

For Official Use

English - Or. English

10 February 2023

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
INVESTMENT COMMITTEE**

Working Party on Responsible Business Conduct

Preparations for the RBC Ministerial Meeting

Final draft annotated agenda

Ministerial Meeting on Responsible Business Conduct, 14-15 February 2023

This document presents the final draft annotated agenda for the RBC Ministerial Meeting updated with final speaker confirmations since the previous version [DAF/INV/RBC(2023)2/REV2]. The agenda will be adopted at the Ministerial itself.

Allan Jorgensen (allan.jorgensen@oecd.org)

Tihana Bule (tihana.bule@oecd.org)

Kathryn Dovey (kathryn.dovey@oecd.org)

Maria Xernou (maria.xernou@oecd.org)

JT03512201

Background

1. On 13 December 2021, the Council agreed on the proposal by the Working Party on Responsible Business Conduct (WPRBC) and the Investment Committee (IC) [[DAF/INV/RBC\(2021\)4](#); [DAF/INV\(2021\)15](#)] to hold a meeting at Ministerial level on Responsible Business Conduct (hereafter the “Ministerial Meeting”) and designate France and the United States as Co-Chairs [[C\(2021\)175](#) and [C/M\(2021\)23](#), Item 288]. On 1 June 2022, the Council further agreed to designate Canada, Chile, Japan, Morocco and the United Kingdom as Vice-Chairs, that the Ministerial Meeting would be held on 14-16 February 2023 under the broad theme “Promoting and enabling responsible business conduct in the global economy”, as well as on a first set of invitations to non-Members [[C\(2022\)66](#)]. On 23-24 November 2022, the Council further noted the draft agenda for the Ministerial meeting and agreed on a second set of invitations for non-Adherent non-Members, additional international organisations and one expert [[C\(2022\)191](#); [C/M\(2022\)22](#), Item 277]. On 12 December 2022, the Council noted a final update on the preparations, the draft annotated agenda, the draft Key Issues Paper, and the draft RBC Declaration [[C\(2022\)200](#); [C/M\(2022\)23](#)].
2. With the support and leadership of the Co-Chairs and Vice-Chairs (hereafter the “RBC Ministerial Bureau”), the WPRBC, at its 27-29 June meeting [[DAF/INV/RBC/A\(2022\)3/REV1](#), Item 6], considered preliminary elements of a draft agenda [[DAF/INV/RBC\(2022\)29](#)]. Delegates expressed overall support for the key themes in the agenda [[DAF/INV/RBC/M\(2022\)3](#), Item 6]. The RBC Ministerial Bureau met virtually on 18 August to discuss the working draft agenda. The draft working documents were made available on the WPRBC ONE Community space.¹
3. At its 28-30 September meeting [[DAF/INV/RBC/A\(2022\)4/REV1](#), Item 5], the WPRBC held two further sessions to discuss preparations for the Ministerial Meeting. During the first session (with institutional stakeholders), BIAC, TUAC, and OECD Watch expressed general support for the Ministerial Meeting. During the second session (with Adherents only), delegates, among other things, discussed and expressed broad support for a revised draft agenda [[DAF/INV/RBC\(2022\)35](#)]. The RBC Ministerial Bureau also met virtually on 14 October to further discuss the draft documentation. IC delegates received an oral update at the 17-19 October IC meeting [[DAF/INV/A\(2022\)5](#), Item 10] and a written update [[DAF/INV\(2022\)22](#), Annex A]. The IC Bureau was also briefed at that time.
4. At its meeting on 14-16 November [[DAF/INV/RBC/A\(2022\)6](#)], the WPRBC considered a revised draft agenda [[DAF/INV/RBC\(2022\)45](#), Annex A]. WPRBC delegates provided feedback during the meeting and through written comments by 23 November 2022. Internal consultations on the draft documentation also took place across a number of OECD Directorates. IC and WPRBC delegates then received a further revised draft agenda integrating comments received by IC and WPRBC delegates and the institutional stakeholders [[DAF/INV/RBC\(2022\)45/REV1](#), Annex A]. WPRBC delegates provided feedback on this draft through written comments by 8 December 2022. The RBC Ministerial Bureau also met virtually on 15 December 2022 and on 5 January 2023 to discuss the revised draft documentation, including the agenda. On the occasion of the final update to the Council on the preparations for the RBC Ministerial Meeting, the draft agenda, along with the draft Declaration and the draft Key Issues Paper, were shared with the Council [[C\(2022\)200](#); [C\(2022\)200/FR](#)]. Comments were also received from BIAC, TUAC, and OECD Watch.

