**Survey on the implementation of the Guiding Principles on Business and Human Rights: National Action Plans on Business and Human Rights**

Where a State has developed, or started the process of developing, a National Action Plan (or another specific Government-lead plan to promote responsible business practice in line with the UN Guiding Principles), please share experiences on whether and how the NAP/NAP process has:

(a) Helped identify gaps in State and business implementation of the Guiding Principles;

Not directly, since no majority could be found in the government for a fully-fledged gap analysis. However, the NAP draft foresees a baseline assessment for the update of the Swiss NAP in 2019.

(b) led to concrete steps (e.g. new laws, policies, regulations) to address gaps identified; Yes, mainly policies. The draft of the Swiss NAP contains 50 policy instruments, of which 14 will be newly introduced with the NAP.

(c) helped improve policy coherence in the areas of business and human rights; Yes, the process was very useful in creating discussions and finding a common language and common ground on which to develop the policy instruments for the NAP. We expect implementation of the NAP will further contribute to more coherence. Many of the instruments are to be implemented by more than one government department.

(d) addressed the role of the States vis-à-vis companies that are owned or controlled by the State (in line with the recommendations set out in A/HRC/32/45); Yes, the issue is addressed in the draft-NAP.

(e) led to new initiatives to encourage companies to discharge their responsibility to respect human rights (such as mandatory human rights due diligence requirements); The Swiss NAP is based on policy instruments which engage and encourage companies to implement the UNGPs voluntarily.

(f) helped to develop a strategy for improving accountability and access to remedy (in line with Human Rights Council resolution A/HRC/32/L.19). One of the policy instruments related to the third pillar of the UNGPs (as also required by Postulate 14.3663 of the Swiss parliament) is a mandate given to the Swiss Institute of Comparative Law and the Swiss Center of Expertise in Human Rights. The institutions are writing a comparative study presenting existing remedy mechanisms in Switzerland which are available for potential victims of human rights violations in the context of Swiss companies’ business activities. It will also provide an overview of judicial and non-judicial remedies in France, Germany, Denmark, the Netherlands, the UK, the US and Canada. In combination with a comparative analysis the study will then make recommendations as to how the access to remedy may be improved in Switzerland.

Where a State has consulted the Working Group’s Guidance on National Action Plans on Business and Human Rights, please comment on:

(a) How the Guidance has informed/is informing the NAP/NAP process; The Guidance was an important source of international best standards for the Swiss process. It was a matter of consultation between the different departments of the government to decide which recommendations would be implemented. Primarily the Guidance was implemented with regard to the consultation of stakeholders and the structure of the NAP.

(b) which elements are seen as particularly useful; The guidance as a whole was a crucial input to the Swiss process, giving more explicit recommendations on how to transfer the UNGPs into NAP- material, how to structure and consult a NAP.

(c) how the document could be further improved. It will be interesting to see more examples of how states interpret the UNGPs into policy instruments and legal measures. This could be included into an updated version. A future guide could also focus on best practices for the updating of NAPs.

3. Where a State has not consulted the Working Group’s Guidance on National Action Plans on Business and Human Rights, please comment on why this was the case.

4. Where a State has already adopted and started to implement a National Action Plan, what progress has been made and what lessons have been learned from its implementation? Switzerland’s NAP should be finalized within the next months. It is therefore not yet implemented.