The Committee on Economic, Social and Cultural Rights

**Programme of the Day of General Discussion**

on the draft general comment on State obligations under the ICESCR

in the context of business activities

21 February 2017, Palais Wilson, Geneva

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| **TOPIC** | **PROGRAMME** |
| **Opening**  (10:00-10:20) | Opening – Chair of the Committee  Introductory statement: H.E. Marta Maurás Pérez (Ambassador and Permanent Representative of Chile)  Introduction – Zdzislaw Kedzia and Olivier De Schutter (Co-Rapporteurs) |
| **Session 1**  **Rationale, context and scope of the general comment**  (10:20-11:30) | Moderator: Chair or Rapporteurs  Discussants:   * Florence Simbiri-Jaoko (Global Alliance of National Human Rights Institutions) * Sarah Zoen (Oxfam-America) * Christine Kaufmann (University of Zürich)   Plenary discussion |
| **Session 2**  **State obligations to respect, to protect and to fulfil**  (11:30-13:00) | Moderator: Chair or Rapporteurs  Discussants:   * Janelle M. Diller (International Labour Organization) * Salima Namusobya (Initiative for Economic and Social Rights in Uganda) * Makbule Sahan (International Trade Union Confederation)   Plenary discussion |
| LUNCH BREAK | |
| **Session 3**  **Extraterritorial dimensions**  15:00-16:20 | Moderator: Chair or Rapporteurs  Discussants:   * Peter Hall (International Organization of Employers) * Ashfaq Khalfan (Amnesty International)   Plenary discussion |
| **Session 4**  **Access to remedies**  16:20-17:50 | Moderator: Chair or Rapporteurs  Discussants:   * Lene Wendland (Office of High Commissioner for Human Rights) * Rae Lindsay (Clifford Chance) * Richard Meeran (Leigh Day)   Plenary discussion |
| **Closing**  17:50-18:00 | Co-Rapporteurs  Chair of the Committee |

Meet our Discussants

Ashfaq Khalfan is the Law and Policy Programme Director at Amnesty International’s International Secretariat. He previously was Researcher/Advisor on obligations beyond borders and before that as ESCR Policy Coordinator focusing on legal enforcement. He previously led the Right to Water Programme at the Centre on Housing Rights and Evictions. He has consulted for the Office of the UN High Commissioner for Human Rights (OHCHR) and the German Technical Cooperation Agency (GTZ). Ashfaq holds a doctoral degree in law from Oxford University, focusing on extraterritorial human rights obligations, and law degrees in common and civil law, and an undergraduate degree in political science and international development from McGill University. He was a founding director of the Centre for International Sustainable Development Law in Montreal and currently chairs its Board. He has published on extraterritorial human rights obligations, corporate accountability, sustainable development law and on the rights to water and sanitation.

Christine Kaufmann is a Professor of international and constitutional law and Co-Chair of the Centre for Human Rights Studies at the University of Zurich, Switzerland. Before joining the law faculty in Zurich, Ms. Kaufmann worked in the legal department and then as Director of Human Resources at the Swiss Central Bank. Later she served as Director of Legal Research and as member of the board at the World Trade Institute (WTI) in Bern. In 2013 she was appointed co-president of the newly set-up Advisory Council for the National Contact Point for the OECD Guidelines for Multinational Enterprises. Ms. Kaufmann’s main research interests include the interactions between human rights and business, the relationship between the international trade and the international financial system as well as the related implications on global governance.

Florence Simbiri-Jaoko is a Kenyan lawyer, trained at the University of Nairobi (LLB) and University of Bristol (LLM) and was admitted to the Kenyan Bar in 1985. She currently lectures at the University of Nairobi, School of Law and is also the Special Envoy for the Global Alliance of National Human Rights Institutions (GANHRI). She previously was the Chairperson of the Kenya National Commission on Human Rights (2007-2012) and the Secretary of Global Alliance for National Human Rights Institutions (formerly the ICC of NHRIs) (2009-2012), and was a member of the Steering Committee of the Network of African National Human Rights Institutions (NANHRI) (2007-2012). Florence also worked as a judicial officer in Kenya for over 15 years and has extensive experience in the governance sector, more particularly in human rights, as well as, constitutional, legal, judicial and security sector reforms. She served on various Kenya government taskforces on legal, judicial and security sector reforms. She is a member of the International Commission of Jurists (Kenya) and International Federation of Women Lawyers (FIDA, Kenya) and is a member of the African Policing Civilian Oversight Forum (APCOF).

