

NATIONAL ACTION PLANS ON BUSINESS AND HUMAN RIGHTS

COMPARING INCLUDED MEASURES
AND IDENTIFYING PATTERNS

STEVEN PATRICK LANDRY

REPORTS 14/2018



NATIONAL ACTION PLANS ON BUSINESS AND HUMAN RIGHTS

COMPARING INCLUDED MEASURES
AND IDENTIFYING PATTERNS

STEVEN PATRICK LANDRY

REPORTS 14/2018



© Steven Patrick Landry

© 2018 Institut Català Internacional per la Pau
Carrer de la Tapineria, 10, 3ª Planta 08002 Barcelona
T. +34 93 554 42 70 | F. +34 93 554 42 80
icip@gencat.cat | www.icip.cat

Typesetting

ICIP

Layout

ICIP

DL

B 28507-2018

ISSN

2013-9446 (edició en línia)

2013-9438 (edició en paper)

This work is the result of a research project financed by the International Catalan Institute for Peace (ICIP)



This work has a Creative Commons Attribution – Non-commercial – Sharealike license, its version 2.5 for Spain. A copy of this license can be read at the link: <http://creativecommons.org/licenses/by-nc-sa/2.5/es/>

This document can be copied, distributed, publicised, translated and modified, provided that no commercial use is made of it and that the original authors are respected.

SUMMARY

ABSTRACT	2
LIST OF ACRONYMS	3
1. BACKGROUND	4
1.1. OBJETIVES AND SIGNIFICANCE	5
1.2. METHODOLOGY	5
1.3. LIMITATIONS	9
2. RESULTS AND DISCUSSION	11
3. CONCLUSIONS	25
REFERENCES	28
ANNEX	30

ABSTRACT

The purpose of this study is to better understand National Action Plans on Business and Human Rights through a content based comparative analysis. The content and measures of each plan are compared based upon over two hundred indicators, which are analyzed across four categories. The first part consists of defining said indicators, which are drawn from the United Nations Working Group on Business and Human Rights Guidance on National Action Plans on Business and Human Rights published in 2016. Each National Action Plan on Business and Human Rights (NAP) is analyzed based on the aforementioned, by which a numerical model is then established to compare trends and data drawn from published NAPs. These data-sets provide new in-depth information regarding the content of each NAP. Therefore, this information is intended to be used for academic, as well as policy design purposes.

Keywords: National Action Plans, United Nations, Business, Human Rights

LIST OF ACRONYMS

DIHR	Danish Institute for Human Rights
ECCJ	European Coalition for Corporate Justice
HRIA	Human Rights Impact Assessments
ICAR	International Corporate Accountability Roundtable
ILO	International Labour Organisation
NAP	National Action Plan (on Business and Human Rights)
NBA	National Baseline Assessment
NCP	National Contact Point
NHRI	National Human Rights Institutions
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
SRSG	Special Representative to the Secretary General (of the UN)
UN	United Nations
UNGP	United Nations Guiding Principles (on Business and Human Rights)
UNHRC	United Nations Human Rights Council
UNWG	Nations Working Group on Business and Human Rights
UPR	Universal Periodic Review

On the 16th of June, 2011 the United Nations Human Rights Council (furthermore referred to as the UNHRC) endorsed the Guiding Principles on Business and Human Rights in its resolution 17/4 (UN 2011: iv), “which were developed by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. The Special Representative annexed the Guiding Principles to his final report to the Human Rights Council ([A/HRC/17/31](#)), which also includes an introduction to the Guiding Principles and an overview of the process that led to their development” (*Idem*). The intentions for this resolution are many but fall under the general umbrella of human rights due diligence, including such topics as: access to justice, vulnerable populations (such as minorities, and children), states’ expectations on corporate accountability, corporate guidance, multi-sector/stakeholder participation and dialogue, as well as monitoring and continued assessment. This endorsement was a monumental step for the Guiding Principles as “the first global standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity, and they continue to provide the internationally-accepted framework for enhancing standards and practices with regard to business and human rights.”¹

Following the resolution by the UNHRC, various countries committed to implementing these Guiding Principles through National Action Plans on Business and Human Rights (NAPs), and across the globe countries have taken action. Over 45 states have either committed to completing a NAP, are currently in the assessment phase of completing National Baseline Assessments (NBAs), are in the process of writing their NAPs, have already published a NAP, or have adopted other non-state initiatives.²

Though, how does one thoroughly assess a NAP? By what standards can these plans be compared? What trends are seen across NAPs? By studying current plans, is there an opportunity to improve the creation of future NAPs?

¹ The Office of the High Commissioner for Human Rights (UN Human Rights). *Business*. Accessed 22 September 2018, from: <https://www.ohchr.org/EN/Issues/Business/Pages/BusinessIndex.aspx>

² GlobalNAPs.org. *Countries*. Accessed 23 August 2018, from: <https://globalnaps.org/country/>

1.1 OBJECTIVES AND SIGNIFICANCE OF THE STUDY

The purpose of this analysis is to take an in-depth look at published National Action Plans on Business and Human Rights³, by comparing and contrasting content based upon a unique set of indicators. The main objective is to further understand trends, and identify new patterns not before seen in comparative analyses. To accomplish this a methodology was needed that had not before been used, based on information that each state entity had access to, that could serve as a living reference for future analyses. The ultimate objective is to better understand NAPs, and to encourage improvement of future plans through data.

This study brings new data points to light in an effort to complement already existing comprehensive NAP analyses, United Nations Working Group on Business and Human Rights (UNWG) tools, and guidance documents. It is intended to be used for academic, as well as for policy design purposes.

Selection of cases for this analysis includes the following NAPs: Chile, Colombia, Czech Republic, Denmark, Finland, France, Germany, Ireland, Italy, Lithuania, The Netherlands, Norway, Poland, Spain, Sweden, Switzerland, The United Kingdom, and The United States of America. The United Kingdom first published their NAP in 2013, and released an updated version in 2016, both NAPs were referenced in this analysis, though the most recent text is considered the primary source and supersedes any duplicity of topic or contradiction between the two. When text has been pulled from the 2013 NAP, it is cited in the data-set.

1.2 METHODOLOGY

The conceptual framework for this comparative analysis consists of two parts, first, defining a set of indicators that allow the contents of a National Action Plan on Business and Human Rights to be evaluated, then using these indicators to compare and contrast each plan. These indicators, combined with categorical valuation will produce numerical data, resulting in the ability to analyze trends and patterns.

It was the premise of this investigation that said indicators had to be drawn based on an already-existing publication regarding NAPs. For example, The Danish Institute for Human Rights (DIHR), the International Corporate Accountability Roundtable (ICAR), and the European Coalition for Corporate Justice (ECCJ) have all published comprehensive analyses. Though, for this analysis the indicators were drawn directly from the most recent version of the *Guidance on National Action Plans on Business and Human Rights*,

³ NAPs published by July 2018, written in, or with versions available in English and/or Spanish have been included.

published by the UN Working Group on Business and Human Rights in November of 2016. This document was chosen for the fundamental reason that it was endorsed and completed in collaboration under the guise of the same entities involved in the publication of the UNGPs, and the formation of the UNWG, “The UN *Protect, Respect and Remedy* Framework was elaborated by the SRSG [Special Representative to the Secretary General] and presented to the Human Rights Council in 2008. On the basis of this framework, the SRSG developed the UN Guiding Principles on Business and Human Rights (UNGPs), which was unanimously endorsed by the Human Rights Council in June 2011.”⁴

The UNWG was born to complete the mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR), which, “has a mandate to lead the business and human rights agenda within the United Nations system, and, in collaboration with the Working Group on Business and Human Rights, to develop guidance and training relating to the dissemination and implementation of the UN Guiding Principles on Business and Human Rights.”⁵ This means providing advice, tools and guidance; supporting capacity building on Business and Human Rights to all stakeholders at the national level, including through OHCHR’s field operations and across the UN system; and providing technical support to human rights mechanisms.”⁶

The UNWG NAP Guidance document provides detailed examples of how to separate the process into phases, on structure, content, and other criteria that the UNWG considers essential for the creation of an effective plan. Most relevant to this analysis is Annex III, where the UNWG outlines potential measures to meet the Guiding Principles. Over 200 different potential measures are outlined, and from these potential measures the indicators used for this analysis are drawn.

Each potential measure outlined is then uniquely coded by the following categories to create an indicator: Pillar, Section, Guiding Principle, Sub-Principle Heading, and Potential Measure. Therefore, each indicator is coded: for example, **1A1.A1**. This particular indicator relates to Pillar 1, Section A, Guiding Principle 1, Sub-Principle Heading A, and Potential Measure 1. The first three digits of each indicator correlate directly to the UNWG Guidance Document labels used throughout Annex III. However, in some places the UNWG Guidance Document attaches letters to Guiding Principles, “3a/3b” for example, which for coding purposes has been removed for clarity (UNWG 2016: 19-20).

⁴ The Office of the High Commissioner for Human Rights (UN Human Rights). *Business*. Accessed 21 September 2018, from: <https://www.ohchr.org/EN/Issues/Business/Pages/BusinessIndex.aspx>

⁵ UN General Assembly. (16 Oct 2012). *21st Session, HRC Resolution (A/HRC/RES/21/5)*. Accessed 21 September 2018, from: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/RES/21/5&Lang=E>

⁶ The Office of the High Commissioner for Human Rights (UN Human Rights). *Business*. Accessed 21 September 2018, from: <https://www.ohchr.org/EN/Issues/Business/Pages/BusinessIndex.aspx>

Located on page 18 of the UNWG Guidance Document is Pillar 1, followed by Section A (Foundational Principles), followed by Guiding Principle 1. Below the Guiding Principle, the UNWG begins to outline potential measures, each of which has a Sub-Principle Heading in bold atop. On this same page the first Sub-Principle Heading (under Guiding Principle 1) is **Signing and ratifying international and regional legal human rights instruments** (or 1A1.A), and the first potential measure listed, “*Signing and ratifying, where they have not done so, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights and the corresponding protocols*”⁷ would be **1A1.A1**. Sub-Principle Headings are an important aspect of data-set, they guide the evaluation of the text. Results are based on whether NAPs contain potential measures/text related to the “Potential Measure” provided in the UNWG, but specifically under the umbrella of the Sub-Principle Heading indicated.

Each NAP is examined for the presence of each indicator, if said indicator is present in the plan then it is evaluated to extract further data points. To better understand trends, and patterns each indicator is evaluated by four categories:

CATEGORY	DESCRIPTION / CRITERIA
Present in Plan (P.i.P.)	Is the indicator (based on the potential measures from the UNWG document) present in the plan?
Relevant Government Entity (R.G.E.)	Is the relevant government/organization/body in charge of carrying out the potential measure clearly identified in relation to the indicator?
Actionable Item (A.I.)	Is there a new actionable item mentioned in relation to the indicator?
Follow-Up (F.U.)	Is there a clear follow-up present in relation to the indicator and potential measure?

Each category will be assigned a *Yes* or *No* result based on whether or not the indicator meets the criteria (with the first category also having a *Partial* option). A ‘Yes’ will be numerically valued at 1, a ‘*Partial*’ at 0.5, and a ‘No’ at 0. To be considered as “present in the plan” the potential measure needs to be mentioned in the NAP, that’s to say, if the potential measure proposed by the UNWG is “Signing and ratifying the relevant ILO conventions, in particular the eight core conventions identified by the ILO’s governing body”⁸ then the ILO conventions need to be clearly mentioned. Some potential measures do not mention specific conventions, but instead mention specific topics. All potential measures must be mentioned (in relation to the Sub-Principle Heading) without a doubt in the plan to be

⁷ UNWG Guidance Document (2016), p. 18.

⁸ Id. at 18.

considered present. If multiple charters/conventions/organizations are mentioned in the potential measure of the UNWG Guidance Document, the NAP must list at least one of the above mentioned entities to be considered present. A *Partial* score may be given when a topic or potential measure is referenced, but does not quite encompass the entirety of the potential measure in relation to the Sub-Principle Header.

