

From: Adam B. Greene agreene@uscib.org
Date sent: Wed, 04 May 2005 09:52:42 -0500

Simon:

I actually do not see the logic of that approach. For one thing, it would have three different groups dealing with the same issues, rather than having one unified discussion in the WG as a whole. For another, these issues relate to the mandate of the WG and the scope of our work - launching into drafting before we have consensus on these points raises the risk that the task groups will have to throw out or redo much of their work.

And I do not agree that it would be moving backwards - this is an essential step to ensure that the members of the WG fully understand the mandate we have been given and the scope of our work. The reason Task Groups 4, 5, and 6 are interim is precisely because we do not have agreement on these rather fundamental points. Would it have been better to address these issues in the first meeting? Absolutely. Can we agree on a design specification without this step? Absolutely not.

The Salvador meeting suffered because the only proposal for a design specification that was allowed for discussion until the 4th day (N4) was seen by a significant number of WG members as not conforming with the SAG recommendations, the TMB resolution, or the NWIP. Is it not better to address these fundamental issues now rather than to have them drawn out at every stage of the process over the next three years?

And finally, I recognize that people want to start working immediately - it is a natural impulse. But the basic management model of plan-do-check-act starts with planning, not doing. We do not yet have a plan, and it would be a serious mistake to ignore that fact and forge ahead without one.

From: "Simon Zadek" zadek@csi.com
Date sent: Wed, 4 May 2005 11:14:09 +0100

Dear CAG Members

Would not one logic be to instruct TGs to take explicit account of these documents in their work between now and Thailand, particularly TG4-6. This would draw these documents into the main development process, rather than in a sense moving backwards and seeing them as a precursor to this work. Then they might well become the subject of discussion in Thailand, but in the context of the work that the WG is currently doing through the TGs.

From: Adam B. Greene agreene@uscib.org
Date sent: Tue, 03 May 2005 12:28:01 -0500

The legitimacy of the process will be impaired if we begin drafting before we have consensus on what we are developing because the effort is bound to fail. As an example, the Salvador meeting ended without a common understanding of what a guidance standard is and is not. We need clarity on that point now, before we start drafting, to avoid ongoing debates on this point that would undercut the effort.

From: michael.a@moital.gov.il [<mailto:michael.a@moital.gov.il>]
Sent: 03 May 2005 17:01

I'd like to comment on your last paragraph, which bears on much more than your initial proposal.

There is a large domain in- between "imposing" something and bust being impotent! I have suggested something which means free and equal opportunities of participation and influence for all WG members, balanced with accepted deadlines for the sake of efficiency. This is not imposition. This is efficient democracy.

I am not experienced with ISO procedures, but I was not born in government, and I have a good amount of experience as board member and chair in three NGOs dealing with democratic agendas, meaning that we are

talking about organizations where you lose legitimacy when you impose decisions. I think I know something about how to balance between the need to make decisions and meet deadlines and the necessity to strive for real and equal participation.

The Salvador meeting suffered from too much fear from so-called imposition + from lack of experience with dealing with social issues. Paradoxically this resulted at the end in something close to imposition, when it became clear at the end that we were running out of time and risking to get out of Salvador with no decision at all!

ISO's experience has to be seen in perspective: In my view ISO has experience with reaching consensus on relatively technical issues, whereas reaching consensus on value-loaded issues is something rather different.

The fact of the matter is that ISO itself felt that there is a difference between our subject and regular ISO subjects. It is why the WG may decide on "irregular" procedures. Do you really think the suggestion I made (that the WG's leadership put pressure on the TGs to decide on deadlines for themselves, and make clear to all that we all have both opportunities and responsibility as to meeting these deadlines) - is going to impair on the legitimacy of the process?

From: "Hans Hofmeijer" hofmeijer@ilo.org
Date sent: Tue, 03 May 2005 16:38:30 +0200

I agree that it is indeed essential to discuss these questions to ensure that all WG members, and in particular the CAG members, have a proper and common understanding of the AG report, its recommendation and the TMB mandate. Without this, the mandate issue will continue to haunt us for the next three years!

From: Adam B. Greene [<mailto:agreene@uscib.org>]
Sent: Tuesday, May 03, 2005 5:14 PM

I agree that these issues are preliminary, but I disagree that we have spent enough time dealing with them. In fact, we have not spent any time dealing with them.

These issues should have been addressed early in the first meeting, but they were not. A number of requests were submitted before and during the meeting to allow time for the WG to discuss the scope of our activity set by the TMB and the reasons behind it, but unfortunately those requests were not acted upon.

Regardless of that, we cannot skip this step just to make up for lost time. The WG was unable to agree on a design specification in Salvador in large part because there was no consensus on the overall objective of the activity. Not only is there debate about what to do within our mandate, some of the proposals made in Salvador actually fall outside of the TMB mandate, which shows that the WG needs a better understanding of exactly what that mandate is.