Janelle M. Diller is Senior Counselor to the Deputy Director-General for Policy of the International Labour Organization where she has also served as Deputy Legal Adviser and Head of the Multinational Enterprises Program. Previously, as Legal Director of the International Human Rights Law Group (Washington, DC), she advanced the role of international human rights and labour law in matters before UN and regional bodies and in national law and practice. In 2016, she served as Paul Martin Sr. Professor of International Affairs and Law at the University of Windsor, Canada. Her works explore the responsibility of States, international organizations, and economic actors for human rights effects across borders. Her recent publications include Securing Dignity and Freedom through Human Rights (Brill), which reviews the theory and implementation of international economic, social, and cultural rights from the Universal Declaration of Human Rights to date and “Social Justice, Rights, and Labour” in the Oxford Handbook of International Human Rights Law (OUP), which examines the common origins and interaction of international human rights law and international labour standards.

Lene Wendland is Chief of the Human Rights and Economic and Social Issues Section in OHCHR and the long-time head of OHCHR’s work on Business and Human Rights. She was part of the team of former Special Representative of the UN Secretary-General on business and human rights, Professor John Ruggie, and contributed to the drafting of the UN Guiding Principles on Business and Human Rights. She directs OHCHR’s Corporate Accountability and Remedy Project which aims to enhance accountability and access to remedy in cases of business involvement in human rights abuse. She also manages the Secretariat to the inter-governmental working group drafting a legally binding instrument on human rights and transnational corporations and other business enterprises.

Makbule Sahan is the Acting Legal Director of the International Trade Union Confederation (ITUC) leading the ITUC’s work on ILO standards and supervisory mechanisms, litigation in regional and national courts, business and human rights, labour law reform and the ITUC Survey on Trade Union Rights and Global Rights Index. Previously, she was responsible for advocacy and campaigning on human and trade union rights in Africa. Before joining the ITUC, she worked as research and legal officer at the International Labour Organization in Geneva. She holds a Master in International Law from the Graduate Institute of International and Development Studies in Geneva.

Peter Hall is the Adviser on Business and Human Rights and CSR at the International Organisation of Employers (IOE), a post he took up in January 2017. Prior to that, he worked on the same topic for OHCHR, the non-profit center Shift, and the UK Government. He is formerly an international journalist in Europe, the Middle East and Africa.

Rae Lindsay is a partner in Clifford Chance LLP, and co-Head of the firm's Public International Law and Business and Human Rights groups. Rae advises on a range of matters in the field of business and human rights, including risk management, corporate governance, investment and operational due diligence, human rights considerations within treaties and contractual relationships, transparency and reporting. She also advises clients on their response to allegations of involvement in human rights abuses and the resolution of grievances and claims. She has defended corporate clients in litigation alleging involvement in states' violations of international human rights and humanitarian law. Rae is a trustee and international advisory board member of the Institute for Human Rights and Business, Vice Chair of the IBA's CSR Committee, co-rapporteur of the ILA Study Group on Business and Human Rights and a member of the Advisory Board to the Cambridge Journal of Business and Human Rights. Rae has participated in the World Economic Forum's Global Agenda Council on Human Rights, the Law Society of England & Wales Business and Human Rights Advisory Group and the UK Equality and Human Rights Commission's Working Group on Business and Human Rights.

Richard Meeran has been a partner at Leigh Day, London-based human rights law firm, since 1991 where he has pioneered the firm's multinational litigation practice for over two decades. His work has included landmark cases against: Cape Plc for 7,500 South African asbestos miners; Monterrico Metals for Peruvian torture victims; Anglo American and AngloGold Ashanti for 4,500 South African gold miners”.

Salima Namusobya is the Executive Director of the Initiative for Social and Economic Rights (ISER) and an independent expert member of the Working Group on Economic, Social and Cultural Rights of the African Commission on Human and Peoples’ Rights. She is a lawyer and human rights advocate who has specialized in international human rights law and forced migration. Previously, she worked with the Refugee Law Project, School of Law, Makerere University and has served as the Eastern Africa Coordinator for International Law in Domestic Courts (ILDC) - an online project of the Amsterdam Center for International Law and the Centre for Human Rights at the University of Pretoria, published by Oxford University Press. She holds a Bachelor of Laws Degree, a Diploma in Legal Practice and Master of Laws in Human Rights and Democratisation in Africa. She is a co-author for the textbook on ‘Civil Procedure and Practice in Uganda’ and contributed a chapter for a book on ‘Litigating Health Rights in Africa’. She serves on several NGO Boards, and is a member of the Uganda Law Society and the East Africa Law Society. Salima is a laureate of the Vera Chirwa Award for Human Rights Advocacy in Africa.

Sarah Zoen is Senior Advisor, Gender and Regional Policy, with Oxfam America’s Private Sector Department based in Boston, MA. She is the gender policy lead for Oxfam’s Behind the Brands Campaign and manages the confederation’s Community Based Human Rights Assessment Initiative. In her 10 years with Oxfam, Sarah worked for many years with Oxfam’s Decent Work Program as an advocate for farmworker and immigrant rights in the US Southeast and as a fundraising advisor for Oxfam’s global programs. Sarah served with the Peace Corps in Côte d’Ivoire and conducted thesis research in Ecuador working for a Kichwa cocoa cooperative of small holder farmers in the Amazon.