For example:

1A1.B1 corresponds to “*Adopting the ILO Tripartite Declaration and expressing commitment to the Declaration on Fundamental Principles at Work.*” Finland would receive a ‘Yes’ in the ‘Present in Plan’ category because in their plan they include the following text, “Finland supports and more strategically uses the systems and work previously carried out in ILO and shall be involved in their further development”⁹ (Finland 2014: 16). Additionally, Finland clearly mentions the government entity responsible, though there is no *new actionable item*, nor is there a clear follow-up present.

For the purposes of this analysis *new actionable item* is defined as the implementation or formation of something that did not previously exist (at the time the NAP was written). That is to say, text that reads “we will continue to...” or of the like is not considered to be a *new actionable item* outlined in the NAP. It may also be the formation of a new committee, new annual report, new legislation, etc. Such as, a *clear follow-up* is defined by an outline of future action in the text, or by the establishment of time-sensitive requirements. For example, annual reports/meetings/measurements would be an example of a clear follow-up. Whereas, “Like all States *we need to continually re-assess* whether the current mix is right, what gaps there might be and what improvements we can make” (U.K. 2016: 6) does not constitute a clear follow-up. Only the mention of specific dates, or time constraints are considered a *clear follow-up*.

To summarize, each NAP will be studied for the presence of these indicators and categorically valued based on the text present in the plan. The numerical data drawn from the content of the plans will be used to establish trends, patterns, and assist in creating a better visual understanding of the content of the NAPs studied. The NAPs are evaluated strictly based on the text present in the plan, not external links, common knowledge and/or other factors. Through this methodology 220 indicators were identified¹⁰, all of which are included in the annex.

⁹ Finland Ministry of Employment and the Economy of Competitiveness (2014)

¹⁰ See Annex

1.3 LIMITATIONS

There are inherent limitations, though minute, that exist by basing this analysis on the UNWG Guidance Document. As the UNWG states when referring to Annex III, it “provides a non-exhaustive list of measures to be considered when formulating a NAP” (UNWG 2016: 2). This analysis is therefore limited to study each NAP based upon the list of potential measures outlined by the UNWG. Additionally, the UNWG does not outline potential measures specifically in regards to Pillar II, and therefore although some indicators may be interconnected they are only assigned to relate to Pillars I and III (per Annex III, UNWG Guidance Document).

Three potential measures outlined by the UNWG have not been included in the indicators list, due to redundancy¹¹. The first can be found under Pillar I, Section B, Guiding Principle 3, Sub-Principle Header B, **Improving enforcement of existing laws**, with the following potential measure, *Improving access to judicial remedy (see Guiding Principles 25-26)* (UNWG 2016: 20). The second potential measure, under Pillar I, Section B, Guiding Principle 3, Sub-Principle Header C, **Addressing gaps in the legal framework**, with the following potential measure, *Introducing human rights due diligence requirements to procurement law (see Guiding Principle 6)* (UNWG 2016: 21). The third can be found under Pillar III, Section B, Guiding Principle 27, Sub-Principle Header A, **Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms**, with the following potential measure, *Ensuring that the mechanisms meet the criteria identified in Guiding Principle 31*. No other potential measures were forgone.

To date, there are twenty plans published, eighteen of which are included in this study¹². The plans included are written in either English or Spanish, or have versions that have been officially translated into these two languages¹³.

Across said plans, each state has determined the layout, organization, and structure of the document in various ways. Some NAPs follow the same structure as the UNWG document; with measures and information laid out in a consecutive manner, Pillar I, II, and III. Such organization has facilitated a clearer intention and consistency of the content included, more specifically which Pillar, or sub-section the state is addressing. The NAPs that do not follow such structure have required a process of interpretation to measure and classify the content in order to complete this comparative analysis.

¹¹ These redundancies may exist due to a dependent relation between said redundancies, but have been removed to limit repetition.

¹² See footnote 4.

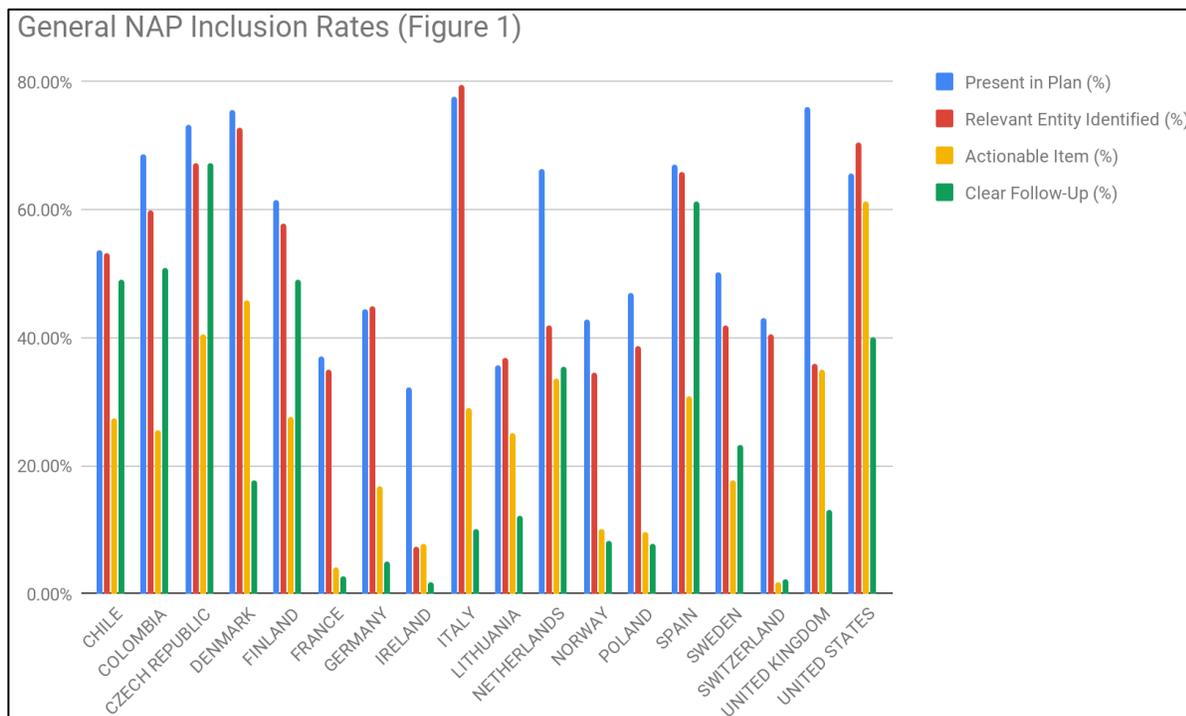
¹³ For example, the Belgium plan though published, is currently only available in French and therefore has not been included. Additionally Georgia has technically published a NAP, though it forms part of a greater Human Rights Plan document and since it is not a stand-alone plan it has not been included.

The objective of this study is not to use qualitative methods to analyze quality of content within plans; therefore each indicator has equal value. Therefore, this study is limited to identifying trends in overall inclusion of potential measures, in addition to whether or not actionable items or follow-ups are present.

2. RESULTS AND DISCUSSION

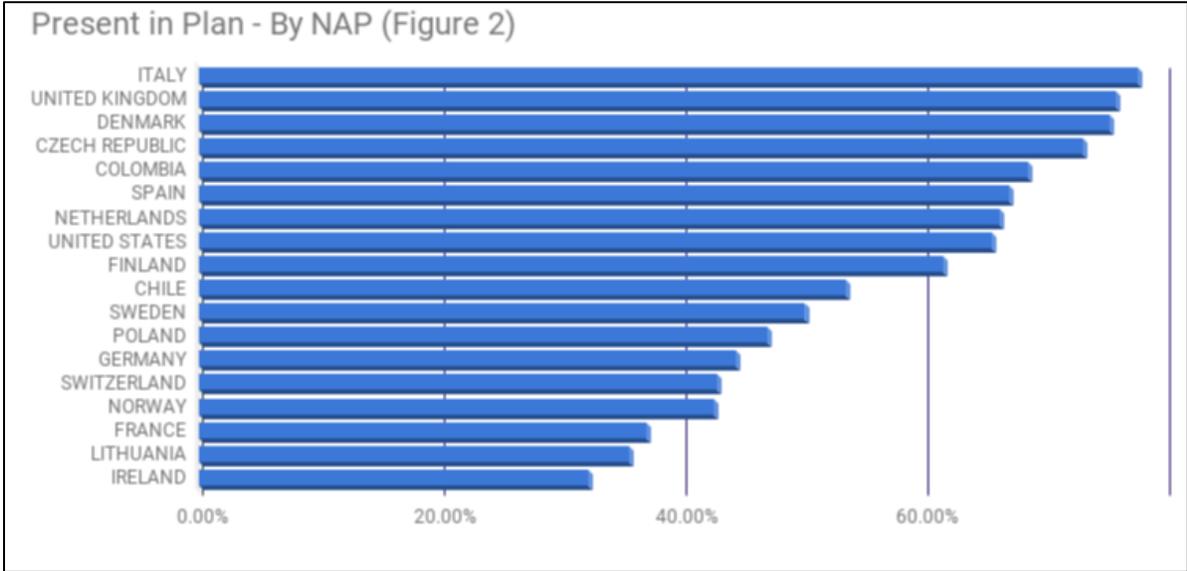
From eighteen NAPs over fifteen thousand seven-hundred data points have been collected in order to establish general trends, and draw conclusions based on the data presented. The data is aggregated in a variety of ways to visualize and better understand it; for example by separating the data by NAP, by indicator, by Guiding Principle, or by category (Present in Plan/Relevant Government Entity/Actionable Item/Follow-Up).

Figure 1 gives a general snapshot of the data, demonstrating a visualization of overall inclusion rates of each NAP by category¹⁴ *Present in Plan* inclusion rates vary from roughly 20% up to as high as roughly 60%, whereas *Actionable Items* and *Clear Follow-Up* show lower inclusion rates.

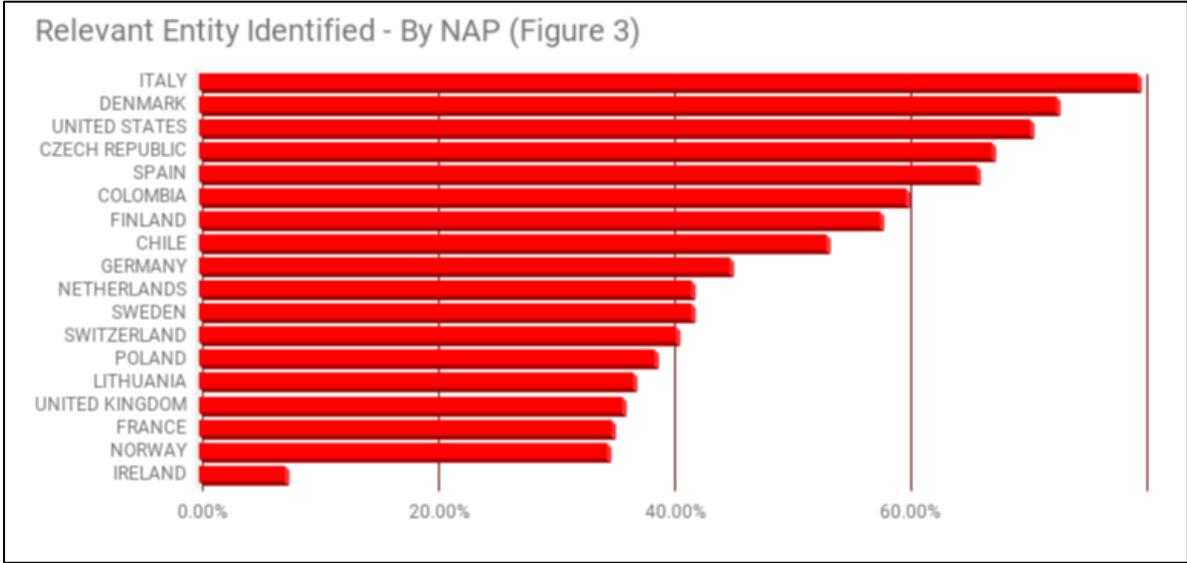


¹⁴ X-axis is arranged alphabetically.

