

ANDREA R. SHERBERG

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I have worked at the forefront of the business and human rights field since 2002 engaging at the intersection of law, policy and practice. I was part of the team that developed the UN's first set of authoritative standards on business and human rights adopted in 2011. Currently, I am Chair of the Global Business Initiative on Human Rights. I also advise companies and civil society organisations, and I develop learning tools for international organisations, practitioners and students globally as well as teach graduate students in law and management programmes.

PROFESSIONAL EXPERIENCE

2021 - present

Sustainability Advisory Council Member Novo Nordisk

Advise Novo Nordisk on global business and human rights standards and how those may impact business strategy, climate and environmental, social and governance commitments as well as investor relations activities.

2020 – present

Human Rights Advisory Council Member BASF

Advise BASF on global business and human rights standards, identifying salient issues related to work of all business units, including research and development departments and legacy human rights issues worldwide.

January 2011 - present

Global Business Initiative on Human Rights (GBI)

Chair; Senior Advisor

GBI is a UK-registered charity. It is a business-led, membership organisation with 23 multinational corporations from different industries, headquartered in diverse countries and with global operations. GBI's mission is to advance human rights in a business context through cross-industry peer learning, outreach and capacity building, and by informing policy. I serve as Legal Director and Chair of GBI assisting with organisational governance and performance reviews of Secretariat, contributing to operational strategy. As Senior Advisor I serve as a "critical friend" to members working to improve their human rights performance.

July 2011 - present

Business and Human Rights Advisor

Provide advice to international organisations, governments, companies, NGOs on issues of business and human rights. Examples of recent projects include: Research and authored report for UN Office of High Commissioner for Human Rights commissioned by the German Government in preparation for G7 Presidency on how G7 Governments can better implement the UN Guiding Principles on Business and Human Rights; Research on corporate reporting and analysis to help OXFAM GB create a new private sector strategy; Carried out an assessment of human rights impacts, including on children, in Indonesia on behalf of a company that was considering an investment project; accompanied an asset manager through process to create and implement firm-wide human rights commitment; advised, performed research for and reviewed the final report of an EBRD external expert on Human Rights regarding the Nenskra HPP case filed with the Bank's Project Complaints Mechanism.

September 2011 – present

Development of Learning Tools and Adjunct Professor

Developed business and human rights learning tools for both on and offline use. Learning tools developed include several videos for civil society and international institutions, a Business and Human Rights Game for students and practitioners, case studies and trainings for companies and practitioners. Teach "Conflict and Cooperation in the Global Arena" with Professor Eileen Doherty, Case Western Reserve University Weatherhead School of Management. Teach "Business and Human Rights for Business Lawyers" as Distinguished Practitioner at Moritz School of Law at The Ohio State University. Guest lecture on business and human rights at The Lauder Institute Joint Degree in International studies and Masters of Business Association at the University of Pennsylvania (2018 – present) and at the Università degli Studi di Milano doctoral programme in Law, Ethics and Economics for Sustainable Development (2020-present). Past teaching includes "Business and Human Rights in Oil, Gas and Mining" at the University of Dundee, Centre for Energy, Petroleum and Mineral Law and Policy Master's programme (2012-2018).

November 2016 – December 2019

Centre for the Study of Human Rights, London School of Economics and Political Science Visiting Fellow

Designed and tested a "human rights game" to teach business and human rights to students, financial institutions and senior executives. Designed curricula for business and human rights executive education. Maintained the LSE Investment and Human Rights Hub.

May 2013 – December 2016

Investment & Human Rights Project, London School of Economics and Political Science Project Co-Lead

Co-Founder and Co-Lead of the Investment & Human Rights Project in the Centre for the Study of Human Rights at the London School of Economics. Duties included research exploring the legal, policy, and economic intersects between human rights and investment. Designed, created and manage website "Investment & Human Rights Learning Hub" aimed at reaching a range of stakeholders, including civil society, government representatives, commercial practitioners and lawyers. Carried out a UK FCO-funded project to publish a handbook for States on implementing the UNGPs in investment policy, and piloting implementation in Colombia and Indonesia. Pilot project included providing workshops to government representatives and civil society representatives regarding how to integrate human rights into investment policymaking and helping to formulate practical recommendations for how States can better ensure human rights are respected in the context of investment projects. Presented research findings and catalyse discussions around investment and human rights in international fora, including at UNCTAD World Investment Forum and the Annual UN Forum on Business and Human Rights.

