



Submission to the UN Working Group on Business and Human Rights on the second decade of implementation of the UN Guiding Principles on Business and Human Rights

Day (formerly Day Associates) is delighted to note the global consultation on the second decade of implementation of the UN Guiding Principles on Business and Human Rights (UNGPs). Founded in 2011, we are a small, not-for-profit consultancy committed to understanding, assessing and championing business and human rights.

We have noted the five questions with interest and seek here to respond to what we view as the essence of the consultation, in short:

In the second decade of UNGPs implementation, what needs to be done differently to ensure effective rather than tokenistic realisation of the UNGPs?

In our view, many aspects of UNGP implementation by governments and companies warrant evaluation and due attention, however, in the interests of brevity, we wish to highlight one point we believe in the second decade, deserves attention and would assist in ensuring effective realisation of the UNGPs is authenticated.

Third-party verification: the weak link

Since the unanimous endorsement of the UNGPs in 2011, we have noted the proliferation of consultancies and independents, auditing and law firms, and other organisations offering various forms of third-party verification of corporate human rights interventions.

This ballooning industry was to be expected and remains an important part of the system if implementation is to be carried out at scale, however. A challenge remains in the lack of standards and accountability of such organisations.

Many profess to apply the lens of the UN Guiding Principles on Business and Human Rights, and while such statements are a welcome sign, the processes undertaken naturally vary from entity to entity.

Such variation implies that rigour and robustness will depend on the entity conducting the exercise, which leaves attempts to (a) really understand how a company has integrated a human rights approach within its business, and (b) compare corporate actions on the adoption of human rights due diligence mechanisms, questionable.

We believe that ten years on, there is a case for introducing some **Principles for Engagement** and/or **Effectiveness Criteria for professional service providers on business and human rights**, to ensure credibility, high standards, and consistency, which

would aid comparative reporting, benchmarking, and would provide the necessary assurances to investors who rely on these reports (among other tools and forms of engagement) to make financial decisions.

In our view, third-party verification remains a weak link in the business and human rights field, and should be considered as one of the top priorities for attention in the second decade of implementation, if the credibility of future human rights-related corporate reports, assessments and plans is to be assured.

Should you have any questions and/or require clarifications on any of the above points, please do not hesitate to contact Désirée Abrahams, Director at Day on desiree@daconsult.org.

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