



TÉLÉCOPIE • FACSIMILE TRANSMISSION

DATE: 5 October 2020

A/TO: All Permanent Missions to the United Nations Office at Geneva

DE/FROM: Beatriz Balbin  
Chief  
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A handwritten signature in blue ink that reads "Beatriz Balbin".

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PAGES: 8 (Y COMPRIS CETTE PAGE/INCLUDING THIS PAGE)

OBJET/SUBJECT: **Call for input - Working Group on the issue of human rights and transnational corporations and other business enterprises**

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

5 October 2020

Excellency,

I have the honour to address you in my capacity as Chairperson of the Working Group on the issue of human rights and transnational corporations and other business enterprises (the Working Group on Business and Human Rights), pursuant to resolutions 17/4, 35/7 and 44/15 of the United Nations Human Rights Council.

I am writing to invite your Excellency's Government to provide inputs for the preparation of the Working Group's upcoming thematic report focusing on *'Business and human rights: towards a decade of global implementation'*, to be presented at the Human Rights Council in June 2021. The report will be centred on the upcoming tenth anniversary of the *UN Guiding Principles on Business and Human Rights (UNGPs)*, taking stock of the first ten years of implementation and informing a roadmap for global implementation in the next decade.

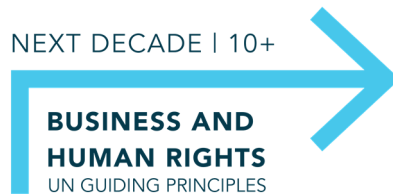
I would be grateful if this letter and the attached questionnaire could be transmitted to relevant authorities, inviting all submissions **no later than 30 November 2020**. Responses to the questionnaire can be sent to [wg-business@ohchr.org](mailto:wg-business@ohchr.org) (preferred) or addressed to:

Working Group on business and human rights  
Special Procedures  
Office of the United Nations High Commissioner for Human Rights (OHCHR)  
Palais des Nations  
CH-1211 Geneva 10, Switzerland

Please, accept, Excellency, the assurances of my highest consideration.



Anita Ramasastry  
Chairperson  
Working Group on the issue of human rights and  
transnational corporations and other business enterprises



## ***Business and human rights – towards a decade of global implementation***

### **CALL FOR GOVERNMENT INPUTS**

#### **Introduction**

On 7 July 2020, the [UN Working Group on Business and Human Rights](#) (UNWG) launched a new global project, *[Business and human rights: towards a decade of global implementation.](#)* Also known as “UNGPs 10+ / Next Decade BHR,” the project is centred on the upcoming tenth anniversary of the [UN Guiding Principles on Business and Human Rights \(UNGPs\)](#), the global authoritative framework on business and human rights that was unanimously endorsed by the UN Human Rights Council in June 2011. The project is taking stock of practice to date, identifying gaps and challenges, and developing a vision and roadmap for scaling up implementation of the UNGPs over the course of the next ten years.

The project’s consultation process is being carried out in collaboration with OHCHR, UNDP, and others. The UNWG seeks to hear perspectives from a wide range of stakeholders from all regions, including government actors, international organizations, national human rights institutions, industry organizations, businesses, consumer associations, investors, trade unions, representatives of affected communities, indigenous peoples, human rights defenders, civil society organizations, professional associations and groups, academia, and others. Accordingly, the UNWG is issuing calls for input. Please refer to the [project's website](#).

#### **Call for government inputs**

As recalled by the recent Human Rights Council resolution A/HRC/44/15, the UNGPs were unanimously endorsed by the Human Rights Council in 2011 (A/HRC/RES/17/4) and have become the authoritative global reference point for preventing and addressing adverse impacts on human rights arising from business-related activity. The resolution encourages all States to enhance efforts to implement the UNGPs, “including through appropriate policy frameworks, regulations and the development of national action plans on business and human rights” and share information about progress made, challenges and lessons learned.

This questionnaire is aimed at getting up-to-date and accurate information about existing policies, legislation, initiatives and plans by States and to understanding the challenges, opportunities and policy innovations by Member States in the implementation UNGPs. Such information will be critical in informing the UNWG’s stocktaking of the first ten years of the UNGPs and the roadmap for global implementation in the next decade. It complements other surveys and calls for information conducted by the UNWG that seek the views and input from the full range of relevant stakeholders, including business and civil society. The stocktaking and assessment will be presented in the UNWG’s report to the Human Rights Council in June 2021 and the roadmap for the next decade will be launched at the 10<sup>th</sup> anniversary of the UNGPs around the same dates.



The UNWG kindly requests that States provide their input by responding to the questionnaire to [wg-business@ohchr.org](mailto:wg-business@ohchr.org) by 30 November 2020. Unless indicated otherwise, the input from States will be published on a dedicated page of the project website.

