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**Mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises**

**Questionnaire for Other Stakeholders regarding Access to Remedy in relation to Business-related Human Rights Abuses**

Access to effective remedy for business-related human rights abuses is one of the three pillars of the UN Guiding Principles on Business and Human Rights (UNGPs) as well as a key component of the State's international human rights law obligations. The Working Group on Business and Human Rights (Working Group) has a mandate "to explore options and make recommendations at the national, regional and international levels for enhancing access to effective remedies available to those whose human rights are affected by corporate activities, including those in conflict areas".

As part of this mandate, the Working Group is currently preparing a report on access to remedy that will be presented to the UN General Assembly in October 2017. This report will articulate what an effective remedy means under the UNGPs, develop a framework to realise effective remedies for the rights-holders, and elaborate the concept of reparations in the context of business-related human rights abuses.

The input on this questionnaire – addressed to all relevant stakeholders such as international and regional organisations, national human rights institutions, civil society organisations, human rights defenders, trade unions, research centres, business enterprises, industry associations, lawyers and academics – will inform the above report of the Working Group.

Please email your response (maximum 2,000 words) to [wg-business@ohchr.org](mailto:wg-business@ohchr.org) by **15 June 2017**, indicating "A2R QUESTIONNAIRE" in the subject line.

Unless indicated otherwise, all the responses received will be posted on the Working Group's website.

## Questionnaire

1. What are the key elements of the right to an “effective” remedy under international human rights law that are relevant to Pillar III of the UNGPs?
2. What needs to be done to ensure that remedies for business-related human rights abuses are responsive to the experiences and expectations of the rights-holders, especially of vulnerable groups such as children, women, people with disabilities, migrant workers, and indigenous peoples?
3. How should states combine preventive, redressive and deterrent elements to enhance the overall effectiveness of remedies?
4. What should be the role of home as well as host states of business enterprises in providing access to effective remedy for victims of business-related human rights abuses?
5. Business enterprises have a responsibility to respect all “internationally recognised human rights”. What does this responsibility entail in relation to the right to an effective remedy under the International Bill of Human Rights?
6. What does “cooperate” in remediation of adverse human rights impacts “through legitimate processes” entail for business enterprise under Principle 22 of the UNGPs?
7. What role should non-state-based societal organs such as intergovernmental organisations, international financial institutions, civil society organisations, trade unions, human rights defenders, lawyers’ associations and business associations play in facilitating access to effective remedy in cases related to business-related human rights abuses?
8. How can the concept of reparations under international law be used to develop a remedy typology for business-related human rights abuses?
9. Please share good practice examples, landmark judicial decisions or other regulatory innovations contributing to strengthening access to effective remedy for business-related human rights abuses.
10. Please provide any additional comments, suggestions or information which you think may be relevant for the Working Group’s forthcoming report on access to effective remedy for business-related human rights abuses, or for strengthening access to remedy generally.