

the corporate responsibility to respect human rights

Corporations, particularly multinationals, have to become human rights literate if they wish to avoid increasingly frequent allegations of complicity in human rights violations and subsequent litigation. Failure to realise the importance of the corporate responsibility to respect human rights might result in a high cost to the financial bottom line - not only due to the direct cost but also due to damaged reputation.

Corporations can be held accountable for complicity in human rights violations regardless of where they may have been committed in the world.

Cases about alleged abuses have been brought before the courts in a number of countries including Australia, Canada, the UK and the US. In early June Europe's largest oil company, Shell, paid US\$15.5 million to settle a court case in New York related to human rights allegations. The pharmaceutical giant Pfizer also recently settled a claim involving alleged human rights violations. The details of the

settlement are private but have been reported as being up to US\$75 million.

These settlements have international significance in helping to establish principles that go beyond these specific cases. It is vital that those working in corporate responsibility and sustainability keep abreast of current developments.

This interactive workshop aims to provide an introduction to Human Rights, International Law and the United Nations System relevant to business, an overview of key international developments, examples of industry specific and individual business initiatives promoting human rights and some of the challenges, lessons learned and results achieved.

Prof. Brian Burdekin AO, one of the foremost authorities on international human rights, is one of the presenters. He will be joined by panellists from leading corporations, government and civil society.

Date

11 December 2009
From 9.30am to 4.15pm

Place

Telstra Corporation Ltd
Level 12
231 Elizabeth Street
Sydney NSW 2000

Supported by



"There are few, if any, internationally recognised rights business cannot impact, or be perceived to impact, in some manner. Therefore, companies should consider all such rights."

Prof Ruggie, UN Special Representative on business and human rights

understanding human rights

Why are human rights increasingly important for business and not the responsibility of Governments alone?

Public awareness about human rights impacts of business – positive and negative – has increased.

Expectations of shareholders, consumers, governments, local communities and influential media commentators have changed substantially.

There are numerous - some would argue too many - voluntary guidelines and codes of conduct - some of which include human rights considerations and all of which need a robust framework so their commendable objectives can be implemented and human rights violations avoided.

The UN Special Representative on human rights and transnational corporations and other business enterprises has developed such a framework to increase the understanding of the respective roles of governments and business in protecting human rights and ensuring effective remedies for violations.

Prof Ruggie's recently released report, *Business and Human Rights: Towards Operationalising the 'Protect, Respect and Remedy' Framework*, is an important milestone.

This interactive workshop aims to:

- clarify the relationship between government's duty to protect and the corporate responsibility to respect human rights;
- demystify human rights; and
- cover the most recent developments in business and human rights relevant to Australia and internationally.

The workshop will also demonstrate that:

- international law, including human rights law, provides important guidance on environmental, social and governance issues for corporations;
- the human rights system offers an internationally recognised framework for corporate responsibility and sustainability activities; and
- there is a real value for business leadership to go beyond respecting human rights to be pro-actively involved in the promotion of human rights.

We will also discuss the relevance of current human rights developments, in particular findings of the recently concluded human rights consultations.

Note: In addition to participating in an interactive workshop, participants will receive a CD-Rom compilation of all relevant human rights treaties, the most recent business codes of conduct relating to human rights and other relevant reference materials.

workshop program

09.30

Registration, coffee & tea on arrival

09.45

Welcome and introduction to the corporate responsibility to respect human rights including current developments

Ulrike Schuermann

Momentum International Partnership

10.15

Human rights and international law – an introduction to international human rights law, the United Nations and the relevance of international treaties to Australia – in particular corporate Australia

Prof. Brian Burdekin AO

11.15

Coffee & tea break

11.30

Human rights and international law – continued

Prof. Brian Burdekin AO

Followed by Q & A

12.30

Lunch

13.30

Class actions – have they advanced human rights? This session will deal with the rapid globalisation of class action in various forms

and their significance in promoting and protecting human rights

Mr Richard Murray, Strategy Consultant, Swiss Re and Chairman, The Centre for Capital Markets

14.00

How companies tackle the complexities of human rights expectations – specific corporate examples and the status of the business and human rights debate under Australian law

Mr Mitchell Landrigan, Legal Counsel, Legal Services, Telstra Wholesale, Telstra Ltd