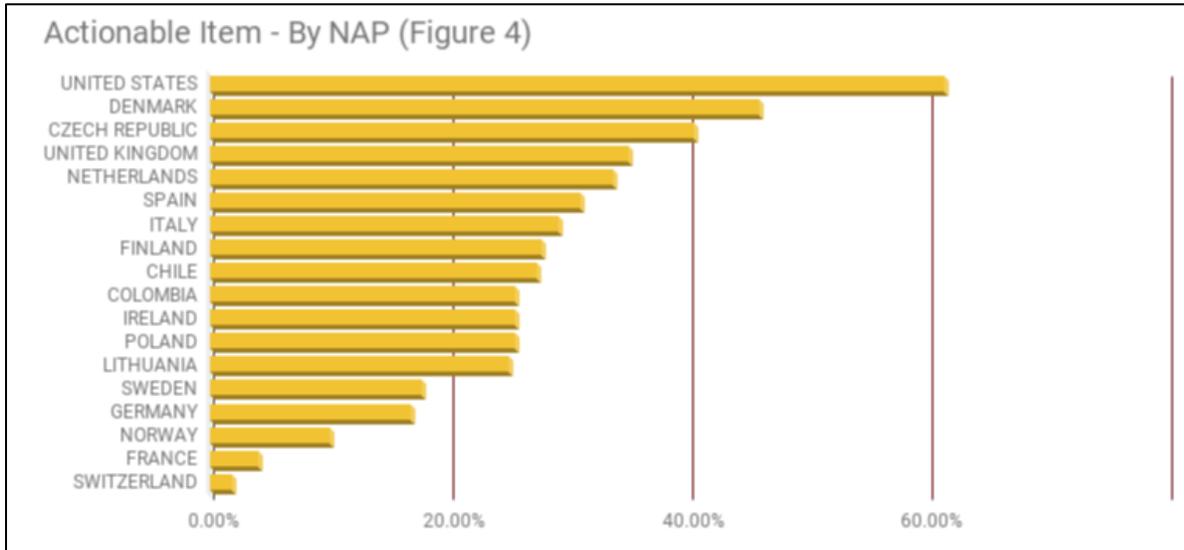
As far as inclusion of indicators *present in plan* is concerned, the Italian NAP ranks the highest, including almost 78% of the indicators (Figure 2).



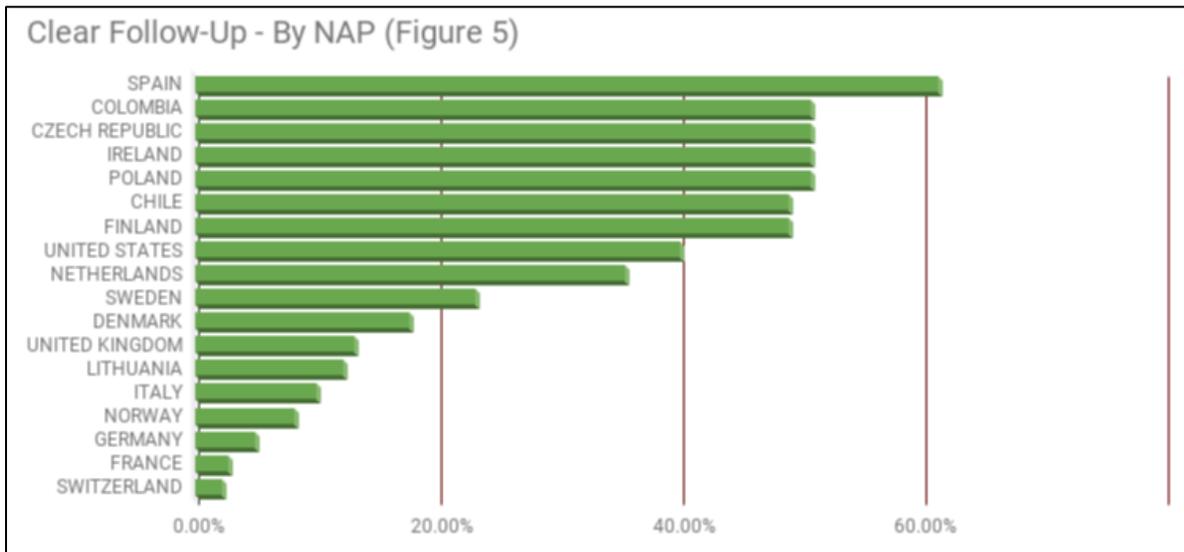
Mentioning the relevant entity was lead by Italy as well, with 79.5%, followed by Denmark at 72.7% (Figure 3).



As mentioned, indicators included that outlined *actionable items* weren't as strong, with the NAP from the United States leading at 61%, followed by Denmark at 46%, and the Czech Republic at 40.5% (Figure 4).

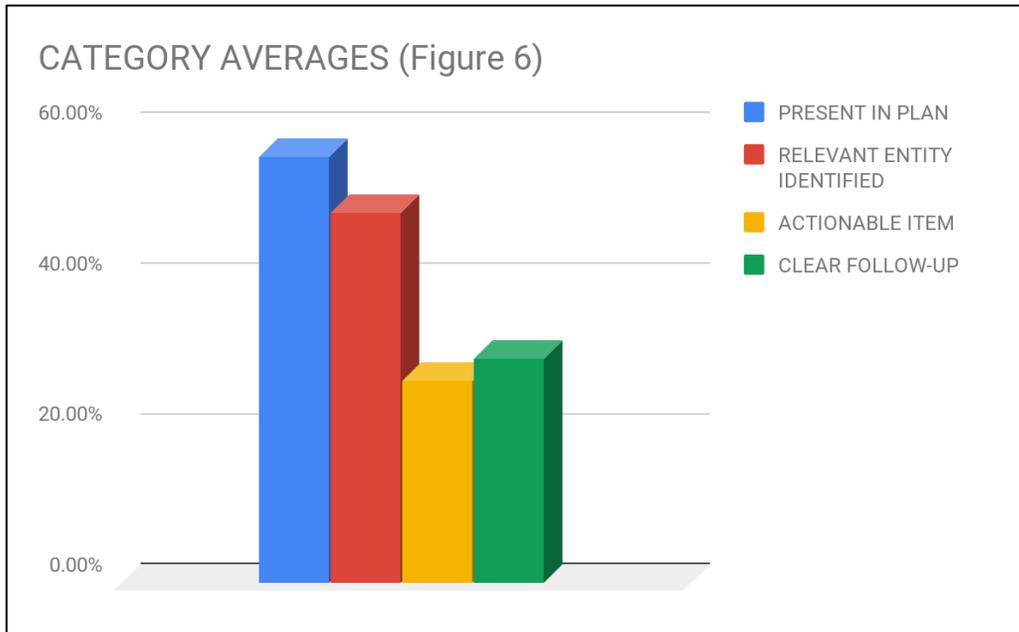


Finally, *clear follow-up* was lead by Czech Republic with 67.3%, Spain, with 61.4%, followed by three NAPs that had about 50%; Colombia with 51%, Chile and Finland both with 49% (Figure 5).



By sorting the data by category, and taking the average percentage of each category we see this same information supported. *Actionable Items* is the category with the lowest overall average among the four categories.

As shown in Figure 6, overall trends support general consensus by academics in this field, taking action, and monitoring these actions are the areas in which there is much room for improvement. Only 25% of indicators across the studied NAPs included *actionable items*, and 25% having a clear *follow-up* outlined. These numbers are fairly low considering that almost 57% of the indicators were *present in the plans*, and of those 49% clearly identified the *relevant entity*.¹⁵



Sorting the data by indicator by *most included* and *least included*, across each category the analysis presents an interesting perspective into identifying patterns. The following tables (Table 1 and Table 2) show the five most/least included indicators -sometimes more if there is a tie- along with a description and the inclusion rate.

¹⁵ Percentages indicate overall number of included indicators included in each NAP (per category) divided by the total number of indicators possible in each category.

TABLE 1: Present In Plan - Most Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1A1.B3	Signing and/or adhering to soft law instruments / Adhering to the OECD Guidelines for Multinational Enterprises (also non-OECD member States).	100%
1B3.G1	Providing information and support services to companies / Developing training on human rights due diligence for corporations in collaboration with established business fora such as employer associations, sector-specific business associations, or the UN Global Compact networks.	97.22%
1A2.A1	Implementing measures with extraterritorial implications / Ensuring that measures outlined in the NAP take full advantage of the leverage home states have in order to effectively prevent, address, and redress extraterritorial impacts of corporations domiciled in their territory and/or jurisdiction.	97.22%
1B3.F1	Developing guidance material and tools on the implementation of pillar II / Developing practical sector-specific guidance documents where a need is identified (e.g. on financial institutions or resource extraction and trade).	94.44%
1B8.C2	Ensuring coherence of government measures / Clarifying what the government expects companies to do (see Guiding Principle 2) and use this understanding as the basis of all measures.	94.44%
1A1.A4	Signing and ratifying international and regional legal human rights instruments / Signing and ratifying the relevant regional human rights instruments such as the African Charter on Human and Peoples' Rights, the American Convention on Human Rights, or the European Convention for the Protection of Human Rights and Fundamental Freedoms, and any corresponding protocols.	94.44%

TABLE 2: Present In Plan - Least Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
3A25.B7	Protecting human rights defenders / Enacting anti-SLAPP legislation to ensure that human rights defenders are not subjected to civil liability for their activities.	5.56%
1B6.B2	Fostering the introduction of human rights conditionality in public procurement agencies at sub-state levels / Pooling procurements with high human rights risks at the national level.	5.56%
3B26.C3	Strengthening independent judicial systems / Introducing due process to the selection of senior judicial officers in order to limit political interference.	11.11%
3A25.B8	Protecting human rights defenders / Offering, where necessary, political asylum to threatened individuals.	11.11%
3B30.A2	Supporting the development of grievance mechanisms by multi-stakeholder initiatives / Enforcing adequate consequences for business enterprises which have been found to have breached commitments, such as fines or by limiting access to State services.	11.11%

For the remaining three categories, *relevant government entity*, *actionable item*, and *clear follow-up*, the three most and least included indicators can be found in the following tables (more indicators included if a tie exists).