¹ <https://community.oecd.org/community/wprbc>



14-15 February 2023 | #OECDRBCministerial

Responsible Business Conduct IN THE GLOBAL ECONOMY

OECD Ministerial Meeting

“Promoting and enabling responsible business conduct in the global economy”

Paris, 14-15 February 2023

Final Draft Agenda

Tuesday, 14 February 2023

09:30 Arrivals and welcome

10:00 **Opening of the Ministerial Meeting – Room CC1**

The Co-Chairs France and the United States will open the Ministerial Meeting, followed by remarks by the OECD Secretary-General.

10:30 **Plenary session 1 – How can RBC promote a resilient, sustainable, and inclusive global economy that benefits all – Room CC1**

In a changing geopolitical context, and in view of fundamental shifts in the economy and corporate conduct linked to responses to global challenges, the importance of responsible business conduct (RBC) as a baseline for open, inclusive and sustainable rules-based trade is expected to continue to grow. Wider implementation of RBC standards in the market will be essential to align private sector action with policy goals, among others, on climate change, digital transformation, the SDGs, COVID-19 recovery, quality infrastructure investment and response to the consequences of Russia’s war of aggression against Ukraine. The session would discuss effective and scaled implementation of practical RBC instruments in global supply chains. It would also set the scene for thematic discussions that follow.

Co-Chairs the United States and France will open the session and set the scene. Ministers from different regions will be invited to provide perspectives, including Japan, Morocco, Germany, and Peru followed by discussion among all Ministers. Representatives of institutional stakeholders (BIAC, TUAC and OECD Watch) will provide stakeholder reflections. BIAC will be represented by Ms Ingrid Thijssen, President of VNO-NCW, TUAC will be represented by Ms Therese Guovelin, Vice-President, TUAC and OECD Watch will be represented by Ms Joan Carling, Executive Director of Indigenous Peoples Rights International.

Ministers will be invited to discuss the following questions:

- What role does RBC play in fostering sustainable and resilient supply chains? How can Adherents work collaboratively to advance RBC's role in contributing to a resilient, sustainable and inclusive global economy?
- What immediate actions could be taken to accelerate effective and scaled implementation of and alignment of practical RBC instruments in the current context of significant shifts?
- How can governments further leverage RBC in the medium and longer term to ensure inclusive growth, which benefits and reduces barriers and potential risks for groups experiencing particular vulnerability such as women, children, indigenous peoples, youth and people with disabilities? What policies can be introduced that would ensure RBC commitments are met with actions? How can governments support implementation?

12:00 **Family photo**

12:15 *Lunch break – Chateau, Rooms Roger Ockrent & Georges Marshall*

Ministers/Heads of Delegation (+2) are welcome to a Buffet Lunch. The Buffet du Parc, the Restaurant des Nations and the Espresso will be open for all members of the delegation.

14:00 **Breakout sessions**

Reinforcing global supply chains through RBC – CC4

This session will be chaired by the United Kingdom who will open the discussion and provide introductory remarks. Ms Mia Seppo, Assistant Director-General, Jobs and Social Protection Cluster, ILO and Ms Pichamon Yeophantong, Chair, UN Working Group on Business and Human Rights will be invited to share perspectives on global collaboration efforts. Expert perspectives on supply chain resilience and sustainability will be provided by Ms Leanne Geale, Executive Vice President, General Counsel, Corporate Governance and Compliance, Nestlé and Ms Petra Bolster, International Secretary, FNV (Netherlands). The Chair will then open the floor for discussion. The Chair will provide closing remarks.

