

## 2013 UN Forum on Business and Human Rights

### Side Event Proposal

**Proposed theme:** *Business and human rights: legal aspects and the role of the corporate lawyer.*

**Date and time:** Monday 2 December, 16:00 to 18:00 (preferred, but we can be flexible)

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**Proposed format:** Panel Discussion

**Objective and link to Forum mandate:** *The purpose of the Forum is to "discuss trends and challenges in the implementation of the Guiding Principles [on Business and Human Rights] and promote dialogue and cooperation on issues linked to business and human rights, including challenges faced in particular sectors, operational environments or in relation to specific rights or groups, as well as identifying good practices."*

A number of governments have introduced new legislation and regulation as part of their efforts to implement the Guiding Principles at a domestic level. Major corporations are also taking steps to reinforce internal policies and processes to ensure respect for human rights, including to give increased emphasis to the use of legal tools, in particular contractual provisions, to ensure respect for human rights.

The objective of this side event is to discuss legislative and regulatory developments and the increasing trend for in-house lawyers and lawyers in private practice to be closely involved in human rights due diligence and risk management. The panel will consider the implications of the responsibility to respect human rights for the execution of business transactions and will also discuss trends in human rights litigation. Here,

the objective will be to examine whether the Guiding Principles are having an impact on the resolution of business related human rights grievances and the ways in which litigation risk may influence corporate risk management and governance.

It is hoped that the event will serve to highlight the important role corporate lawyers are playing in contributing to the effective implementation of the Guiding Principles.

**Panel:**

Jonathan Drimmer, Vice President and Deputy General Counsel, Barrick Gold Corporation

*Mr Drimmer will chair the discussion.*

Stéphane Brabant, Partner, Herbert Smith Freehills

*Mr Brabant will discuss implementation of the Guiding Principles in the context of natural resource projects in Africa.*

Andrew Denny, Partner, Allen & Overy LLP

*Mr Denny will discuss trends in domestic litigation involving allegations of human rights abuses against business enterprises.*

Amy K. Lehr, Associate, Foley Hoag LLP

*Ms Lehr will discuss recent trends in the United States requiring companies to report on human rights and related issues including the challenges companies and government agencies are facing in seeking to implement new requirements.*

Rae Lindsay, Partner, Clifford Chance LLP

*Ms Lindsay will discuss legal aspects of human rights due diligence, including the use of contractual provisions to ensure that business partners respect human rights.*

Michael Torrance, Lawyer, Norton Rose Fulbright

*Mr Torrance will discuss recent revisions to the IFC Performance Standards and the Equator Principles, which each refer to the Guiding Principles and are applied in global financial transactions.*

*Following the speakers' individual presentations, Mr Drimmer will then lead a discussion of the overarching themes noted above.*