

PROGRAMME 9 SEPTEMBER 2022

Corporate Social Responsibility and the Transparency Act (åpenhetsloven): The Norwegian and international perspectives

Corporate social responsibility is an area that is rapidly gaining attention. The issue of companies' accountability for the whole value chain is raised with increased frequency, particularly as far as concerns violation of human rights, labour- or environmental law incurred abroad by subsidiaries or suppliers. The EU is working on an extensive regulation of the matter – most recently, on 23 February 2022 the Commission adopted a proposal for a Directive on Corporate Sustainability Due Diligence (COM(2022) 71 final). Among the international instruments on the area, the OECD Guidelines for Multinational Enterprises and the OECD Due Diligence Guidance for Responsible Conduct are particularly significant. The Guidelines and Guidance are increasingly being implemented in domestic legislation, among others in Norway with the Transparency Act of 2021.

The issue can be looked at from different perspectives: depending on whether it is framed as an issue of public law or of company law, or as a matter of civil liability, the legal effects will vary – including the jurisdiction of the courts, the applicable law, the basis for liability and the consequences of any breach. The seminar gathers Norwegian and international experts and practitioners who will discuss the regime in Norway in light of the international framework, of the ongoing work in the EU, and of the developments in other countries, as well as the practical implications.

The work presented and discussed during the seminar will be published in the Oslo Law Review, presumably issue No 2 of 2023.

The seminar is organised by The Department of Private Law at the University of Oslo and hosted by BAHR, and made possible thanks to the financial support of the University of Oslo (Research Group International Law and Governance, Oslo Center for Commercial Law, Lovsamlingsfondet and Privatrettsfondet), BI Norwegian Business School, EY Norway and the Norwegian law firm Selmer.

The seminar is organised in the occasion of the yearly meeting of GEDIP ([Groupe européen de droit international privé](#)), that in 2022 takes place in Oslo. GEDIP is a forum studying the interactions of private international law and European law in their broadest sense, and adopts recommendations for EU law. In the field of responsible business conduct, it has adopted a [recommendation](#).

08:00

Coffee and refreshments - Welcome

Lars G. Norheim, partner, Advokatfirmaet BAHR
Giuditta Cordero-Moss, professor, University of Oslo

08:30-09:45

International legal framework for Responsible Business Conduct: status and developments

The international framework

Catherine Kessedjian, professor emerita, University Panthéon-Assas Paris II

Case law in OECD National Contact Points

Maria Chiara Malaguti, professor, Catholic University Rome

Transparency legislation in other European countries

Fabienne Jault-Seseke, professor, University Versailles Saint-Quentin-en-Yvelines

The role of soft law in the application of the law: international perspective

Etienne Pataut, professor, University Sorbonne

Discussion

09:45-10:00

Break

10:00-11:15

Responsible Business Conduct in Norwegian law**The Norwegian Transparency Act**

Lars G. Norheim, partner, Advokatfirmaet BAHR

Norwegian law between company law and civil liability

Margrethe Buskerud Christoffersen, professor, University of Oslo

The importance of choice of law

Giuditta Cordero-Moss, professor, University of Oslo

The role of soft law in the application of the law: Norwegian perspective

Frode Elgesem, Court of Appeal Justice, Chair of the Norwegian OECD National Contact Point

Discussion

11:15-11:30

Break

11:30-13:15

Roundtable - the point of view of: investors, multinational companies, the supervising authorityTore Bråthen (moderator)
Professor, BI Norwegian Business SchoolChristoffer Bjørnum
Head of Section, the Norwegian Consumer AuthorityCaroline Eriksen
Head of Social Initiatives, Norges Bank Investment ManagementKristine Ryssdal
Executive Vice President and General Counsel, Yara InternationalHans Martin Heikvam
Senior Vice President, Norsk HydroLiv Monica Stubholt
Partner, Advokatfirmaet SelmerHelga Aune
P.h.d, partner, EY Norway

Discussion

13:15-14:00

Lunch