<http://blogs.lse.ac.uk/investment-and-human-rights/>

June 2007-2011

Office of UN Special Representative of the Secretary-General for Business and Human Rights Legal Advisor and Lead for Investment Policy work

Advised on international law issues and led the investment and human rights work for Professor John Ruggie, UN Secretary General's Special Representative on Business and Human Rights (SRSG). Specifically in charge of research and consultations during four-year project to realise [*The Principles for Responsible Contracts \(PRC\)*](#). Organised and conducted global consultations that led to the PRC guidance for State and commercial negotiators to help them integrate respect for human rights into the agreements underpinning long-term investment projects. The PRC were submitted with the final report of the Mandate. Co-authored report submitted to UN Human Rights Council on legal standards of complicity. Advised on and collaborated in drafting yearly reports to the Human Rights Council. Participated in devising and carrying out Mandate strategy. Organized and led multi-stakeholder and expert consultations worldwide regarding investment and human rights and other Mandate issues.

June 2007-January 2008

International Finance Corporation (IFC), Washington, D.C., U.S.A.

Consultant research and report writing

While Legal Advisor to the UN SRSG, consultant for the IFC tasked with conducting a jointly sponsored research study on [stabilization clauses and human rights](#). Work required interviews to be conducted inside the World Bank Group (WBG) and original empirical research to be done on host government agreements provided specifically for the study from the WBG and private law firms. The study, comparing 88 contracts and contract models was published in May 2009 and still features on the IFC website.

January 2006 - May 2007

International Commission of Jurists (ICJ), Geneva, Switzerland

Legal Officer International Economic Relations Programme

Led establishment of ICJ's programme on business and human rights. Established Expert Panel on Corporate Complicity, led the organisation of research by external experts, organised hearings to inform the Panel's work, and led the drafting on complicity in international crimes until departure to serve the SRSG. Coordinated a group of global human rights organisations to build a common strategy for business and human rights regarding the UN Human Rights Council. Led strategy development for the business and human rights programme.

July 2003 – January 2006

Amnesty International UK, London, UK

Legal Advisor on Economic Relations

Researched and co-authored two Amnesty International reports on host government agreements and their impact on human rights in the context of two pipeline projects sponsored by international development finance. Engaged with the IFC, IBRD and EBRD on the investment contracts underpinning the BTC pipeline project and the Chad-Cameroon pipeline project as well as led discussions with companies, governments and other stakeholders regarding human rights issues linked to investment contracts. Represented Amnesty International UK in radio and newspaper interviews and liaised with other print media outlets to facilitate coverage of human rights issues.

November 1997 – November 2000

Squire, Sanders & Dempsey L.L.P., Columbus, Ohio

Associate Attorney

Practice included broad range of employment-related, management-side counselling including the areas of workplace discrimination, disability law and workplace safety issues and litigation before federal and state courts, administrative agencies and other ADR mechanisms.

EDUCATION AND AWARDS

December 2003

The London School of Economics and Political Science

MSc Human Rights *with distinction*

- Thesis: *Towards Defining Corporate Complicity*

May 1997

The Ohio State University College of Law, Columbus, Ohio

Juris Doctor *with honours*

Honours, Activities and Awards:

- Top 5 % of Class, With Honours, *Order of the Coif*
- Founder and Founding Executive Director: Pro Bono Research Group: a poverty law research group which assists legal aid attorneys in their representation of poor clients.
- Managing Editor, OHIO STATE JOURNAL ON DISPUTE RESOLUTION (American Bar Association Section Journal for Dispute Resolution)
- 2004 Recipient of Ohio State Thompson Alumni Award for outstanding public service