Ministers will be invited to discuss the following issues:

- The importance of alignment around international standards on RBC to ensure clear expectations for business and effective implementation.
- Current challenges in building resilient, sustainable and inclusive supply chains including labour standards and the challenge of

RBC and climate change – defining the role of business in supporting global climate objectives and pursuing a just transition – CC6

This session will be chaired by Costa Rica who will open the discussion and provide introductory remarks. This will be followed by interventions from Norway and one expert (Professor Nick Robins, London School of Economics and Political Science). The Chair will open the floor for discussion and provide closing remarks.

Ministers will be invited to discuss the following issues:

- Instrumentalising RBC standards and tools to promote responsible transitions to net-zero and exploring business responsibility regarding mitigation and adaptation.
- Considering the role of business in supporting a Just Transition promoting consideration of human rights, labour rights, and stakeholder partnerships (e.g. supply chains, NGOs, employee groups, affected communities).

- addressing forced labour
- Recognising the role of International Organisations in working together to encourage coherence through their capacity building, training and technical support activities

15:30 *Coffee Break*

16:00 Breakout sessions

Supporting sustainable finance through mainstreaming RBC standards – Room CC4

This session will be chaired by Luxembourg, who will open the discussion and provide introductory remarks. This will be followed by an intervention by Mr Kelvin Lester Lee, Commissioner, Securities and Exchange Commission, Philippines, and one expert (Ms Catherine Howarth, CEO, ShareAction). The Chair will then open the floor for discussion. OECD Deputy Secretary-General Mr Yoshiki Takeuchi will provide closing remarks, prior to the concluding remarks by the Chair.

Ministers will be invited to discuss the following issues:

- Role of RBC standards in supporting ESG risk management and sustainability objectives in institutional investment and finance
- Promoting RBC standards in development and infrastructure finance
- Applying RBC standards to support and track uptake of climate-related due diligence in the financial sector
- Integrating RBC into metrics, ratings and disclosures to drive meaningful sustainable finance.

Opportunities of responsible digitalisation – Room CC6

This session will be chaired by Ireland who will open the discussion and provide introductory remarks. This will be followed by interventions from Croatia and Lithuania and one expert (Mr Chris Sharrock, Vice President, UN Affairs and International Organisations, Microsoft). The Chair will then open the floor for discussion and provide concluding remarks.

Ministers will be invited to discuss the following issues:

- Responsible development and use of data and tech
- Open and rights-respecting digital economies
- Benefits for all from responsible global supply chains through use of tech
- Opportunities to increase transparency and accountability of companies' alignment with RBC standards.

17:30 *Cocktail – Salon du Parc*

All delegates are invited to attend the cocktail. This is a social and networking event.

19:00 *Dinner for Ministers/Heads of Delegation – Château, Room C*

Wednesday, 15 February**09:00 Plenary session 2 – Recovery and growth for all through coherence, alignment, and harmonisation of RBC standards – CC1**

In recent years, key market economies have introduced a smart mix of regulatory actions regarding due diligence including some mandatory due diligence requirements. In a context of growing focus on RBC standards, and in view of the OECD's continued leadership in the field, governments are increasingly invited to respond to calls for policy coherence and alignment of RBC policies and market-based mechanisms, to avoid a multitude of different standards and resulting obligations for business. This plenary session would start by reflecting on the outcomes of discussions during the 1st day of the Ministerial Meeting. The session would then focus on discussing key ways of incentivising RBC at national and international levels through a 'smart mix' of policies, regulations, and practice in the market.

