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TG 4, 5 and 6 Liaison Task Force: Memo 17

Report of the LTF Rio Meeting (2-4 October 2007)

1 Objectives and structure of the Rio meeting

The Terms of Reference of the LTF are provided in Resolution 3 of the Lisbon meeting, namely:

- to co-ordinate on issues that may be addressed in two or more of the Standard Setting TGs, (namely "liaison key topics"); and
- to handle inputs to Clause 3 of the Design Specification (Terms and Definitions).

Recognising these Terms of Reference, the Working Group experts at the Sydney meeting approved a Drafting Plan between Sydney and Vienna in terms of which it was agreed that a meeting would be held in October in which:

"The LTF identifies the Liaison Key Topics (LKTs) and develops a "Proposed way forward"

It was also agreed in the Drafting Plan that subsequent to the meeting, the TG 4,5 and 6 drafters would evaluate the written comments on WD3 and insert revisions (where necessary with square brackets) for the purposes of the WG meeting in Vienna based on these comments and the advice of the LTF. In terms of the agreed Drafting Plan it is anticipated that the WG, in Vienna, will reflect on the LKTs and bracketed text.

With this instruction, the LTF met from 2-4 October in Rio de Janeiro, Brazil. The meeting Agenda, and list of participants, is provided in Appendix 1.

1.1 Proposed objectives

Noting the above Terms of Reference and the specific mandate, the LTF set itself the following objectives and deliverables for the Rio meeting:

- to identify the Liaison Key Topics for the Vienna meeting (based on a review of the written experts' comments on WD3) with a proposed way forward on each LKT; it was agreed that the focus would be on addressing specific concerns with ISO 26000 within the current structure (as specified in the Design Specification) rather than addressing any changes relating to the structure of the document;
- to agree the drafting work-plan prior and during Vienna (with general consideration of possible post-Vienna activities); and
- to exchange views on structure and format of the Vienna meeting.

Each of these objectives was met during the meeting through the various meeting discussions; the principal outcomes of the meeting are contained in the following documents:

- *Guidance to Drafters (LTF N025 Memo-16)*
- *Report of the Rio meeting (LTF N026 Memo-17) (this document)*
- *Advice on WD3 Definitions (LTF N027 Memo-18)*

In addition, an *Ad Hoc Group on Instruments and Initiatives* was established to provide guidance on a specific Key Liaison Topic.

1.2 Meeting Structure

The LTF met from 09:00 on Tuesday 2 October to 17:00 on Thursday 4 October. Following is a brief outline of the nature of the discussions held:

Tuesday am Agreed the meeting agenda and objectives; considered the proposed work plan from Rio to Vienna and Santiago; identified an initial set of 19 Liaison Key Topics (see Appendix 2).

Tuesday pm Discussed the “strategic” LKTs with a particular focus on the issue of “fundamental expectations / minimum requirements”; agreed establishment of two small groups and allocated tasks to these (see section 2 below); commenced discussions in two small groups.

Wed am SG1 and 2 gave brief progress report on their activities, and a discussion was held in response to queries raised by SG1 relating to fundamental expectations and international norms of behaviour.

Wed pm SG 1 and 2 continued discussions in small groups.

Thurs am Feedback and commentary on outcomes of SG1 and SG2; agreed establishment of ad hoc task group on international norms of behaviour, intergovernmental instruments and SR initiatives; agreed to consolidate down to three LKTs.

Thurs pm Agreed proposed drafting process up to Vienna; agreed the Vienna meeting structure as presented by the WG Secretariat (Rev3); exchanged views in response to WG experts’ comments on the need for a more integrated drafting process.