### Government questionnaire

#### Questions addressed to all stakeholders:

- (1) Where has progress taken place in UNGPs implementation over the course of the last decade? What are the promising developments and practices (by governments, businesses, international organizations, civil society organizations, etc.) that can be built on?
- (2) Where do gaps and challenges remain? What has not worked to date?
- (3) What are key obstacles (both visible and hidden), drivers, and priorities that need to be addressed to achieve fuller realization of the UNGPs?
- (4) What systemic or structural challenges need to be tackled to realize sustainable development based on respect for human rights?
- (5) In concrete terms, what will be needed in order to achieve meaningful progress with regard to those obstacles and priority areas? What are actionable and measurable targets for key actors in terms of meeting the UNGPs' expectations over the coming years?

The generic questions above can also be accessed and answered via this online form: <https://ohchr-survey.unog.ch/index.php/593896?lang=en>

#### Questions addressed specifically to States:

Please provide information about the following aspects related to UNGPs implementation, including links to public documents wherever relevant.

UNGPs	Existing practice and challenges	Actionable goals and targets for next decade
<b>Commitment to implementing the UNGPs</b>		
<b>State commitment to implement the UNGPs, e.g., National Action Plans, public statements, national baseline assessments.</b>		
<b>State structures mandated to implement the UNGPs, e.g.,</b>		



government ministry tasked with implementation measures; allocation of internal resources.		
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Regulatory and policy efforts	Existing practice and challenges	Actionable goals and targets for next decade
<b>Legal and regulatory developments that enable or require business enterprises to respect human rights</b> , e.g., mandatory human rights due diligence, duty of care, reform of securities law.		
<b>Legal or regulatory developments that enable or require reporting and transparency on how business enterprises address human rights risks (own activities and value chain)</b>		
<b>Legal or regulatory developments that enable or require financial institutions, including institutional investors, to embed respect for human rights throughout their core business activities</b>		
<b>Incentives for responsible business</b> (e.g. sanctions for practice that breaches human rights standards; or, “carrots” or “sticks” by export credit or finance institutions to encourage responsible business)		

<b>Guidance on human rights expectations for business enterprises, including financial institutions</b>		
<b>Integration of the UNGPs in other policy tools oriented to responsible business</b> (e.g. do other policy instruments relating to responsible business or “CSR” refer to the UNGPs, or if not are there plans to strengthen alignment)		
<b>Human rights at the “state-business nexus” – leading by example</b>	<b>Existing practice and challenges</b>	<b>Actionable goals and targets for next decade</b>
<b>State efforts to protect human rights among business enterprises that are owned or controlled by the State, and when providing funding or other support to business.</b> e.g., export credit agencies.		
<b>State efforts to protect human rights when contracting with businesses to provide services,</b> e.g., health care, social security, education.		
<b>State efforts to protect human rights through public procurement.</b>		
<b>State efforts to protect human rights through development finance</b>		
<b>Policy coherence at the national, regional, and international levels</b>	<b>Existing practice and challenges</b>	<b>Actionable goals and targets for next decade</b>



<p><b>Horizontal and vertical policy coherence</b>, e.g., coordination on business and human rights policies across government agencies and departments, at multiple levels of government. (e.g. BHR and SDG NAPs cross-reference or are integrated, government training curriculum on BHR, NHRI recommendations to government)</p>		
<p><b>Business-related policy with other State and businesses</b> (e.g. trade and investment agreements, investor-state contracts)</p>		
<p><b>Across multi-lateral institutions</b> (e.g. regional organizations, participation in other international processes on BHR, integration of BHR in multi-lateral finance and trade)</p>		
<p><b>Access to remedy</b></p>	<p><b>Existing practice and challenges</b></p>	<p><b>Actionable goals and targets for next decade</b></p>
<p><b>Effectiveness of judicial mechanisms to address business-related human rights abuse allegations</b></p>		
<p><b>Effectiveness of and access to non-judicial state-based processes, e.g., OECD NCPs, NHRIs, multi-stakeholder grievance mechanisms, international grievance and regional mechanisms.</b></p>		
<p><b>Multi-stakeholder platforms</b></p>	<p><b>Existing practice and challenges</b></p>	<p><b>Actionable goals and targets for next decade</b></p>



<p><b>Multi-stakeholder initiatives to support responsible business and accountability</b></p>		
<p><b>Other relevant information</b></p>	<p><b>Existing practice and challenges</b></p>	<p><b>Actionable goals and targets for next decade</b></p>
<p><b>Please include information about other efforts and developments involving the State that you consider relevant</b></p>		