And one final comment: We all need to be clear that the concept of the leadership "imposing" its will on the WG has no place in ISO procedures. ISO works by consensus, not by directive. In my view we need much better consensus on our objective before we start drafting. Good execution requires good planning, and we haven't reached agreement on the plan yet.

Date sent: Tue, 3 May 2005 09:17:38 +0200
From: <michael.a@moital.gov.il>

I wish to object to Adam Green's proposal. We have spent enough time dealing with preliminary stuff. The next meeting has to be devoted to discussing drafts coming out from the TG's work. These task groups are beginning to form and all efforts should be devoted to ensure they produce at least parts of drafts. The issues and materials Adam is referring to are in the background of all the WG's work. The papers can be circulated and even discussed by mail but spending time on them in September is derailing us away from our mandate: We are a group of experts called upon by ISO to give our input on substance. Let's do it and let ISO do what ever it wants to do with it.

This is why I think the WG's leadership should now impose on the TG's the task to determine and publish precise deadlines for production of drafts and time limits for presenting comments on a draft. We all are busy people and tend to deliver only near specific deadlines. We should all know in advance until when we are supposed to act. Let say, for example, that a TG's secretary circulates a text or part of it for comments; I would like to know until what date I can comment on it, taking into consideration that missing the deadline means taking responsibility for the draft as is! Otherwise, we'll never get on with our business.

Post Scriptum: Let me add something just for the sake of discussion. Philosophically speaking, Adam is right in suggesting that there exist issues that are supposed to lie on the back of our minds and therefore bear on our discussions. But this does not mean we have to discuss them. There are a lot of other of the kind: do we want to spend a day on linguistics or political philosophy, which also have great influence on anybody's views and positions?! We are trying to get a consensus on a text. Good enough if we achieve that. We'll never reach consensus on what lies behind it in the minds of each of us!

From:"Tom Rotherham" trotherham@iisd.ca
Date sent: Thu, 21 Apr 2005 06:30:03 -0500

Just a quick message to support what Adam says, but also to put it in a larger context.

A group of diverse and often competing interests cannot reach consensus on a complex issue like CSR unless there is a lot of trust in the room. Trust that everyone is working towards a common goal, and trust for the process.

What Adam is proposing is essential in my mind because it will help to build trust between the experts: a recognition that we are all here to work together to do a specific task, not to push our own personal/organizational interests. We need a clear understanding of the NWIP, the TMB Resolution, the SAG Resolutions, and the SAG report to be able to get that common understanding. Those documents are our "negotiating history" - without which you cannot possibly grasp the nuance in the NWIP, or the intended limits of our task.

The other thing that I think we need is a handbook explaining clearly to everyone the procedures of ISO and the WG. I believe that too many of the people new to ISO worry that they are getting "played" because they lack in depth understanding of how decisions get made. I can remember in 2000 being a lonely NGO in TC207 with no knowledge of the process. It makes you feel powerless. And the ISO Directives are no real help. After 5 years, after making a conscious effort to learn the process, I have much more trust in my ability to have an equal voice in the process. We need something to jump-start everyone's understanding of the process up to a level where they too trust that they can have an equal voice. I think that is lacking at the moment. A handbook on the WG's processes could help immensely. Consistent funding for disadvantaged groups would also be a big help, though that is a more difficult task.

In terms of how to deliver these two elements:

I think that it makes sense to have a workshop day at the beginning of the Thailand meeting with a theme that enables us to discuss the documents that Adam mentions (although I would add the SAG Resolutions). Other things that are fundamental to this process could also be presented (for instance, looking at the difference between the ILO, the UN Conventions, the Global Compact, GRI, and the host of private standards that have been developed).

The drafting of a handbook seems a logical end-point for the work of TG3. The problem is that we need a handbook before we will have time to reach consensus on all the procedural issues on the list. We need to find a way to get around this problem, perhaps by having a living document online. It is not that hard to do.

I often get accused of over-complicating things, but I would urge you to recall that it is far easier to lose trust than to re-gain it. And we are starting from a deficit. Without trust, it is hard to get very far. Investment made now in building a foundation of common understanding and trust will pay dividends in the future.

From: Adam B. Greene [<mailto:agreene@uscib.org>]

Sent: Thursday, April 21, 2005 7:37 AM

I don't know if you have begun to think about the agenda for the next SR WG meeting, but I wanted to offer a suggestion now so that it could be considered in any planning for Thailand.

My suggestion is simply to devote time early in the meeting for the WG Plenary to review and discuss the key ISO documents that should guide our work: 1) the Advisory Group's recommendations; 2) the outcomes of the Stockholm conference; 3) the TMB's resolution; and 4) the NWIP itself.

It may take a full day to review and discuss this material, but it is necessary to do so in order to get full understanding in the WG of the TMB's decision and the mandate set out in the NWIP. Following that discussion, we should be able to reach consensus in the WG as a whole on the broad outlines of the guidance standard.

You may have already considered this, but I wanted to raise it with you in any event because having a full discussion about this earlier ISO work is a necessary step in developing consensus in the group on what we are setting out to do.