2 The Liaison Key Topics

2.1 Initial Liaison Key Topics

On the basis of TG Convenors’ review of WD3 comments and inputs from LTF members, 19 initial Liaison Key Topics were identified early in the meeting. Discussions were held in a full LTF group meeting on some of the “strategic” LKTs with a particular focus on the “minimum requirements / fundamental expectations” issue. These LKTs were then clustered and two small groups (SG1 and SG2) were formed to address the different LKTs

- **SG1 - Tasked to provide guidance to drafters on:**

- The nature of “fundamental expectations”
- Eliminating redundancies
- Addressing the length and density, consistency, help boxes, level of detail and tone
- Ensuring appropriate balance between Clause 6 description of issues and actions
- Making the document more strategic
- Achieving consistent objective tone

- **SG2 - Addressed the remaining LKTs**

- Definitions
- Reference to other initiatives
- SR and role of government
- Terminology: ensuring consistent use of “issue”
- Guidance applicable to all
- Clause 4 cross-cutting issues

A brief review of the outcomes of the discussion relating to each of the initial Liaison Key Topics is presented in Appendix 2.

2.2 Final Liaison Key Topics

Following a review of the 19 initial Liaison Key Topics, it was recognised that the proposed “way forward” for most of these LKTs is addressed in the *Guidance to Drafters (LTF N025 Memo-16)*, and that the proposed means for addressing each LKT will be provided in the form of the text that will be presented to WG experts for consideration in Vienna (ISO 26000.WD3Rev). The remaining LKTS were then clustered into the following three proposed LKTs for consideration in a joint meeting of TGs 4,5 and 6 in Vienna.

Rio LKT1 – Cross-cutting Definitions

- On the basis of a review of all the experts’ comments on ISO 26000.WD3, the LTF has provided advice on Clause 3 (Terms and Definitions). This advice is provided in *Advice on WD3 Definitions (LTF N027 Memo-18)*.
- Some of these definitions are the responsibility of specific TGs, while others are seen to be cross-cutting definitions and thus are addressed by the LTF. The LTF will provide proposed definitions on ethical behaviour, material, stakeholder, stakeholder engagement, sustainable development, social responsibility, socially responsible, and supply chain.
- It is proposed that these will be included in ISO 26000.WD3Rev and will be considered in a joint meeting of TGs 4,5 and 6.

Rio LKT2 – International norms of behaviour / instruments / initiatives

- It was agreed to establish an ad hoc group to define international norms of behaviour; clarify the nature of “authoritative intergovernmental instruments” for the purposes of Clause 6; and clarify the nature of reference (if any) to initiatives relating to social responsibility.
- The *Ad Hoc Group on Instruments and Initiatives* is comprised of J Hanks (TG4), K Webb (UNGC), D Justice (Labour), S Adler (NGO), A Greene (Industry) and E Sims (ILO).
- They are tasked to undertake their work and if possible reach agreement on a way forward on these issues prior to Vienna.

Rio LKT3 – Process issues

- Many WD3 experts have identified the need to revise the process of drafting text, with the aim of ensuring a more consistent and integrated approach within the standard.
- In addition to this specific comment by WG experts, the LTF advises that some of the cross-cutting drafting issues (as identified in the Initial Liaison Key Topics – Appendix 2) can only meaningfully be addressed once further progress has been made in revising the current document, and once a new integrated drafting process has been approved.
- With these two considerations in mind, there is seen to be a need for the WG experts to consider the process for future drafting activities. As this has significant implications for how cross-cutting issues are addressed, this is seen to an important Liaison Key Topic.

2.3 Exchange of views on drafting activities

- Responding to the comments of experts and the need identified above (LKT3), LTF members shared their thoughts on the possibility and nature of a possible “integrated task group” with a specific mandate for more co-ordinated drafting activities. These are general thoughts only aimed at contributing to a broader discussion on this issue and are not presented as a formal LTF recommendation.

