing of the day**  
Mads Øvlisen