This session will be chaired by Canada who will open the discussion and provide introductory remarks. This will be followed by an intervention from the EU (Mr Didier Reynders, Commissioner for Justice, EU Commission). One expert (Mr Rob Lederer, Chief Executive Officer, Responsible Business Alliance) will contribute a perspective. The Chair will then open the floor for discussion. The Chair of the OECD Working Party on Responsible Business Conduct (Professor Christine Kaufmann) will provide closing remarks prior to the concluding remarks by the Chair.

Ministers will be invited to discuss the following questions:

- How can governments promote coherence across wide-ranging policies in different sectors and geographies to promote responsible business practices?
- How can governments ensure greater cross-collaboration and interoperability between RBC due diligence policies, regulations, and market practices?
- How can governments work towards ensuring coherence in standards and resulting reasonable obligations for business in order to promote and support effective implementation in practice?
- How can the OECD and member states support these efforts?

10:30 *Coffee break*

11:00 Plenary session 3 – Implementation of the Guidelines for Multinational Enterprises through National Contact Points – Room CC1

National Contact Points (NCPs) for Responsible Business Conduct are key to the implementation of the OECD Guidelines. They play a key role in promotion of RBC, including in policy development, and in providing a non-judicial grievance mechanism for resolving RBC issues. As a result of the low barriers to using the specific instance mechanism, a wide range of actors have sought the support of NCPs in relation to corporate impacts in the past 22 years. Meanwhile, other grievance mechanisms are emerging in the field of remedy, including for example, national human rights institutions and ombudspersons. RBC matters are also increasingly subject to judicial proceedings. This plenary session would look at this broader landscape.

This session will be chaired by Switzerland who will open the discussion and provide introductory remarks. This will be followed by interventions from representatives of parties to three distinct NCP specific instances (Dr. Natalie Bugalski, Co-Founder & Legal and Policy Director, Inclusive Development International; Ms Inga-Lena Heinisch, Senior

Section Assistant, Inland Transport Sections, International Transport Workers' Federation and Mr Olivier Rigaudy, Deputy CEO, Teleperformance). The Chair will then open the floor for discussion, inviting the Institutional Stakeholders (BIAC, TUAC and OECD Watch) to provide initial comments. Chile will provide closing remarks prior to the concluding remarks by the Chair.

Ministers will be invited to discuss the following questions:

- What is the added value of NCPs in a changing RBC landscape and in particular as a unique non-judicial grievance mechanism with a broad scope and global reach? How is their role impacted by the increasing introduction of regulation or specific policies on due diligence?
- What are the main barriers in facilitating resolution of RBC issues globally? What contributions can the NCP network, including through cooperation with other mechanisms, make in facilitating resolution of RBC issues?
- What commitments can adherent countries make to increase the effectiveness of the system at national level and at the level of the NCP network?

12:30 *Break*

13:00 **Ministerial Working Lunch: Discussion – Room CC1**

The working lunch will focus on key outcomes of the discussions held during the Ministerial, with a particular focus on policy cooperation on RBC due diligence. The Co-Chairs United States and France, and the OECD Secretary-General will provide remarks. The OECD Secretariat (Mr Carmine Di Noia, Director for Financial and Enterprise Affairs) will provide a high-level summary of discussions in the preceding sessions, prior to discussion by Ministers.

14:30 **Plenary session 4 - Conclusions and adoption of the draft RBC Declaration – Room CC1**

The draft RBC Ministerial Declaration is presented for adoption. The Co-Chairs, France and the United States, and the OECD Secretary-General will provide remarks. The Chair of the OECD Investment Committee (Mr Manfred Schekulin) will provide closing remarks prior to the concluding remarks by the Chair.

End of the Ministerial programme

15:00-16:00 **Communications and visibility point – Mezzanine of the conference centre**

Delegations may use this time slot for engaging in communications and visibility activities. Interested Ministers are invited to consider recording a video message. A photographer and videographer will be available. The communications and visibility point is in addition to communications activities that delegations may wish to conduct at other times during the Ministerial.