- In general, preference was expressed by the LTF members for the following aspects relating to a possibly more integrated drafting process:
 - There is seen to be merit in establishing a revised group with a very clear mandate to facilitate a more integrated approach to drafting. Underpinning this belief is the understanding that as one standard is being drafted, there is a need at some stage to have one overall drafting group that builds on the valuable progress made thus far by the parallel drafting groups that have operated in TGs 4,5 and 6.
 - It is envisaged that this group would replace the current LTF and that the LTF would be disbanded.
 - There is seen to be merit in this group comprising the TG Convenors and 2 representatives from each stakeholder group (ie 15 people), with a balance between developed and developing country representation. (In addition some have suggested that a wider reference group be available with (for example) some representatives from the previous drafting teams).
 - It is suggested that the members of this integrated group should have ability to write in plain English, a good sense of the nature of the negotiation between the different stakeholder groups, sufficient involvement and experience in the process thus far.
 - It is advised that if such a group be established, the stakeholder groups should be provided the opportunity to nominate their representatives on this group (with consideration for example to the criteria listed above). The stakeholders may choose to reconfirm their existing LTF representatives or nominate new ones.
 - There is seen to be merit in addressing this issue early in the Vienna meeting so agreement could be reached on the nature and composition of such a group. However, it is not anticipated that such a group would commence its activities until after the Vienna meeting.

3 LTF Work-plan and activities

Guided by the Sydney Drafting Plan, the LTF members approved the following suggested work-plan for activities between the Rio meeting and the WG meeting in Vienna:

- 4-25 Oct TG 4,5 and 6 drafters to revise their respective texts with consideration to the detailed written comments of the WG experts and LTF Memo-16.
- 25 October TG Convenors to submit revised texts to LTF Co-ordinator.
- 26 October LTF Co-ordinator to consolidate the texts and submit ISO 26000.WD3Rev to the WG Secretariat for distribution to the WG experts. Experts will be sent a clean copy (where necessary containing bracketed texts); a copy of the document with tracked changes will be posted on the ISO SR Livelink website.
- 3 Nov LTF meeting scheduled in Vienna.
- 5-9 Nov Vienna meeting: LTF will meet on Monday, Tuesday and Thursday evenings. A joint meeting of TGs4,5 and 6 has been scheduled for Monday afternoon and Tuesday morning.

4 Closure of the meeting

The meeting was closed at 17:00 on Thursday 4 October.

APPENDIX 1**TG 4, 5 and 6 Liaison Task Force****Rio Meeting 2-4 October 2007****AGENDA**

Place: Hotel Sofitell; Av. Atlântica, 4240; Copacabana, Rio de Janeiro; Brazil

- 1. Opening of the meeting**
- 2. Roll call of participants**
- 3. Approval of the agenda**
- 4. Agreeing the objectives and structure of the Rio meeting**
 - i. Outline of proposed objectives (recalling LTF Terms of Reference and Drafting Plan)
 - ii. Approval of meeting structure and time-frame
- 5. Identification and commentary on liaison key topics pertaining to ISO 26000.WD3**
- 6. Process questions – Exchange of views on:**
 - i. The nature of future drafting activities before, during and after Vienna (this will include initial consideration of a possible drafting plan for after Vienna)
 - ii. The structure and format of the Vienna meeting
 - iii. The ongoing role of the LTF
 - iv. The WD4 / CD issue (considering the possible implications for the LTF's activities)
- 7. LTF activities and work-plan up to Vienna**
- 8. Next meeting**
- 9. Closure of the meeting**

Participants

Jonathon Hanks (TG4)	Kenichi Kumagai (TG4)
Reiner Hager (TG4)	Pierre Mazeau (TG5)
Martin Neureiter (TG6)	Emily Sims (ILO)
Deni Greene (Consumer)	Dwight Justice (Labour)
Aron Belinky (NGO)	Sandra Adler (NGO)
Adam Greene (Industry)	Michael Chiam (Industry)
Michelle Bernhart (SSRO)	Cornis van der Lugt (Government) (first two days)
Adrien Lopez (Government)	Kola Badejo (UNGC)
Kernaghan Webb (UNGC) (last two days)	

APPENDIX 2

TG 4, 5 and 6 Liaison Task Force

Rio Meeting 2-4 October 2007

The Initial Key Liaison Topics

This Appendix lists the 19 Liaison Key Topics (LKTs) that were initially identified by the LTF participants at the beginning of the LTF Rio meeting, and briefly summarises the approach adopted with each of these LKTs. As outlined below, the way forward for many of these LKTs is in the form of detailed guidance to drafters, and will hopefully be captured in ISO 26000.WD3Rev that is being prepared as the proposed basis for discussions in Vienna. As a result, this initial list has been consolidated down to a list of three LKTs.