TABLE 3: Relevant Government Entity - Most Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1B3.E1	Making business enterprises aware of State's expectations / Communicating the State's expectations regarding business respect for human rights in exchanges with businesses in a clear and consistent manner.	88.89%
1B8.A1	Conducting internal training and capacity building on the UNGPs and the NAP / Developing guidance and training material on the UNGPs and the NAP for all government staff.	88.89%
1B10.A1	Advancing the business and human rights agenda in multilateral institutions / Promoting the effective implementation of the UNGPs through the mandate and activities of the UN Human Rights Council.	88.89%

TABLE 4: Relevant Government Entity - Least Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
3A25.B8	Protecting human rights defenders / Offering, where necessary, political asylum to threatened individuals.	0%
3B27.A5	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms / Ensuring that business enterprises which, in the course of non-judicial grievance mechanisms have been found to have abused human rights, implement remedial action and face adequate consequences, including through administrative penalties such as fines or the limitation of access to State services (see also Guiding Principles 4 and 5).	0%

TABLE 5: Actionable Item - Most Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1B8.A1	Conducting internal training and capacity building on the UNGPs and the NAP / Developing guidance and training material on the UNGPs and the NAP for all government staff.	77.78%
1B3.F1	Developing guidance material and tools on the implementation of pillar II / Developing practical sector-specific guidance documents where a need is identified (e.g. on financial institutions or resource extraction and trade).	61.11%
1B3.F2	Developing guidance material and tools on the implementation of pillar II / Developing practical issue-specific guidance documents where a need is identified (e.g. on resettlement, community engagement and consent, working in conflict-affected areas, supply chains, or the corporate role in respecting the right to health).	61.11%
1B3.F5	Developing guidance material and tools on the implementation of pillar II / Developing practical guidance which responds to the needs and requirements of small and medium-sized enterprises (SMEs).	61.11%
1B3.G2	Providing information and support services to companies / Providing targeted training to small and medium sized enterprises (SMEs).	61.11%
1B3.G7	Providing information and support services to companies / Creating a focal point which can provide information and advice on business and human rights issues.	61.11%
1B3.H1	Fostering exchange and lessons sharing among and within stakeholder groups / Supporting and potentially leading multi-stakeholder platforms for exchange on business and human rights, for instance on particular sectors or issues of high risks.	61.11%

TABLE 6: Actionable Item - Least Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1A1.A1	Signing and ratifying international and regional legal human rights instruments / Signing and ratifying, where they have not done so, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights and the corresponding protocols.	0%
1B3.L4	Ensuring transparency of payments to and from governments / Ensuring the verification of information by arranging an independent audit of the reports, and issuing sanctions where inaccurate and/or incomplete information is provided.	0%
1B5.B4	Ensuring respect for human rights when contracting with private security providers / Enacting legislation excluding contracting with PSMCs which are not party to the ICoC and/or ICoCA.	0%

TABLE 7: Clear Follow-Up - Most Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1B3.G1	Providing information and support services to companies / Developing training on human rights due diligence for corporations in collaboration with established business fora such as employer associations, sector-specific business associations, or the UN Global Compact networks.	72.22%
1B8.A1	Conducting internal training and capacity building on the UNGPs and the NAP / Developing guidance and training material on the UNGPs and the NAP for all government staff.	61.11%
1B3.F1	Developing guidance material and tools on the implementation of pillar II / Developing practical sector-specific guidance documents where a need is identified (e.g. on financial institutions or resource extraction and trade).	55.56%
1B3.F2	Developing guidance material and tools on the implementation of pillar II / Developing practical issue-specific guidance documents where a need is identified (e.g. on resettlement, community engagement and consent, working in conflict-affected areas, supply chains, or the corporate role in respecting the right to health).	55.56%
1B3.H1	Fostering exchange and lessons sharing among and within stakeholder groups / Supporting and potentially leading multi-stakeholder platforms for exchange on business and human rights, for instance on particular sectors or issues of high risks.	55.56%

TABLE 8: Clear Follow-Up - Least Included Indicators

INDICATOR	DESCRIPTION (SUB-PRINCIPLE HEADING / POTENTIAL MEASURE)	INCLUSION RATE
1B3.L2	Ensuring transparency of payments to and from governments / Requiring corporations to disclose the amounts paid to, and received from, companies on the level of projects.	0%
1B3.L4	Ensuring transparency of payments to and from governments / Ensuring the verification of information by arranging an independent audit of the reports, and issuing sanctions where inaccurate and/or incomplete information is provided.	0%
3B26.C2	Strengthening independent judicial systems / Ensuring that the judiciary has the ability to decide without any restrictions, improper influences or pressures, whether an issue submitted to it for decision is within its competence as defined by law.	0%
3B26.C3	Strengthening independent judicial systems / Introducing due process to the selection of senior judicial officers in order to limit political interference.	0%
3B27.A5	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms / Ensuring that business enterprises which, in the course of non-judicial grievance mechanisms have been found to have abused human rights, implement remedial action and face adequate consequences, including through administrative penalties such as fines or the limitation of access to State services (see also Guiding Principles 4 and 5).	0%
3B27.B5	Creating new non-judicial state-based grievance mechanisms / Creating remedy mechanisms for complaints related to projects supported by international finance institutions and consider referring to the mechanism of the International Finance Corporation's Compliance Advisor Ombudsman (CAO).	0%
3B30.A2	Supporting the development of grievance mechanisms by multi-stakeholder initiatives / Enforcing adequate consequences for business enterprises which have been found to have breached commitments, such as fines or by limiting access to State services.	0%

It is not only important to look at the data by indicator, but also to highlight the data points by *Guiding Principle*. The following are the Guiding Principles with the most and least percentage in each respective category.

TABLE 9: Guiding Principle - Most Included (based on *present in plan* category)

GP	DESCRIPTION	INCLUSION RATE
2	States should set out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations.	91.67%
1	States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.	86.94%
31	Industry, multi-stakeholder and other collaborative initiatives that are based on respect for human rights-related standards should ensure that effective grievance mechanisms are available. In order to ensure their effectiveness, non- judicial grievance mechanisms, both State- based and non-State-based, should be: Legitimate, Accessible, Predictable, Equitable, Transparent... etc. ¹⁶	75%

TABLE 10: Guiding Principle - Least Included (based on *present in plan* category)

GP	DESCRIPTION	INCLUSION RATE
25	As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.	24.44%
30	Industry, multi-stakeholder and other collaborative initiatives that are based on respect for human rights-related standards should ensure that effective grievance mechanisms are available.	31.94%
7	Because the risk of gross human rights abuses is heightened in conflict-affected areas, States should help ensure that business enterprises operating in those contexts are not involved with such abuses, including by: Engaging, Providing, Denying, Ensuring ... etc. ¹⁷	44.84%

¹⁶ For more detail please refer to UNWG Guiding Document (2016), pp. 35-36.

¹⁷ For more detail please refer to UNWG Guiding Document (2016), p. 26.

TABLE 11: Guiding Principle - Most Included (based on *actionable item* category)

GP	DESCRIPTION	INCLUSION RATE
31	Industry, multi-stakeholder and other collaborative initiatives that are based on respect for human rights-related standards should ensure that effective grievance mechanisms are available. In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be: Legitimate, Accessible, Predictable, Equitable, Transparent... etc. ¹⁸	52.78%
8	States should ensure that governmental departments, agencies and other State-based institutions that shape business practices are aware of and observe the State's human rights obligations when fulfilling their respective mandates, including by providing them with relevant information, training and support.	40.28%
2	States should set out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations.	38.89%

TABLE 12: Guiding Principle - Least Included (based on *actionable item* category)

GP	DESCRIPTION	INCLUSION RATE
25	As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.	10.56%
30	Industry, multi-stakeholder and other collaborative initiatives that are based on respect for human rights-related standards should ensure that effective grievance mechanisms are available.	11.11%
1	States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.	13.33%

¹⁸ For more detail please refer to UNWG Guiding Document (2016), pp. 35-36.

As mentioned before, indicators were not valued based upon efficacy, nor rated as more important or less important in the overall NAP. The following are a variety of indicators selected to spotlight positive trends, highlight gaps, and increase awareness of special topics:

INDICATOR 1B3.C11, Addressing gaps in the legal framework - *Ensuring that the national legal framework requires business enterprises to respect children's rights such as outlined in General Comment No.16 of the Committee on the Rights of the Child.*

This indicator was included in just 61% of NAPs: 50% identifying the relevant entity, 16.7% outlining actionable items, and 27.8% with clear follow-ups. These data speak to a few issues: the lack of inclusion being forefront, but also a clear lack of actionable items. Lack of inclusion of this indicator in some of the NAPs was surprising, seeing as they do indeed have protections in their national legal framework, but did not include such language or reference. For example, the relevant protections for children were absent in the United Kingdom NAP, though this does not mean the national framework does not exist. But, it is unknown why it has not been included.

INDICATOR 1B3.G9, Providing information and support services to companies - *Encouraging education on business and human rights issues amongst current and future business community members through undergraduate, postgraduate, and executive education courses.*

This indicator was included in just 33.3% of NAPs, 33.3% identifying the relevant entity, 22.2% outlining actionable items, and 27.8% with clear follow-ups. This indicator was less prominent than anticipated. Regardless of the varying levels of relationship and autonomy between the state and academia, the state should recognize the ability teaching future leaders has to make a positive impact.

INDICATOR 1B7.A4, Providing conflict-specific guidance and advice to companies - *Developing guidance on how to deal with the risk of sexual and gender-based violence and advising business enterprises about this.*

This indicator was included in just 33.3% of NAPs, 33.3% identifying the relevant entity, 5.6% outlining actionable items, and 27.8% with clear follow-ups. Without a doubt a sensitive subject, but an area in which all states should have a stake. These numbers are discouraging, and this is definitely an area in which future NAPs could improve.

INDICATOR 3A25.A2, Promoting the generation and dissemination of knowledge on adverse business-related human rights impacts - *Supporting the collection of gender-disaggregated data in order to identify ways in which a business enterprise may have differential, disproportionate, or unforeseen gender-related impacts.*

This indicator was included in just 25% of NAPs, 22.2% identifying the relevant entity, 16.7% outlining actionable items, and 5.6% with clear follow-ups. Another indicator with less than ideal representation across NAPs.

PROTECTING HUMAN RIGHTS DEFENDERS (INDICATOR 3A25.B1-8)

As shown by the data in Table 13 below, the overall performance of NAPs in relation to Human Rights Defenders is lacking. Not a single data point is above 31%, and only a few surpass the 20% mark. These numbers show an irrefutable lack of commitment by states to include this subject in their NAPs. This trend across NAPs shows an area for which improvement is needed.

TABLE 13

INDICATOR	P.i.P. ¹⁹	R.G.E. ²⁰	A.I. ²¹	F.U. ²²
3A25.B1	22.22%	16.67%	11.11%	11.11%
3A25.B2	30.56%	27.78%	5.56%	11.11%
3A25.B3	22.22%	16.67%	0.00%	11.11%
3A25.B4	13.89%	11.11%	5.56%	5.56%
3A25.B5	25.00%	16.67%	5.56%	5.56%
3A25.B6	27.78%	16.67%	5.56%	11.11%
3A25.B7	8.33%	11.11%	5.56%	5.56%
3A25.B8	8.33%	5.56%	0.00%	5.56%

¹⁹ *Present in Plan*

²⁰ *Relevant Government Entity Identified*

²¹ *Actionable Item*

²² *Clear Follow-Up*

INDICATOR 3B26.B2, Promoting accessibility of national and international remediation mechanisms – *Ensuring that judicial and non-judicial grievance mechanisms respond to the specific needs of victims of sexual abuse and harassment, including by making sure that processes are handled by professional staff and by ensuring anonymity of victims.*

This indicator was included in just 22.2% of NAPs, 27.8% identifying the relevant entity, 5.6% outlining actionable items, and 5.6% with clear follow-ups. By far one of the most talked about issues as of late, the trend seen across NAPs shows that this subject has been neglected, and leaves much room for improvement.

INDICATOR 1B8.A1, Conducting internal training and capacity building on the UNGPs and the NAP – *Developing guidance and training material on the UNGPs and the NAP for all government staff.*

This indicator was included in 86% of NAPs, 88.9% identifying the relevant entity, 77.8% outlining actionable items, and 61% with clear follow-ups. This indicator had the highest level of actionable items across the NAPs. Showing a positive trend in taking additional steps to expand the overall reach of the NAP, as well as creating additional guidance or training.

INDICATOR 3B26.D4, Reducing barriers to access to remedy – *Carrying out a review (or series of reviews) to identify ways of diversifying sources of litigation funding for litigants in private law claims, and reducing the costs to claimants seeking to make use of State-based judicial mechanisms.*

This indicator was included in 27.8% of NAPs, 22.2% identifying the relevant entity, 5.6% outlining actionable items, and 11.1% with clear follow-ups. A negative trend is shown across NAPs, if this was improved upon a clear positive impact to access to remedy would be seen.

INDICATOR 3B27.A5, Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms – *Ensuring that business enterprises which, in the course of non-judicial grievance mechanisms have been found to have abused human rights, implement remedial action and face adequate consequences, including through administrative penalties such as fines or the limitation of access to State services (see also Guiding Principles 4 and 5).*

This indicator was included in 19.4% of NAPs, 5.6% identifying the relevant entity, 0% outlining actionable items, and 0% with clear follow-ups. Another delicate subject, but this negative trend across NAPs shows massive potential for improvement.

3. CONCLUSIONS

Each and every one of the indicators could be broken down like they have been in the section above. The indicators can be grouped, and ungrouped, categorized and uncategorized. But, what do these overall trends in the data collected demonstrate? What can be learned, and how can improvements be made? What conclusions does the above data reveal?