Mr Alex Gosman, External Affairs Advisor, GlaxoSmithKline, Australia

Mr Bill Hartnett, Head of Sustainability Solutions Asia Pacific, RiskMetrics

Mr Peter Haig, Senior Associate, Allens Arthur Robinson

Mr Rohan MacMahon, Co-Founder, Business Group, Amnesty International Australia

Followed by Q & A

15.30

Coffee/tea break

15.45

The way forward
Summary and closing remarks

16.15

Close of workshop



workshop contributors

Prof. Brian Burdekin AO

Prof. Burdekin is currently Visiting Professor at the Raoul Wallenberg Institute in Sweden, Professorial Visiting Fellow at the University of NSW and teaches in the post-graduate program at Melbourne University Law School. He is international adviser to a number of national human rights institutions in Africa, Asia and Central and Eastern Europe. From 1995 to 2003, as Special Adviser on National Institutions to the first three United Nations High Commissioners for Human Rights, he conducted over 200 missions to 55 countries in Africa, the Asia-Pacific, Europe and Latin America where governments or civil society had expressed a genuine interest in establishing an independent Human Rights Commission. Prior to his appointment with the United Nations, Professor Burdekin was, from 1986 to 1994, the first Federal Human Rights Commissioner of Australia. From 1978 to 1986 he was principal adviser to a former Australian Prime Minister, Deputy Prime Minister, Minister for Trade and Federal Attorney General. Prior to this he was a diplomat and lawyer. In June 1985, Professor Burdekin was made an Officer of the Order of Australia for his services to human rights both in Australia and other countries.

Mr Alex Gosman

Alex began his career in the Commonwealth Public Service, primarily working on industry policy issues from 1975 to 1990. From 1990 to 1999 he was Executive Director at the Australian Electrical and Electronic Manufacturers Association (AEEMA). In early 1999, Alex joined Ericsson Australia as General Manager, Government and Regulatory with responsibility for the company's interface with Government on issues such as spectrum allocation, innovation policies, environmental matters and telecommunications regulation. Alex joined GlaxoSmithKline Australia in September 2002, as Healthcare Environment Director. In 2005 Alex was appointed Government and Corporate Affairs Director, GSKA with focussed responsibility for Government interaction. Alex holds a Bachelor of Economics Degree from the Australian National University. In November 2008 Alex was appointed External Affairs Advisor.

Mr Mitchell Landrigan

Mitchell is a legal counsel in the Telstra Wholesale legal team and has been with Telstra for over eleven years. Mitchell is a member of both the Trade Practices Committee and the Media & Communications Committee of the Business Law Section, Law Council of Australia. He has degrees in Arts and Law from the University of NSW and the degree of Doctor of Juridical Studies from Sydney University. He is a Visiting Fellow with the Faculty of Law, University of Technology Sydney, and currently studies constitutional law part-time at the University of New South Wales. Mitchell is the lead author of Telstra's public submission to the National Human Rights Consultation.

Mr Peter Haig

Peter Haig is a Senior Associate at Allens Arthur Robinson, practicing in the firm's commercial litigation and dispute resolution department in Melbourne. Peter has advised and acted for clients in relation to corporations law and competition law issues, various regulatory investigations, and a large range of substantial commercial disputes and litigious matters, including acting for Amcor in relation to allegations of cartel conduct. He currently acts for the Aboriginal plaintiff in Victoria's first Stolen Generations compensation claim. Peter has also advised and presented to clients in relation to the application to corporations of the *Charter of Human Rights and Responsibilities 2006 (Vic)* and has contributed to Allens Arthur Robinson's ongoing work for Professor John Ruggie, the United Nations Special Representative of the Secretary General for Business and Human Rights. This work has included contributions to a brief on the human rights obligations of corporations in the Asia Pacific region and an analysis of the extent to which corporate law either permits or requires corporations to consider human rights.

Mr Rohan MacMahon

Rohan has been extensively involved in corporate responsibility issues in Australia, particularly as the co-founder of the Business Group for Amnesty International. This group was formed in 1996 to promote awareness of companies'

responsibilities with respect to human rights, and works in the corporate sector to actively assist companies who wish to protect human rights in their operations. As part of this Rohan has experience in policy development, research, awareness building and campaigning on a diverse range of human rights topics. These include geographically based campaigns (such as China, Burma etc.), industry-based efforts (including mining, oil & gas, and manufacturing) and specific initiatives (for example, efforts to reduce violence against women). Rohan represents Amnesty International on the advisory groups for the Corporate Responsibility Index in Australia, and on the Total Environment Centre's Green Capital program. He is a member of Amnesty's global Business & Economic Relations Network, and an alumnus of Social Leadership Australia's Sydney Leadership Program. Rohan is an executive working in business planning for a major Australian corporation.