Strategic LKTs

The following Liaison Key Topics were identified as “strategic”; some of these were addressed in initial plenary discussions before being assigned to one of the two established small groups. The main outcomes of the discussion on each LKT are provided below.

1. Fundamental expectations / minimum requirements

- LTF plenary discussion held, during which it was recalled that working group experts had agreed to focus on identifying fundamental expectations; some time was spent in group discussion reviewing and clarifying the implications of this focus for drafting activities.
- Small Group 1 (SG1) was tasked to address this issue in their guidance to drafters.
- The suggested way forward on this LKT is provided in *LTF Memo-16 Guidance to Drafters*.

2. Ensuring standard is applicable to all organisations

- This issue was considered by SG2; recalling the relevant broad advice in *LTF Memo-8*, the current advice to TG5 and TG6 drafters is to ensure that, where appropriate, they consider using terms such as “where relevant” to qualify activities that might not be applicable to all organisations.
- This issue will be reviewed further as required after the next version of the document has been developed, and once a new integrated drafting process has been approved (LKT 3).

3. Agreeing the definition of stakeholder and stakeholder engagement

- This LKT was considered by SG2.
- It is advised that both current alternative definitions be retained in ISO 26000.WD3rev, and that as regards the second definition: “is also relevant to” should be replaced with “relates to” and a NOTE will be included in the text outlining what is meant by “identifiable interest.” In addition, an explanation of this phrase will be provided to the TG6 ad hoc group on stakeholders for their consideration.
- Both alternative definitions will be considered by experts in a joint meeting of TGs 4, 5 and 6 in Vienna (LKT1).

4. Clause 4 – Context / Concept

- Recognising the current concerns with Clause 4, and the nature of the cross-cutting issues pertaining to the role of government and to the concept of stakeholders, it is

advised that this issue be addressed within the proposed redrafting of Clause 4 by TG4, and that in doing so they ensure provision for the comments on the role of government and consult with the TG6 ad hoc group on stakeholders.

5. *International norms of behaviour / authoritative instruments*

- Some discussions on this issue were held in SG1.
- After further discussion in the full LTF group, it was agreed to establish a small ad hoc group to propose a definition of international norms of behaviour, to provide further guidance on the nature of the intergovernmental instruments that may be used to inform the fundamental expectations in Clause 5, and to provide guidance on the nature of reference to initiatives relating to social responsibility (LTF2). (See also initial LKT 14).

6. *Making the document more “strategic”*

- SG1 considered some opportunities for ensuring that the guidance in ISO 26000 is of more “strategic” nature, and some guidance on this issue has been provided in *LTF Memo-16 Guidance to Drafters*.
- This issue will be reviewed further as required after the next version of the document has been developed, and once a new integrated drafting process has been approved (LKT 3).

Operational LKTs

The following Liaison Key Topics were identified as “operational”; each of these was assigned to one of the two established small groups to identify the proposed way forward. The main outcomes of the discussion on each LKT are summarised below.

7. *Length / density of the document*

- A small group (SG1) was tasked to provide advice on opportunities for reducing the length of Clause 6 by identifying and addressing specific instances of duplication in the Clause 6 sub-clauses (see *LTF Memo-16*).
- Opportunities for reducing ISO 26000 by possibly restructuring the document are to be investigated once the comments on the current version of the document have been addressed, and a new integrated process has been approved (see LKT 3).

8. *Making appropriate provision for SR and the role of government*

- There is a recognised need to ensure more effective provision in the Standard for the specific dual role of government on SR issues: as an organisation subject to the same expectations, and as a policy-maker on SR and related issues.
- It is advised that this issue be addressed by the drafters of Clause 4. (The Government Stakeholder Group will send their working paper/position to drafters of Clause 4 to help in drafting the content of this guidance).