- » Recognition of overall broad reaching human rights in international governance is recognized, included, and for the most part accepted as a shared ideal. But the trends show large steps still need to be taken to move from recognition to action and from action to monitoring, evaluating, and adjusting.
- » The data collected on each of the 220 indicators tells part of a story, but there are also influences of these indicators that were not able to be valued, or included in this analysis.
- » The importance of inclusion is fundamental. Absence itself is a trend that cannot be continued as it leaves subjects unclear.
- » The importance of actionable items is paramount, and goes hand in hand with the final aspect, the importance of follow-up. The commitments outlined in the NAPs run the risk of falling flat unless there are clear parameters for monitoring implementation.
- » The responsibility of a NAPs' success is ultimately on the state, but the entire international business and human rights community has a stake in this project.
- » The UNWG has played an important role in providing guidance materials, but there too exists room for improvement. Some potential measures listed are vague, and some are repeated. Ideally with more cooperation and analysis across organizations better guidance can lead to more effective NAPs.

The trends are clear, progress has undoubtedly been made, but the number of areas in where improvement can be made is innumerable. However, trends do not tell the entire story, nor should they be used as the only source of data, but they should be used as a complementary tool in understanding overall trends and helping to improve future ones. For example, states that do not use private security providers may not have mentioned these indicators in their NAP. Therefore the overall trends could be skewed, as absence from a NAP does have a negative effect on the data. Certain NAPs may not have referenced the Rome Statute even though they have indeed ratified, this too has a negative effect on the final analysis.

These limitations themselves speak to overall trends. Some states may be more advanced in specific realms of business and human rights, in the types of laws and programs they already have established. Though, the absence of certain subjects cannot be overlooked. At the end of the day each NAP needs to serve the state first and foremost, and therefore a lack of identifying the relevant government entity may not be as necessary because their system already has high levels of accountability or perhaps the responsible entities are clearly defined elsewhere. The Netherlands NAP, for example, often does not clearly mention the relevant entity responsible for each indicator. This may not serve as an issue within national understanding of the NAP, but it presents an issue in terms of international understanding and accountability. This leads to the importance of each category by which the NAPs were valued.

The importance of inclusion is fundamental. Absent indicators lead to gaps in data, or a general lack of information regarding that indicator. The importance of identifying relevant entities is also an important aspect, as clear ownership of each topic must be present and therefore the responsible parties can be held accountable.

The importance of actionable items is paramount, for that is the primary purpose of these plans. Action goes hand in hand with the final aspect, the importance of follow-up. The commitments outlined in the NAPs run the risk of falling flat unless there are clear parameters for monitoring implementation. As such, the measures laid out in the NAPs must be outlined side-by-side with an explicit articulation of who will be expected to deliver said measures and when. Solely planning to improve in a certain sector is one thing, but providing a clear time frame for execution is vital.

Length of a NAP also has a direct correlation to the data collected, though it has not been studied quantitatively. For example, Italy's NAP is one of the longest, clearly providing more information and subjects from which to assign to the indicators. In contrast, the Irish NAP is one of the shortest, and overall NAP inclusion rates reflect this.

The responsibility of a NAPs' success is ultimately on the state, but the entire international business and human rights community has a stake in this project. From these trends, these data, these NAPs, there is hope, there is action, and there are clear improvements. But, in terms of clear applied purpose, with clear follow-up processes, there is a great need for betterment. NAPs should present their current protections, identify gaps, outline specific actions, and set a time frame by which said action will be taken, or at the very least will be addressed.

The UNWG has played an important role in providing guidance materials, but there too exists room for improvement. Some potential measures listed are vague, and some are repeated. Ideally with more cooperation and analysis across organizations better guidance can lead to more effective NAPs. Is it not a common goal to improve the overall global approach to business and human rights? Shouldn't stakeholders across various spectrums work together to create documents that address these issues in the most direct, clear, and effective ways?

The trends mentioned above regarding gender, and sexual assault should be cause for action. Were enough women involved in the authoring of these NAPs? What more can be done to improve the presence of gender-perspectives? Additionally the lack of inclusion of human rights defenders in NAPs is concerning, for states have the duty to protect from the top down -- for those who are fighting this battle from the ground up. It is necessary for NAPs to improve the “how”, to include actionable items with clear timelines, structural monitoring, and a vision consistent with its principles. NAPs should be developed in close consultation with human rights defenders and include concrete measures and commitments to protect and support their work.

By no means are the answers easy, and progress must not be taken for granted. There is much to be done, and there is no shortage of areas in which improvement and progress can continue to be made.

REFERENCES

Chile

<https://www.business-humanrights.org/es/chile-canciller%3%ADa-presenta-el-plan-de-acci%C3%B3n-nacional-de-derechos-humanos-y-empresas>

Colombia

http://www.ohchr.org/Documents/Issues/Business/NationalPlans/PNA_Colombia_9dic.pdf

Denmark

http://www.ohchr.org/Documents/Issues/Business/NationalPlans/Denmark_NationalPlanBHR.pdf

Finland

<https://tem.fi/en/enterprises-and-human-rights>

France

<https://www.diplomatie.gouv.fr/en/french-foreign-policy/human-rights/business-and-human-rights/article/the-national-plan-for-the-implementation-of-the-united-nations-guiding>

Germany

<http://www.auswaertiges-amt.de/cae/servlet/contentblob/754770/publicationFile/230425/161221-NAP-DL.pdf>

Italy

<http://business-humanrights.org/media/documents/foundations-ungps-nap-italy.pdf>

Lithuania

http://www.ohchr.org/Documents/Issues/Business/NationalPlans/Lithuania_NationalPlanBHR.pdf

Netherlands

<http://business-humanrights.org/sites/default/files/documents/netherlands-nhri-national-action-plan.pdf>

Norway

https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/mr/business_hr_b.pdf

Spain

<http://www.exteriores.gob.es/Portal/es/SalaDePrensa/ElMinisterioInforma/Documentos/170714%20PAN%20Empresas%20y%20Derechos%20Humanos.pdf>

Sweden

<http://www.government.se/4a84f5/contentassets/822dc47952124734b60daf1865e39343/action-plan-for-business-and-human-rights.pdf>

Switzerland

<https://www.business-humanrights.org/sites/default/files/documents/Report%20on%20Swiss%20strategy%20for%20implementation%20of%20UNGPs.pdf>

United Kingdom (2013)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236901/BHR_Action_Plan_-_final_online_version_1_.pdf

United Kingdom (2016)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522805/Good_Business_Implementing_the_UN_Guiding_Principles_on_Business_and_Human_Rights_updated_May_2016.pdf

United States

<https://www.state.gov/documents/organization/265918.pdf>

United Nations (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. OHCHR, 1–35. Available at www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

ANNEX

P	SEC	GP	SPH	PM	SUB-PRINCIPLE HEADINGS	POTENTIAL MEASURES
1	A	1	A	1	Signing and ratifying international and regional legal human rights instruments	Signing and ratifying, where they have not done so, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights and the corresponding protocols.
1	A	1	A	2	Signing and ratifying international and regional legal human rights instruments	Signing and ratifying other legal human rights instruments such as the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention Against Torture (CAT), the Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW), the International Convention for the Protection of all Persons from Enforced Disappearance (CPED), the Convention on the Rights of Persons with Disabilities (CPRD).
1	A	1	A	3	Signing and ratifying international and regional legal human rights instruments	Signing and ratifying the relevant ILO conventions, in particular the eight core conventions identified by the ILO's governing body.
1	A	1	A	4	Signing and ratifying international and regional legal human rights instruments	Signing and ratifying the relevant regional human rights instruments such as the African Charter on Human and Peoples' Rights, the American Convention on Human Rights, or the European Convention for the Protection of Human Rights and Fundamental Freedoms, and any corresponding protocols.
1	A	1	B	1	Signing and/or adhering to soft law instruments	Adopting the ILO Tripartite Declaration and expressing commitment to the Declaration on Fundamental Principles at Work.
1	A	1	B	2	Signing and/or adhering to soft law instruments	Adopting relevant regional soft law instruments such as the American Declaration of the Rights and Duties of Man and the ASEAN Human Rights Declaration.
1	A	1	B	3	Signing and/or adhering to soft law instruments	Adhering to the OECD Guidelines for Multinational Enterprises (also non-OECD member States).
1	A	1	C	1	Ensuring equal and non-discriminate protection of all individuals	Signing and ratifying all relevant international and regional human rights instruments geared towards the protection of vulnerable and/or marginalized groups, including relevant international labour conventions.
1	A	1	C	2	Ensuring equal and non-discriminate protection of all individuals	Taking additional and tailored measures to ensure the protection of particularly vulnerable groups (see detailed measures under the respective Guiding Principles).
1	A	1	C	3	Ensuring equal and non-discriminate protection of all individuals	Reporting to the various committees of the UN and regional organizations on the measures taken to ensure equality and non-discrimination.
1	A	2	A	1	Implementing measures with extraterritorial implications	Ensuring that measures outlined in the NAP take full advantage of the leverage home states have in order to effectively prevent, address, and redress extraterritorial impacts of corporations domiciled in their territory and/or jurisdiction (specific measures can be found under each of the Guiding Principles discussed in the UNWG NAP Guidance document, in the Annex).

1	B	3	A	1	Identifying protection gaps	Conducting, where this has not yet been done in the development of the first version of the NAP, an in-depth examination of existing business and human rights policies and legislation with regards to their effectiveness in meeting business and human rights challenges.
1	B	3	A	2	Identifying protection gaps	Refreshing the gap analysis as part of the NAP update process.
1	B	3	B	1	Improving enforcement of existing laws	Allocating adequate resources to, and building capacity of, administrative branches in charge of enforcing relevant legal frameworks.
1	B	3	B	2	Improving enforcement of existing laws	Taking measures to combat corruption linked to Government entities in charge of ensuring the implementation of relevant laws.
1	B	3	B	3	Improving enforcement of existing laws	Ensuring the effectiveness of labour administration and labour inspection mechanisms to assist with the implementation of labour laws by all companies operating within the national territory, including in export processing zones.
1	B	3	B	4	Improving enforcement of existing laws	Supporting other governments in the enforcement of existing laws through development cooperation.
1	B	3	B	5	Improving enforcement of existing laws	Ensuring that multilateral or bilateral investment treaties do not limit the capacity of governments to fulfil their human rights obligations (see Guiding Principle 9).
1	B	3	B	6	Improving enforcement of existing laws	Introducing a mechanism that periodically assesses gaps in law enforcement.
1	B	3	C	1	Addressing gaps in the legal framework	Enacting labour laws and regulations to protect worker's rights and ensure social protection after tripartite consultation and in line with ILO Conventions and the case law of the ILO supervisory bodies.
1	B	3	C	2	Addressing gaps in the legal framework	Ensuring that workers' rights to health are fully protected in national legislations including by taking into account differential impacts on men and women issues such as sexual and reproductive health, family planning, gender-based violence.
1	B	3	C	3	Addressing gaps in the legal framework	Including business and human rights issues into legislation relating to the incorporation of new companies. This could include a requirement to declare a corporate commitment to respect human rights in the articles of incorporation.
1	B	3	C	4	Addressing gaps in the legal framework	Introducing human rights considerations into a company director's legal duty of care in corporate law.
1	B	3	C	5	Addressing gaps in the legal framework	Introducing listing requirements for companies to commit to their responsibility to respect human rights and/or to act with a 'lawful purpose' or 'respect for the public order'.
1	B	3	C	6	Addressing gaps in the legal framework	Enacting effective anti-bribery and anti-corruption legislation.
1	B	3	C	7	Addressing gaps in the legal framework	Introducing legal requirements regarding effective community engagement, including reference to the principle of Free Prior and Informed Consent (FPIC).
1	B	3	C	8	Addressing gaps in the legal framework	Introducing legislation preventing and addressing adverse environmental impacts, such as those which render air, soil, or water poisonous, noxious or debilitating.
1	B	3	C	9	Addressing gaps in the legal framework	Recognizing customary land rights in property and land management laws.
1	B	3	C	10	Addressing gaps in the legal framework	Introducing human rights requirements to legal provisions regulating and controlling the export of high risk goods such as munitions and surveillance technology.