Mr Bill Hartnett

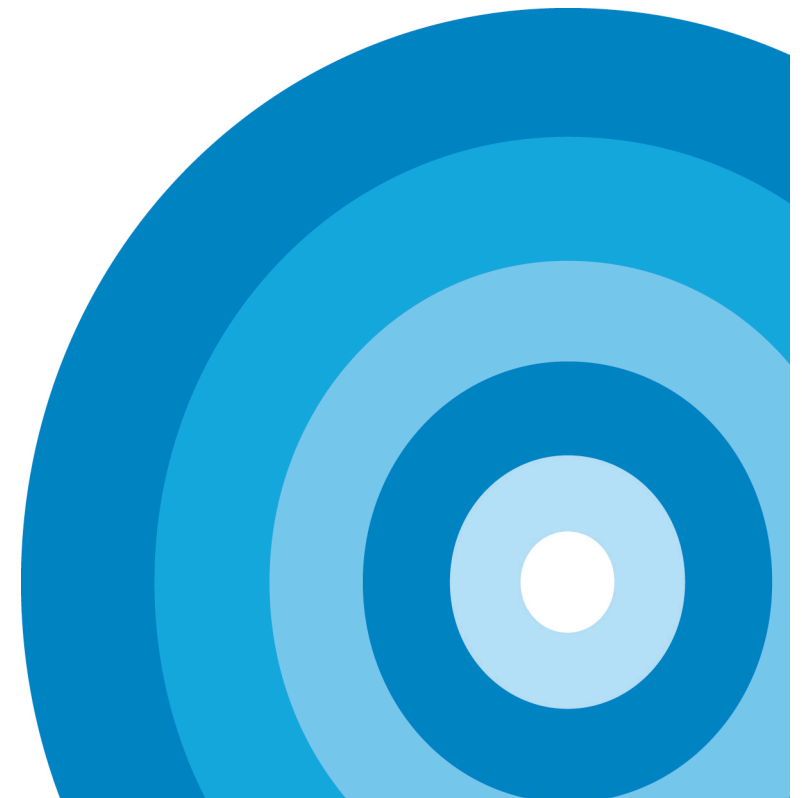
Bill Hartnett joined RiskMetrics in 2009 after its acquisition of Innovest, which Bill joined in 2005 after gaining extensive experience in sustainable investment related research and product development as part of a 15 year career in the finance and investment industry. From 1994 to 2000 Bill worked at Westpac Banking Corporation in corporate banking, strategy and funds management roles before specialising in the sustainable investment field. In 1999-2000 Bill worked on the product management and communication for the Westpac (now BT) Australian Eco Share Fund – the first 'best of sector' SRI fund offered to Australian superannuation funds. From 2000 to 2003 Bill developed and was the Manager of the Challenger Socially Responsive Investment Fund (SRI Fund). The fund won the inaugural 'Ethical Fund of the Year 2001' from Ethical Investor Magazine. Bill's qualifications include a Masters of Environmental Management from University of NSW (2004 for which he was awarded the Environment Institute of Australia and New Zealand Prize) and a Bachelor of Economic Degree (with double major in economics and sociology) from Macquarie University (1992).

target audience

This workshop is suitable for everyone wishing to develop a better understanding of the relationship between corporate responsibility and human rights and who would like to gain an understanding of the international human rights system.

In particular, it is relevant to:

- Sustainability executives & managers
- Corporate responsibility executives & managers
- Corporate social responsibility executives & managers
- Company lawyers
- Corporate citizenship and community engagement executives & managers
- Independent auditors/verifiers
- Health, safety and environmental professionals
- Corporate strategy professionals
- University, research bodies & think tank professionals
- Academics
- Change management consultants
- Civil society volunteers and professionals
- Quality improvement professionals
- Public affairs and communication professionals
- Fundraising or corporate partnerships professionals
- Risk management professionals



registration form & tax invoice

Workshop 05 business and human rights workshop

Four easy ways to register

1 Tel 02 9699 7427

2 Fax 02 9331 3701

3 Post Momentum International Partnership, PO Box 286, Surry Hills NSW 2010

4 Email darlinghurst@secretariesext.com.au

Register and pay by 30 October 2009 \$495 (+\$49.50 GST)

Register and pay by 08 December 2009 \$595 (+\$59.50 GST)

Register and pay by 08 December 2009 \$300 (+\$30.00 GST)

for civil society organisations

Includes morning and afternoon tea/coffee and lunch

Participant details

| | |
|---|-----------|
| Name | Position |
| Organisation | |
| Postal address | |
| Postcode | |
| Business phone | Mobile |
| Fax | Email |
| No of registrations | |
| Total amount payable including GST | \$ |

Please note this document will be a tax invoice for GST purposes when you make payment.

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For registration and payment contact

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Fax 02 9331 3701

Email darlinghurst@secretariesext.com.au

Note registered participants unable to attend may send a substitute at no extra charge. Cancellation without a participant substitution, received in writing at least seven days prior to the event will be refunded, less a service fee of 30% of the registration fee. Payment for cancellation less than seven days prior to the event or for delegates failing to attend unfortunately cannot be refunded