

Minutes, ICoC Working Group #2 Meeting—Tuesday, 14 July 2011 via teleconference

Attending :

- David Dutton, Australian Department of Foreign Affairs and Trade (facilitator)
- Graham Kerr, Hart Security
- John Lea, UK Ministry of Defense
- Jonathan Morgenstein, US Department of Defense
- Ian McKay, US Department of State
- Patricia Feeney, Rights and Accountability in Development
- Michael Littlejohn, SOC LLC
- Andy Orsmond, Human Rights First

Also attending as facilitators :

- André du Plessis, DCAF
- Michelle Hess, DCAF

BEGIN 09:00 DC time/ 14:00 London time/ 15:00 Geneva time

1. *Roll Call/Introductions*

Participants introduced themselves.

2. *Discussion on the Working Group Mandate and Deadlines*

- David Dutton introduced the Concept Paper, explaining it is essentially the mandate for the Working Group. It includes a section on grievance procedure and 6 questions that the group is asked to address.
- The TSC would like the Working Groups to report back before its meeting during the week of July 11th. Beyond this, the group has flexibility in terms of how to organize itself and approach the questions.
- There was agreement to arrange weekly teleconference meetings in order to finish the work by this time.

3. *Plan of Work*

- There was agreement that the Working Group would seek to answer the questions set down in the Concept Paper.
- It was agreed that this week the Working Group members could circulate by email any examples of complaints mechanisms from other initiatives. There was consensus that this should be at the level of an overview rather than great detail, in order to prevent this slowing-down the work.
- It was agreed that substantive discussion would start with next week's call.

- It was agreed that the focus of next week's call (provisionally set for Tuesday 21 June) would be on identifying the function that any complaints mechanism would perform. After that it would move to more detailed answering of the questions
- It was noted that Tyler Giannini and other researchers from the Harvard Multi-Stakeholder Initiative (MSI) Evaluation Project had briefed Working Group #3 and that they could be asked to brief this Working Group more specifically on issues related to third party complaints. A similar suggestion was made for the work of John Ruggie, with a suggestion that Rachel Davis could provide such a briefing.
- There was clarification that the Working Group is mandated to look at independent mechanisms for third party grievance rather than only internal company mechanisms. There was discussion that internal and external mechanisms would, naturally, inter-relate to some degree.

4. Selection of Chair

- Group decision to have two chairs—one from civil society and one from industry.
- It was agreed that Andy Orsmond would be the Civil Society co-chair
- Tara Lee was suggested as Industry co-chair (waiting her confirmation)

5. Meeting Schedule

- Decision to provisionally schedule weekly meetings for the same day and time as today—Tuesdays at 0900 DC time/ 1400 London time/ 1500 Geneva time. (Possibly planning to start an hour earlier on July 5th to avoid any conflict with Working Group #3 who will have their call at 1100 DC time)
- This schedule is subject to confirmation from, at a minimum, Tara Lee

6. Final Remarks and Action

- Working Group members to circulate this week (by Friday 17th June) any examples of complaints mechanisms from other initiatives
- Andy Orsmond will contact Rachel Davis regarding setting-up a briefing call this week on Multi-Stakeholder Initiatives and the Ruggie Process
- David Dutton will talk to Tara about the position of co-chair
- The times of call and agenda of next meeting will be confirmed by email

END 09:50 DC time/14:50 London time/ 15:50 Geneva time