9. *Nature of the guidance (complexity/inconsistency & lists)*

- SG1 was tasked to provide advice on opportunities for addressing instances of complexity and inconsistency in the text, and to ensure more consistent use of lists throughout the document.
- The suggested way forward on this LKT is provided in *LTF Memo-16*

10. *Tone of the document (consistency in tone and use of plain English)*

- SG1 was tasked to identify some opportunities for a more consistent tone throughout the document (see *LTF Memo-16*).

- Further opportunities for ensuring a more consistent tone and appropriate use of plain English will be identified in the next version of the document, once a new more integrated drafting process has been approved (see LKT 3).

11. Definitions - address all comments on current and proposed new definitions

- As a specific task within the LTF's terms of reference, SG2 reviewed all the written comments on the definitions; some proposed edits have been made to existing definitions, deleting certain definitions and adding some new definitions.
- These proposals are provided in *Advice on WD3 Definitions (LTF N027 Memo-18)* will be included in ISO 26000.WD3rev as the basis for discussions by experts in a joint meeting of TGs 4, 5 and 6 in Vienna in their review of LKT1.

12. Addressing Clause 5 (Principles) and its relationship with Clause 6 (Core Issues)

- SG2 briefly considered aspects relating to this LKT; it is advised that TG4 address all the written comments on Clause 5 (which may involve deleting some current principles addressed in Clause 6), and that the decision on the nature of Clause 5 be revisited as part of the proposed more integrated drafting process (see LKT 3).

13. Nature of relationship between Clause 6 and Clause 7

- SG1 was tasked to identify instances where implementation issues in Clause 6 could be addressed in Clause 7; some advice on this issue is provided in *LTF Memo-16*.
- Further opportunities for more consistency between these clauses will be reviewed as part of a proposed more integrated drafting process (see LKT 3).

14. References to other initiatives relevant to social responsibility

- SG2 discussed this issue and recalled the recommendations in LTF Memo-8 and LTF Memo-12. They advised that reference to an initiative may be provided in the text only in so far as it is necessary to illustrate a specific point and could not be construed as constituting endorsement of that initiative.
- After further discussion in the full LTF group, it was agreed to establish a small ad hoc group to consider this issue, provide a definition of international norms of behaviour and provide further guidance on the nature of the intergovernmental instruments that may be used to inform the fundamental expectations in Clause 5.

15. Reference to “supply chain” / “sphere of influence”

- This LKT was considered by SG2.
- Both these terms have been included with the proposed revised list of definitions that will be considered by experts in a joint meeting of TGs 4, 5 and 6 in Vienna (LKT1).

16. Using social responsibility as an adjective (e.g. “socially responsible” organisation)

- This initial LKT, which is linked to discussions pertaining to fundamental expectations, was reviewed as part of the activities undertaken by SG1.
- Following a full meeting of the LTF, it was suggested that “socially responsible behaviour” be included within the proposed revised list of definitions that will be considered by experts in a joint meeting of TGs 4, 5 and 6 in Vienna (LKT1)

17. Nature of Help boxes

- SG1 was tasked to provide advice on help boxes.
- The suggested way forward on this LKT is provided in the form of advice to drafters contained in *LTF Memo-16*

18. Agreement on certain terminology (avoiding confusion with the word “issue”)

- SG2 considered this issue; following discussion in a full meeting of the LTF the advice to TG5 drafters is that the Clause 6 be titled “Core Issues”.
- To ensure greater consistency in the phrase “issue” it is advised that the current sub-issues are referenced as follows (taking Environment and Biodiversity as an example): Propose “Core issue of social responsibility: Environment”; followed by “Environment: Biodiversity”.

19. Addressing non TG-assigned sections of the ISO 26000

- This issue will be reviewed as required after the next version of the document has been developed, and once a new integrated drafting process has been approved (LKT 3).