



IMPLEMENTATION OF THE UNITED NATIONS GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

MULTI-STAKEHOLDER ADVISORY GROUP

DRAFT TERMS OF REFERENCE

PURPOSE

The purpose of the Multi-Stakeholder Advisory Group (the advisory group) is to:

- Provide advice to the Government on the outcomes of a review of existing Government laws and policies and business practices relevant to the UN Guiding Principles on Business and Human Rights (UNGPs)
- Provide advice to the Government on the prioritisation of issues and actions to implement the UNGPs
- Provide advice on the scope, content and conduct of the consultation process to inform the implementation of the UNGPs, including the possible development of a National Action Plan on Business and Human Rights (NAP)
- Facilitate communication between the Government, civil society organisations, academia and the business community.

TIMEFRAMES

The working group will be convened for an initial period of up to twelve months to achieve its purpose as outlined above. At that time, the Department of Foreign Affairs and Trade (DFAT), in consultation with advisory group members, will determine whether to recommend to the Minister for Foreign Affairs that the advisory group be convened for a further period.

BUDGET

Please note that DFAT expects that all participants will be able to fund their own travel to participate in advisory group meetings. A limited budget may be available to facilitate attendance at the advisory group meetings of those members who can demonstrate financial need.

GOVERNANCE AND ‘RULES OF ENGAGEMENT’

The working group will be chaired by DFAT. Meetings of the advisory group will be conducted under the *Chatham House Rule*, which provide that ‘participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed’.



Members should not share information (including on social media) that has been provided in confidence, which may include details relayed during meetings or information about the advisory group or sub-working groups (including its membership, details of meetings and progress).

Members will be required to work together to provide evidence- and solutions-based advice to Government. Recognising that the group will comprise a diverse membership with differing perspectives, members will need to be open to, and willing to work with, the perspectives and ideas of others in the group.

The advisory group will report through DFAT to the Government's Inter-departmental Committee on Business and Human Rights (IDC), chaired by DFAT. DFAT will provide progress updates on the group's work to the Minister for Foreign Affairs and the Minister for Trade and Investment.

METHOD OF OPERATION

The advisory group will meet approximately every two months in person and communicate regularly via email. Depending on the location and availability of members, meetings will be held in Melbourne, Sydney or Canberra, or alternatively by videoconference.

Secretariat support to the advisory group will be provided by DFAT. An agenda for each meeting will be prepared by DFAT and distributed to members. A summary record will be distributed by DFAT to all members within four weeks of each meeting (or prior to any subsequent meeting).

The advisory group may be divided into smaller groups to address particular questions or issues relevant to members' areas of expertise.

DFAT will establish an email list of members, which can be accessed by members of the advisory group to consult on issues as they emerge between meetings.