1	B	3	C	11	Addressing gaps in the legal framework	Ensuring that the national legal framework requires business enterprises to respect children's rights such as outlined in General Comment No.16 of the Committee on the Rights of the Child.
1	B	3	C	12	Addressing gaps in the legal framework	Ensuring that parent companies are legally responsible for acts conducted by other members of the enterprise they control.
1	B	3	C	13	Addressing gaps in the legal framework	Ensuring that all laws in relation to business and human rights and the legal system as a whole require or encourage respect for equality and non-discrimination.
1	B	3	C	14	Addressing gaps in the legal framework	Ensuring that efforts to address development issues are rights-based.
1	B	3	D	1	Ensuring new laws do not constrain business respect for human rights	Tasking an independent institution, such as the NHRI, to assess new laws for their effect on business and human rights issues and define formal processes through which such concerns can be raised.
1	B	3	E	1	Making business enterprises aware of State's expectations	Communicating the State's expectations regarding business respect for human rights in exchanges with businesses in a clear and consistent manner.
1	B	3	E	2	Making business enterprises aware of State's expectations	Developing awareness raising and capacity building campaigns on the UNGPs, the NAP and the State's expectations in relation to business and human rights. These campaigns could be organized with employer associations, sector-specific business associations, or the UN Global Compact networks.
1	B	3	E	3	Making business enterprises aware of State's expectations	Engaging directly with business leaders to convey the Government's expectations.
1	B	3	E	4	Making business enterprises aware of State's expectations	Using the launch of the NAP as an opportunity to build capacities in the business community to promote corporate respect for human rights and publicise the Government's expectations.
1	B	3	F	1	Developing guidance material and tools on the implementation of pillar II	Developing practical sector-specific guidance documents where a need is identified (e.g. on financial institutions or resource extraction and trade).
1	B	3	F	2	Developing guidance material and tools on the implementation of pillar II	Developing practical issue-specific guidance documents where a need is identified (e.g. on resettlement, community engagement and consent, working in conflict-affected areas, supply chains, or the corporate role in respecting the right to health).
1	B	3	F	3	Developing guidance material and tools on the implementation of pillar II	Developing practical guidance on specific steps of human rights due diligence processes (e.g. on human rights impact assessments (HRIA), the definition and implementation of mitigation measures, or reporting).
1	B	3	F	4	Developing guidance material and tools on the implementation of pillar II	Developing practical guidance on the protection of population groups that may be particularly vulnerable to business-related human rights abuse, such as children (<i>a - see relevant aspects</i>), women, indigenous peoples (<i>b - see relevant aspects</i>), ethnic minorities and persons with disabilities.
1	B	3	F	5	Developing guidance material and tools on the implementation of pillar II	Developing practical guidance which responds to the needs and requirements of small and medium-sized enterprises (SMEs).
1	B	3	F	6	Developing guidance material and tools on the implementation of pillar II	Developing online-tools on implementing human rights due diligence.
1	B	3	F	7	Developing guidance material and tools on the implementation of pillar II	Translating existing instruments into languages relevant to the national context.
1	B	3	F	8	Developing guidance material and tools on the implementation of pillar II	Collaborating with other governments on the development of new or use of existing guidance materials and tools.

1	B	3	G	1	Providing information and support services to companies	Developing training on human rights due diligence for corporations in collaboration with established business fora such as employer associations, sector-specific business associations, or the UN Global Compact networks.
1	B	3	G	2	Providing information and support services to companies	Providing targeted training to small and medium sized enterprises (SMEs).
1	B	3	G	3	Providing information and support services to companies	Sensitizing and supporting enterprises in the informal sector, including by helping them to formalize.
1	B	3	G	4	Providing information and support services to companies	Providing resources to NHRIs to enable them to advise and train companies on human rights issues.
1	B	3	G	5	Providing information and support services to companies	Training and tasking embassy staff to advise corporations on business and human rights questions in the host State (see also Guiding Principle 7).
1	B	3	G	6	Providing information and support services to companies	Ensuring that advice on human rights issues is included in all export promotion activities including on trade missions.
1	B	3	G	7	Providing information and support services to companies	Creating a focal point which can provide information and advice on business and human rights issues.
1	B	3	G	8	Providing information and support services to companies	Supporting standards and initiatives that promote the corporate responsibility to respect human rights with regards to groups at risk of becoming vulnerable or marginalized, such as the Children's Rights and Business Principles.
1	B	3	G	9	Providing information and support services to companies	Encouraging education on business and human rights issues amongst current and future business community members through undergraduate, postgraduate, and executive education courses.
1	B	3	H	1	Fostering exchange and lessons sharing among and within stakeholder groups	Supporting and potentially leading multi-stakeholder platforms for exchange on business and human rights, for instance on particular sectors or issues of high risks.
1	B	3	H	2	Fostering exchange and lessons sharing among and within stakeholder groups	Strengthening social dialogue among employers and trade unions.
1	B	3	H	3	Fostering exchange and lessons sharing among and within stakeholder groups	Providing support to civil society organizations networks to pool their expertise and leverage.
1	B	3	H	4	Fostering exchange and lessons sharing among and within stakeholder groups	Providing support to business-led platforms such as the UN Global Compact Networks and the Global Compact-ILO Child Labour Platform to foster exchange and capacity building among companies.
1	B	3	I	1	Supporting multi-stakeholder initiatives	Ensuring that multi-stakeholder initiatives refer to the UNGPs and require corporations to carry out human rights due diligence processes along the lines of pillar II.
1	B	3	I	2	Supporting multi-stakeholder initiatives	Developing effective multi-stakeholder initiatives on problematic sectors or issues where no such initiative exists.
1	B	3	I	3	Supporting multi-stakeholder initiatives	Ensuring that multi-stakeholder initiatives provide for effective and independent verification of company compliance with relevant standards.
1	B	3	I	4	Supporting multi-stakeholder initiatives	Supporting the development of grievance mechanisms in multi-stakeholder initiatives (see Guiding Principle 30)

1	B	3	J	1	Encouraging corporations to report on human rights due diligence	Clarifying their expectations regarding reporting on human rights as part of the definition of general expectations of companies (see Guiding Principle 2).
1	B	3	J	2	Encouraging corporations to report on human rights due diligence	Specifying that companies are expected to include information on the human rights impacts identified, the measures taken to address them, as well as the effectiveness of those measures.
1	B	3	J	3	Encouraging corporations to report on human rights due diligence	Referring to established reporting standards such as the Global Reporting Initiative.
1	B	3	K	1	Introducing legally binding reporting requirements on non-financial issues	Establishing non-financial reporting requirements on human rights due diligence processes and the results thereof for companies domiciled in the country's territory and/or jurisdiction.
1	B	3	K	2	Introducing legally binding reporting requirements on non-financial issues	Introducing transparency requirements in host State legislation and contracts with multinational enterprises.
1	B	3	K	3	Introducing legally binding reporting requirements on non-financial issues	Including reporting requirements on human rights issues in stock exchange listing requirements.
1	B	3	K	4	Introducing legally binding reporting requirements on non-financial issues	Ensuring the verification of information by arranging an independent audit of the reports, and issuing sanctions where inaccurate and/or incomplete information is provided.
1	B	3	L	1	Ensuring transparency of payments to and from governments	Disclosing the amounts paid to and received from, companies on the level of projects.
1	B	3	L	2	Ensuring transparency of payments to and from governments	Requiring corporations to disclose the amounts paid to, and received from, companies on the level of projects.
1	B	3	L	3	Ensuring transparency of payments to and from governments	Joining and/or supporting the Extractive Industry Transparency Initiative (EITI).
1	B	3	L	4	Ensuring transparency of payments to and from governments	Ensuring the verification of information by arranging an independent audit of the reports, and issuing sanctions where inaccurate and/or incomplete information is provided.
1	B	4	A	1	Ensuring implementation of UNGPs by State-owned or controlled companies	Clarifying the commitment that business enterprises owned or controlled by the State live up to the same requirements that private companies are expected to fulfil (see Guiding Principle 2).
1	B	4	A	2	Ensuring implementation of UNGPs by State-owned or controlled companies	Ensuring that effective human rights due diligence is implemented by State-owned or controlled companies.
1	B	4	A	3	Ensuring implementation of UNGPs by State-owned or controlled companies	Fostering the participation of state-owned companies in relevant multi-stakeholder and multilateral initiatives such as the UN Global Compact or the Principles for Responsible Investment.
1	B	4	A	4	Ensuring implementation of UNGPs by State-owned or controlled companies	Introducing effective reporting and oversight procedures to ensure respect for human rights by State-owned and controlled companies.
1	B	4	A	5	Ensuring implementation of UNGPs by State-owned or controlled companies	Allocating adequate resources to, and building capacity of, administrative branches in charge of scrutinizing state-owned or controlled enterprises.

1	B	4	B	1	Introducing human rights conditionality to the work of export credit agencies	Developing a policy with a clear commitment to human rights and actions detailing how the export credit agency implements the UNGPs throughout its processes.
1	B	4	B	2	Introducing human rights conditionality to the work of export credit agencies	Requiring human rights due diligence on projects as part of the application process where a heightened risk of adverse human rights impacts is identified.
1	B	4	B	3	Introducing human rights conditionality to the work of export credit agencies	Providing clear guidance regarding the expectations on human rights due diligence for business enterprises applying for export credits.
1	B	4	B	4	Introducing human rights conditionality to the work of export credit agencies	Conditioning export credits for projects with risks of adversely impacting human rights on the implementation of specific mitigation measures.
1	B	4	B	5	Introducing human rights conditionality to the work of export credit agencies	Refraining from supporting projects with high risks of adversely impacting on human rights.
1	B	4	B	6	Introducing human rights conditionality to the work of export credit agencies	Allocating adequate resources for the monitoring of human rights impacts of supported companies or projects.
1	B	4	B	7	Introducing human rights conditionality to the work of export credit agencies	Supporting and/or adopting the recommendations of the OECD Council on common approaches for officially supported export credits and environmental and social due diligence.
1	B	4	C	1	Introducing human rights conditionality in other public finance instruments	Including human rights conditionality in the investment strategies of all public finance institutions (national and multilateral) including by adhering to the UN Principles for Responsible Investment and by referring to the IFC Performance Standards on Environmental and Social Sustainability and the Equator Principles.
1	B	4	C	2	Introducing human rights conditionality in other public finance instruments	Requiring human rights due diligence on projects as part of the application process where a heightened risk of adverse human rights impacts is identified.
1	B	4	C	3	Introducing human rights conditionality in other public finance instruments	Allocating adequate resources for the monitoring of human rights impacts of State-supported companies or projects.
1	B	4	C	4	Introducing human rights conditionality in other public finance instruments	Supporting the inclusion of human rights considerations in international and regional development finance institutions (see also Guiding Principle 10).
1	B	4	D	1	Introducing human rights conditionality in non-financial support instruments	Making the delivery of export promotion support measures by embassies or specialized export promotion agencies (see also Guiding Principle 3c) conditional on the parallel engagement of the company in an effective human rights due diligence process.
1	B	4	D	2	Introducing human rights conditionality in non-financial support instruments	Making public private partnerships in development assistance conditional on a company's human rights record and an adequate human rights due diligence review of such partnerships.
1	B	4	D	3	Introducing human rights conditionality in non-financial support instruments	Refraining from providing support to, and partnering with, business enterprises which adversely impact on human rights and refuse to cooperate in addressing the situation.