June – July 1994

Universidad Veritas, San Jose, Costa Rica

Spanish Studies Program

Intensive Spanish studies at advanced level

August 1992

Bowling Green State University, Bowling Green, Ohio

B.S. of International Studies *with honours*

Magna Cum Laude, Phi Beta Kappa

Awards:

- Outstanding Senior, Arts & Sciences
- Outstanding Senior, International Studies
- Award for Outstanding Community Service 1991 and 1992

August 1990 – January 1991

University of East Anglia, Norwich, England

Studies in International Relations

LANGUAGES

English, native language; **Italian** fluency spoken, reading, written; **Spanish** proficient level spoken, reading and written

SELECTED PUBLICATIONS

Shemberg, Andrea, (2024 forthcoming) "The Subject Matter of the European Union's Corporate Sustainability Due Diligence Directive", in *European Corporate Sustainability Due Diligence Directive*, eds. Bright, Claire and Martijn Scheltema (Elgar Commentaries in Human Rights)

Shemberg, Andrea, (2024) *Recognizing the State's "Duty to Regulate": the Mindset needs to Shift*, Columbia FDI Perspectives, No. 383.

<https://ccsi.columbia.edu/sites/default/files/content/docs/fdi%20perspectives/No%20383%20-%20FINAL%20-%20Shemberg.pdf>

Sustainable Global Supply Chains: G7 Leadership on UNGP Implementation Report by the Office of the UN High Commissioner for Human Rights for the 2022 German Presidency of the G7. (2022 unattributed)

<https://www.ohchr.org/sites/default/files/2022-05/report-sustainable-global-supply-chains-g7.pdf>

Zagelmeyer, S., Bianchi, L., & Shemberg, A. (2018). *Non-state based non-judicial grievance mechanisms (NSBGM) - An exploratory analysis: A report prepared for the Office of the UN High Commissioner for Human Rights.* <https://doi.org/10.13140/RG.2.2.32172.51843>

Saldarriaga, Andrea and Shemberg, A. (2016). *LSE Guide to Implementing the UN Guiding Principles on Business and Human Rights in Investment Policymaking*, London School of Economics and Political Science. https://blogs.lse.ac.uk/investment-and-human-rights/files/2016/04/LSE_UNGPs_Guide_en.pdf.

Saldarriaga, Andrea and Shemberg, A. (2015). "Achieving Global Rules on Social Impacts for Export Credit Agencies", in *The Future of Foreign Trade Support – Setting Global Standards for Export Credit and Political Risk Insurance* (Global Policy e-book).

Shemberg, Andrea, (2013). "From Stabilization Clauses and Human Rights to Principles for Responsible Contracts", in *The Future of ICSID and the Place of Investment Treaties in International Law*, eds. N. Jansen Calamita, et al. (British Institute of International and Comparative Law).

Shemberg, Andrea, *New Global Standards for Business and Human Rights*, vol. 13, BUSINESS LAW INTERNATIONAL 1, 27 (2012).

Principles for Responsible Contracts: Integrating the management of human rights risks into State-investor contract negotiations; Guidance for Negotiators, UN Doc. A/HRC/17/31.add3 (2011 unattributed).
<http://www.ohchr.org/Documents/Issues/Business/A.HRC.17.31.Add.3.pdf>.

Shemberg, Andrea (2009), *Stabilization Clauses and Human Rights: A research project conducted for IFC and the United Nations Special Representative to the Secretary General on Business and Human Rights*.
<https://www.ifc.org/en/insights-reports/2000/publications-loe-stabilization--wci--1319577941106>.

Shemberg, Andrea (2008). "*Investment Agreements and Human Rights: The Effects of Stabilization Clauses*." Corporate Social Responsibility Initiative Working Paper No. 42. Cambridge, MA: John F. Kennedy School of Government, Harvard University.

04/06/2025

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