1	B	5	A	1	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Conducting a human rights impact assessment prior to any privatization, or private sector delivery of, public services, and taking action on the basis of those findings.
1	B	5	A	2	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Requiring Government contractors to join relevant multi-stakeholder initiatives, such as the International Code of Conduct for Private Security Providers (ICoC), or the Voluntary Principles on Security and Human Rights for companies in the extractive industries (VPs).
1	B	5	A	3	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Introducing human rights provisions into all contracts with organizations that provide public services, especially where a risk of adverse human rights impacts is identified.
1	B	5	A	4	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Adopting legal provisions which require all corporations that provide services on behalf of the State to respect human rights and implement human rights due diligence processes.
1	B	5	A	5	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Including a company's ability to demonstrate its respect for human rights as a key issue in the selection process.
1	B	5	A	6	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Providing training and capacity building to all business enterprises that deliver public services.
1	B	5	A	7	Introducing human rights requirements when contracting with, or legislating for, business enterprises on the delivery of public services	Ensuring adequate oversight and monitoring of the human rights impacts of corporations that deliver public services.
1	B	5	B	1	Ensuring respect for human rights when contracting with private security providers	Requiring private security providers to respect human rights throughout their operations and implement adequate human rights due diligence processes including through the introduction of language in contractual agreements.
1	B	5	B	2	Ensuring respect for human rights when contracting with private security providers	Becoming party of the Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies During Armed Conflict
1	B	5	B	3	Ensuring respect for human rights when contracting with private security providers	Becoming party of the International Code of Conduct for Private Security Providers (ICoC) including its Association (ICoCA).
1	B	5	B	4	Ensuring respect for human rights when contracting with private security providers	Enacting legislation excluding contracting with PSMCs which are not party to the ICoC and/or ICoCA.
1	B	6	A	1	Introducing human rights conditionality in public procurement	Requiring human rights due diligence from bidders in cases where risks of adverse human rights impacts, including in the supply chain of a given product, are identified.

1	B	6	A	2	Introducing human rights conditionality in public procurement	Providing clear guidance to bidders on what is expected from them in terms of human rights due diligence.
1	B	6	A	3	Introducing human rights conditionality in public procurement	Taking human rights considerations into account when selecting successful contractors and excluding bids with high risks of adverse impacts on human rights.
1	B	6	A	4	Introducing human rights conditionality in public procurement	Including human rights requirements and due diligence measures into all contracts.
1	B	6	A	5	Introducing human rights conditionality in public procurement	Ensuring adequate monitoring of human rights impacts by all contractors.
1	B	6	B	1	Fostering the introduction of human rights conditionality in public procurement agencies at sub-state levels	Requiring, where possible, procurement agencies at sub-state levels to implement the same human rights standards as are implemented at the national level.
1	B	6	B	2	Fostering the introduction of human rights conditionality in public procurement agencies at sub-state levels	Pooling procurements with high human rights risks at the national level.
1	B	6	B	3	Fostering the introduction of human rights conditionality in public procurement agencies at sub-state levels	Conducting capacity building on the integration of human rights into public procurement with relevant agencies at sub-state levels.
1	B	7	A	1	Providing conflict-specific guidance and advice to companies	Providing guidance and advice, for instance through embassies and/or NHRIs, on conducting effective human rights due diligence processes in conflict-affected areas (see also Guiding Principle 3c).
1	B	7	A	2	Providing conflict-specific guidance and advice to companies	Developing early warning programs in collaboration with relevant stakeholders including business enterprises, present in each conflict area.
1	B	7	A	3	Providing conflict-specific guidance and advice to companies	Supporting, and where necessary requiring, companies to conduct conflict sensitivity assessments as part of their human rights due diligence.
1	B	7	A	4	Providing conflict-specific guidance and advice to companies	Developing guidance on how to deal with the risk of sexual and gender-based violence and advising business enterprises about this.
1	B	7	A	5	Providing conflict-specific guidance and advice to companies	Promoting the implementation of the OECD Due Diligence Guidance for Responsible Supply Chains in Conflict-Affected and High-Risk Areas.
1	B	7	B	1	Supporting multi-stakeholder initiatives dealing with issues related to conflict-affected areas	Adhering to and implementing the requirements of the Voluntary Principles on Security and Human Rights and the International Code of Conduct on Private Security providers.
1	B	7	B	2	Supporting multi-stakeholder initiatives dealing with issues related to conflict-affected areas	Supporting private-sector led initiatives such as the Conflict-Free Gold Initiative, the Conflict-Free Smelter Program, or activities of the International Council on Mining and Metals.

1	B	7	B	3	Supporting multi-stakeholder initiatives dealing with issues related to conflict-affected areas	Engaging in the creation and support of certification schemes on the responsible sourcing and trading of goods from conflict-affected areas.
1	B	7	C	1	Enacting legislation specific to conflict-affected areas	Assessing the legal framework with regard to the extent to which it addresses heightened risks of adverse human rights impacts in conflict affected areas, and identifying, and acting to deal with any protection gaps.
1	B	7	C	2	Enacting legislation specific to conflict-affected areas	Introducing reporting requirements on commodities from conflict affected areas.
1	B	7	C	3	Enacting legislation specific to conflict-affected areas	Introducing an obligation to notify or report on activities in specific high-risk countries.
1	B	7	C	4	Enacting legislation specific to conflict-affected areas	Developing mechanisms for civil or criminal liability for companies domiciled or operating in their territory and/or jurisdiction and involved in gross human rights abuses.
1	B	7	C	5	Enacting legislation specific to conflict-affected areas	Signing and ratifying the Rome Statute and accepting the jurisdiction of the International Criminal Court.
1	B	7	C	6	Enacting legislation specific to conflict-affected areas	Engaging in multilateral efforts to improve prevention, mitigation and remediation of business involvement in gross human rights violations.
1	B	8	A	1	Conducting internal training and capacity building on the UNGPs and the NAP	Developing guidance and training material on the UNGPs and the NAP for all government staff.
1	B	8	A	2	Conducting internal training and capacity building on the UNGPs and the NAP	Conducting obligatory training sessions with relevant staff in the capital as well as overseas.
1	B	8	A	3	Conducting internal training and capacity building on the UNGPs and the NAP	Allocating the necessary resources to the NHRI or other independent experts to carry out these training sessions and capacity building efforts.
1	B	8	B	1	Ensuring coherence of policy documents	Providing explicit clarification in each of the documents on how the various strategies relate to each other and cross-referencing the different strategies.
1	B	8	B	2	Ensuring coherence of policy documents	Ensuring that national development plans, CSR strategies or overall human rights national action plans include chapters on business and human rights which either include the NAP in its entirety, or refer to the stand-alone NAP.
1	B	8	B	3	Ensuring coherence of policy documents	Developing policies on addressing human rights issues in specific high risk industries while ensuring full coherence with other policy documents.
1	B	8	C	1	Ensuring coherence of government measures	Making sure the corporate responsibility to respect and in particular the concept of human rights due diligence is used as the common denominator for all government activity in relation to business and human rights.
1	B	8	C	2	Ensuring coherence of government measures	Clarifying what the government expects companies to do (see Guiding Principle 2) and use this understanding as the basis of all measures.

1	B	9	A	1	Ensuring that bilateral and multilateral investment agreements do not impede respect for human rights	Conducting human rights impact assessments prior to concluding bilateral or multilateral investment agreements.
1	B	9	A	2	Ensuring that bilateral and multilateral investment agreements do not impede respect for human rights	Introducing specific human rights provisions in bilateral or multilateral investment agreements.
1	B	9	A	3	Ensuring that bilateral and multilateral investment agreements do not impede respect for human rights	Ensuring that stabilization clauses in bilateral or multilateral investment agreements do not constrain a government's freedom to implement legislation to improve corporate respect for human rights. Supporting efforts to strengthen transparency of investor-State dispute settlement mechanisms.
1	B	9	A	4	Ensuring that bilateral and multilateral investment agreements do not impede respect for human rights	Monitoring decisions reached pursuant to the investor-state dispute settlement mechanisms that concern human rights.
1	B	9	A	5	Ensuring that bilateral and multilateral investment agreements do not impede respect for human rights	Ensuring that human rights obligations imposed on foreign investors are equally imposed on domestic investors.
1	B	9	B	1	Fostering business respect for human rights through bilateral and multilateral trade agreements	Conducting human rights impact assessments prior to concluding trade agreements.
1	B	9	B	2	Fostering business respect for human rights through bilateral and multilateral trade agreements	Introducing provisions on human rights in trade agreements, including stipulating that trading partners ratify international human rights instruments and fundamental ILO conventions.
1	B	9	B	3	Fostering business respect for human rights through bilateral and multilateral trade agreements	Including in trade agreements an exemption from agreed provisions in cases where the other contracting party violates human rights.
1	B	9	B	4	Fostering business respect for human rights through bilateral and multilateral trade agreements	Monitoring the human rights impacts of ongoing trade agreements and address adverse impacts where identified.
1	B	9	C	1	Ensuring that contracts for investment projects between host state and multinational enterprises foster business respect for human rights	Conducting human rights impact assessments prior to concluding investment contracts.
1	B	9	C	2	Ensuring that contracts for investment projects between host state and multinational enterprises foster business respect for human rights	Including clauses into State-company investment contracts that require companies to respect human rights and implement human rights due diligence processes.

1	B	9	C	3	Ensuring that contracts for investment projects between host state and multinational enterprises foster business respect for human rights	Identifying ways to ensure that companies domiciled on their territory do not sign investment agreements which limit the space of host States to implement their human rights duties.
1	B	9	C	4	Ensuring that contracts for investment projects between host state and multinational enterprises foster business respect for human rights	Increasing awareness of and implementing the recommendations of the UN principles for responsible contracts developed in 2011 by the then SRSG John Ruggie.
1	B	10	A	1	Advancing the business and human rights agenda in multilateral institutions	Promoting the effective implementation of the UNGPs through the mandate and activities of the UN Human Rights Council.
1	B	10	A	2	Advancing the business and human rights agenda in multilateral institutions	Supporting the processes within the UN bodies on strengthening the protection of population groups that may be particularly vulnerable to business-related human rights abuse, such as children, women, indigenous peoples, ethnic minorities and persons with disabilities.
1	B	10	A	3	Advancing the business and human rights agenda in multilateral institutions	Building synergies between the implementation of the UNGPs and States' commitments and international obligations under International Labour Standards.
1	B	10	A	4	Advancing the business and human rights agenda in multilateral institutions	Supporting the ILO supervisory mechanism on the application of international labour standards in law and practice.
1	B	10	A	5	Advancing the business and human rights agenda in multilateral institutions	Supporting the OECD Guidelines on Multinational Enterprises as well as related guidelines, templates and recommendations and work towards wider adherence by non-OECD member States.
1	B	10	A	6	Advancing the business and human rights agenda in multilateral institutions	Supporting the inclusion of human rights criteria in international financial institutions such as the IFC and regional development banks.
1	B	10	A	7	Advancing the business and human rights agenda in multilateral institutions	Supporting the cooperation on business and human rights issues between the World Trade Organization (WTO) and other international organizations (such as ILO and the World Intellectual Property Organization (WIPO)) within the framework of the WTO Coherence Mandate.
1	B	10	A	8	Advancing the business and human rights agenda in multilateral institutions	Promoting business and human rights issues in global policy processes on the Sustainable Development Goals (SDGs) and the post-2015 development agenda as a whole.
1	B	10	A	9	Advancing the business and human rights agenda in multilateral institutions	Supporting the inclusion of human rights issues in international finance institutions (IFIs) and ensure effective remedy for individuals or communities adversely affected projects supported by IFIs, including by introducing non-judicial grievance mechanisms in IFIs (see also Guiding Principles 4, 26 and 27).
1	B	10	A	10	Advancing the business and human rights agenda in multilateral institutions	Promoting the inclusion of business and human rights concerns through UN platforms related to communication technologies such as the World Summit on the Information Society (WSIS) process or other relevant international bodies such as the Internet Governance Forum (IGF).

1	B	10	A	11	Advancing the business and human rights agenda in multilateral institutions	Using the platforms of multilateral institutions to develop and strengthen level playing fields in relation to the legislation regarding business and human rights of home and host States.
1	B	10	A	12	Advancing the business and human rights agenda in multilateral institutions	Engaging in peer-review processes on NAP development and implementation.
1	B	10	B	1	Advancing the business and human rights agenda in regional organizations	Calling for and supporting the development of regional strategies on the implementation of the UNGPs in the African Union, the Association of Southeast Asian Nations, the European Union, the Council of Europe, and the Organization of American States.
1	B	10	B	2	Advancing the business and human rights agenda in regional organizations	Using regional organizations as a platform to promote the development of NAPs by member States.
1	B	10	C	1	Including business and human rights issues in the universal periodic review (UPR) and in reports to UN human rights treaty monitoring bodies	Reporting to UN human rights treaty monitoring bodies and the UPR on its activities and the challenges it faces in the field of business and human rights.
1	B	10	C	2	Including business and human rights issues in the universal periodic review (UPR) and in reports to UN human rights treaty monitoring bodies	Including business and human rights issues in reports on other States.
1	B	10	C	3	Including business and human rights issues in the universal periodic review (UPR) and in reports to UN human rights treaty monitoring bodies	Promoting exchange and dialogue with civil society organizations in host and home States on business and human rights issues to be included in the recommendations to other States.
1	B	10	C	4	Including business and human rights issues in the universal periodic review (UPR) and in reports to UN human rights treaty monitoring bodies	Ensuring effective follow-up to any recommendations from UN human rights treaty monitoring bodies, special procedure mandate holders, or the UPR process.
3	A	25	A	1	Promoting the generation and dissemination of knowledge on adverse business-related human rights impacts	Providing NHRIs and/or civil society organizations with adequate resources to identify and publicise adverse human rights impacts by corporations.
3	A	25	A	2	Promoting the generation and dissemination of knowledge on adverse business-related human rights impacts	Supporting the collection of gender-disaggregated data in order to identify ways in which a business enterprise may have differential, disproportionate, or unforeseen gender-related impacts.
3	A	25	B	1	Protecting human rights defenders	Committing to, and implementing the responsibilities under, the UN Declaration on human rights defenders and supporting the work of the UN special rapporteur on human rights defenders.
3	A	25	B	2	Protecting human rights defenders	Enacting legislation ensuring the protection of human rights defenders who address business-related human rights harm in the country's territory and/or jurisdiction.

3	A	25	B	3	Protecting human rights defenders	Collaborating with NHRIs, civil society organizations and trade unions in identifying human rights defenders in need of protection, both domestically and extraterritorially.
3	A	25	B	4	Protecting human rights defenders	Engaging directly with human rights defenders through embassies including by formally inviting them to events, visiting contested project sites, and upholding regular and public contact.
3	A	25	B	5	Protecting human rights defenders	Showing support for human rights defenders in political and diplomatic exchanges.
3	A	25	B	6	Protecting human rights defenders	Collaborating with business enterprises to ensure that they help providing for the protection of human rights defenders and refrain from taking action which might put them at risk.
3	A	25	B	7	Protecting human rights defenders	Enacting anti-SLAPP legislation to ensure that human rights defenders are not subjected to civil liability for their activities.
3	A	25	B	8	Protecting human rights defenders	Offering, where necessary, political asylum to threatened individuals.
3	B	26	A	1	Ensuring that the combination of various instruments to access remedy is effective	Assessing (in case this has not yet been done) to what extent victims of domestic and extraterritorial adverse business-related human rights impacts have access to remediation mechanisms and address the identified gaps.
3	B	26	A	2	Ensuring that the combination of various instruments to access remedy is effective	Following guidance provided by the recommendations set out in the final report of the UN High Commissioner for Human Rights to the Human Rights Council on "Improving accountability and access to remedy for victims of business-related human rights abuse".
3	B	26	A	3	Ensuring that the combination of various instruments to access remedy is effective	Ensuring that a smart and appropriate mix of different types of mechanisms are taken which complement each other and respond effectively to different types of human rights abuses.
3	B	26	A	4	Ensuring that the combination of various instruments to access remedy is effective	Ensuring that the mix of measures taken reflects the provision in the UNGPs that effective judicial mechanisms are at the core of ensuring access to remedy.
3	B	26	A	5	Ensuring that the combination of various instruments to access remedy is effective	Ensuring that the measures taken are adequately resourced and publicised.
3	B	26	B	1	Promoting accessibility of national and international remediation mechanisms	Reducing procedural and practical barriers to accessing remedies including by ensuring that affected parties of population groups that may be particularly exposed to business-related human rights abuse, such as children, women, indigenous peoples, ethnic minorities and persons with disabilities, as well as their representatives, have equitable access to remediation mechanisms (see Guiding Principles 26, 27, 28, and 30).
3	B	26	B	2	Promoting accessibility of national and international remediation mechanisms	Ensuring that judicial and non-judicial grievance mechanisms respond to the specific needs of victims of sexual abuse and harassment, including by making sure that processes are handled by professional staff and by ensuring anonymity of victims.

3	B	26	B	3	Promoting accessibility of national and international remediation mechanisms	Improving access to transnational remedy through both judicial and non-judicial mechanisms (see Guiding Principles 26 and 27).
3	B	26	B	4	Promoting accessibility of national and international remediation mechanisms	Collaborating with civil society organizations and/or NHRIs to strengthen awareness of remediation mechanisms accessible to victims of adverse business-related human rights impacts.
3	B	26	C	1	Strengthening independent judicial systems	Enshrining the independence of the judicial system in the country's constitution and/or law.
3	B	26	C	2	Strengthening independent judicial systems	Ensuring that the judiciary has the ability to decide without any restrictions, improper influences or pressures, whether an issue submitted to it for decision is within its competence as defined by law.
3	B	26	C	3	Strengthening independent judicial systems	Introducing due process to the selection of senior judicial officers in order to limit political interference.
3	B	26	C	4	Strengthening independent judicial systems	Providing the judiciary with adequate resources to enable it to perform its functions independently.
3	B	26	C	5	Strengthening independent judicial systems	Supporting other countries in their efforts to strengthen the independence of their judicial systems.
3	B	26	C	6	Strengthening independent judicial systems	Taking measures to deter and eradicate corruption in the judicial system.
3	B	26	C	7	Strengthening independent judicial systems	Strengthening labour inspectorates to detect violations of and informing workers of their rights.
3	B	26	D	1	Reducing barriers to access to remedy	Carrying out a formal legal review of the effectiveness of domestic remedial mechanisms in relation to cases of business-related human rights abuses, encompassing issues such as coverage of laws, principles for determining legal liability, allocation of legal liability among corporate groups and within supply chains, responsiveness in cross-border cases and appropriateness and effectiveness of sanctions and other remedies.
3	B	26	D	2	Reducing barriers to access to remedy	Carrying out a review of the role and capacity of State agencies responsible for investigation and enforcement of business-related human rights abuses in order to identify ways in which they can be better supported and resourced.
3	B	26	D	3	Reducing barriers to access to remedy	Making improvements to the systems by which enforcement agencies and judicial bodies can readily and rapidly seek legal assistance and respond to counterparts in other States with respect to the detection, investigation, prosecution and enforcement of cross-border cases.
3	B	26	D	4	Reducing barriers to access to remedy	Carrying out a review (or series of reviews) to identify ways of diversifying sources of litigation funding for litigants in private law claims, and reducing the costs to claimants seeking to make use of State-based judicial mechanisms.

3	B	26	D	5	Reducing barriers to access to remedy	Making improvements to the systems by which claimants in private law claims are readily and rapidly able to seek legal assistance from relevant State agencies and judicial bodies in other States for the purpose of gathering evidence from foreign individual, corporate and regulatory sources for use in judicial proceedings.
3	B	27	A	1	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Making sure that NHRIs and/or ombudsperson offices have the appropriate mandates and resources available to receive complaints from victims of alleged business-related human rights abuses.
3	B	27	A	2	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Ensuring the effectiveness of OECD National Contact Points (NCP) by improving knowledge about their existence and, where appropriate, expanding their mandate and financial resources.
3	B	27	A	3	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Anchoring non-judicial grievance mechanisms such as the ones provided by NHRIs, ombudspersons, or the OECD NCPs in national law.
3	B	27	A	4	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Establishing non-judicial grievance mechanisms tailored to the specific rights and needs of groups at risk of becoming vulnerable or marginalized, such as ombudspersons for children.
3	B	27	A	5	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Ensuring that business enterprises which, in the course of non-judicial grievance mechanisms have been found to have abused human rights, implement remedial action and face adequate consequences, including through administrative penalties such as fines or the limitation of access to State services (see also Guiding Principles 4 and 5).
3	B	27	A	6	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Improving home and/or host State oversight mechanisms where non-judicial grievance mechanisms have found States to inadequately meet their role.
3	B	27	A	7	Strengthening the effectiveness of existing non-judicial state-based grievance mechanisms	Introducing adequate independent oversight mechanisms with the mandate to regularly test non-judicial grievance mechanisms against the effectiveness criteria of Guiding Principle 31.
3	B	27	B	1	Creating new non-judicial state-based grievance mechanisms	Providing NHRIs and/or ombudsperson offices with a mandate to receive complaints from victims of alleged business-related human rights abuses.
3	B	27	B	2	Creating new non-judicial state-based grievance mechanisms	Adhering to the OECD Guidelines on Multinational Enterprises and setting up an effectively mandated and resourced National Contact Point.
3	B	27	B	3	Creating new non-judicial state-based grievance mechanisms	Creating alternative entities with a mandate to receive complaints from victims of alleged business-related human rights abuses.
3	B	27	B	4	Creating new non-judicial state-based grievance mechanisms	Creating a separate accountability mechanism, which can receive complaints on alleged involvement in adverse human rights impacts by state-owned or controlled business enterprises.

3	B	27	B	5	Creating new non-judicial state-based grievance mechanisms	Creating remedy mechanisms for complaints related to projects supported by international finance institutions and consider referring to the mechanism of the International Finance Corporation's Compliance Advisor Ombudsman (CAO).
3	B	27	B	6	Creating new non-judicial state-based grievance mechanisms	Facilitate mediation on an ad-hoc basis between business enterprises and affected individuals or their representatives.
3	B	28	A	1	Supporting the development of business-based grievance mechanisms	Developing best practice and guidance on the establishment of effective business-based grievance mechanisms which respond to the criteria identified in Guiding Principle 31.
3	B	28	A	2	Supporting the development of business-based grievance mechanisms	Providing an enabling environment for labour relation systems, including through the support of labour tribunals and industrial relations systems.
3	B	28	A	3	Supporting the development of business-based grievance mechanisms	Encouraging and supporting business associations to develop grievance mechanisms.
3	B	28	A	4	Supporting the development of business-based grievance mechanisms	Supporting the inclusion of civil society organizations and trade unions in business-based grievance mechanisms and act as, among other things, representatives or mediators in disputes between aggrieved parties.
3	B	28	B	1	Supporting access to regional and international human rights bodies	Strengthening the awareness of regional and international human rights bodies and the ways in which they can be accessed by victims.
3	B	28	B	2	Supporting access to regional and international human rights bodies	Addressing procedural or practical barriers for rights holders, for instance by helping to establish connection with the regional or international body, or by supporting the provision of legal aid.
3	B	28	B	3	Supporting access to regional and international human rights bodies	Working towards more opportunities for rights holders to access regional and international human rights bodies.
3	B	30	A	1	Supporting the development of grievance mechanisms by multi-stakeholder initiatives	Supporting the development of effective grievance mechanisms in multi-stakeholder initiatives and ensure that they reflect the criteria identified in Guiding Principle 31.
3	B	30	A	2	Supporting the development of grievance mechanisms by multi-stakeholder initiatives	Enforcing adequate consequences for business enterprises which have been found to have breached commitments, such as fines or by limiting access to State services.
3	B	31	A	1	Ensuring that all non-judicial grievance measures live up to the effectiveness criteria	Making sure that all the non-judicial grievance mechanisms it runs, is part of or, it supports (see Guiding Principles 27, 28, and 30) are developed and operated in accordance with the criteria set out in Guiding Principle 31.
3	B	31	A	2	Ensuring that all non-judicial grievance measures live up to the effectiveness criteria	Ensuring that the non-judicial grievance mechanisms are adequately mandated and resourced so that they are effective.