THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS
AN INTRODUCTION

THE UN WORKING GROUP ON BUSINESS AND HUMAN RIGHTS
The UN Framework also recognises the fundamental right of individuals and communities to access effective remedy when their rights have been adversely impacted by business activities. When a business enterprise abuses human rights, States must ensure that the people affected can access an effective remedy through the court system or other legitimate non-judicial process. Companies, for their part, are expected to establish or participate in effective grievance mechanisms for any individuals or communities adversely impacted by their operations.

About This Document
In 2011, the United Nations Human Rights Council unanimously endorsed the UN Guiding Principles on Business and Human Rights, a set of guidelines for States and companies to prevent and address human rights abuses committed in business operations. This document summarises the content of the UN Guiding Principles and describes the mandate of the UN Working Group on Business and Human Rights, which has been established to aid in their implementation.
The Corporate Responsibility to Respect

The Guiding Principles clarify what is expected of business enterprises with regard to human rights and outline the process through which companies can identify their negative human rights impacts and demonstrate that their policies and procedures are adequate to address them.

The Guiding Principles affirm that business enterprises must prevent, mitigate and, where appropriate, remedy human rights abuses that they cause or contribute to. Businesses must seek to prevent or mitigate any adverse impacts related to their operations, products or services, even if these impacts have been carried out by suppliers or business partners.

The responsibility to respect applies to all internationally recognized human rights expressed in the International Bill of Human Rights and the International Labour Organization Declaration on Fundamental Principles and Rights at Work. Though the actions businesses need to take to meet the responsibility to respect will depend on their scale or complexity, the responsibility itself applies to all businesses regardless of size, sector or location.

To meet the responsibility to respect, business enterprises must have the necessary policies and processes in place. The Guiding Principles identify three components of this responsibility. First, companies must institute a policy commitment to meet the responsibility to respect human rights. Second, they must undertake ongoing human rights due diligence to identify, prevent, mitigate and account for their human rights impacts. Finally, they must have processes in place to enable remediation for any adverse human rights impacts they cause or contribute to.

Human rights due diligence refers to the process of identifying and addressing the human rights impacts of a business enterprise across its operations and products, and throughout its supplier and business partner networks. Human rights due diligence should include assessments of internal procedures and systems, as well as external engagement with groups potentially affected by its operations.
The Guiding Principles state that companies should integrate the findings of their human rights due diligence processes into policies and procedures at the appropriate level, with resources and authority assigned accordingly. Companies should verify that this objective is achieved by constantly monitoring and evaluating their efforts. Finally, companies should be prepared to communicate how they address their human rights impacts, including to those groups most likely to be affected.

Where businesses identify that they have caused or contributed to adverse impacts, they should cooperate in remediation through legitimate processes.

The Guiding Principles set out a list of effectiveness criteria for state- or company-based non-judicial grievance mechanisms. These criteria stipulate that effective grievance mechanisms should be legitimate, accessible, predictable, equitable, transparent and rights-compatible. Simply put, they must provide genuine remedies for victims of human rights violations by companies and must not amount to communications or political exercises. Operational-level mechanisms should be based on engagement and dialogue with the stakeholder groups whose rights they seek to remedy.

When human rights are violated by companies, governments must provide a robust and appropriate remedy for those affected.

The UN Working Group on Business and Human Rights consists of five independent experts, appointed for a three-year term. The Working Group is mandated by the UN Human Rights Council to ensure that the Guiding Principles described above are widely disseminated, robustly implemented and firmly embedded in international governance.

The Working Group is mandated to consult with all relevant stakeholders, identify best practices in ongoing implementation efforts, promote capacity-building, issue recommendations on legislation and policies related to businesses, and conduct country visits. The Working Group is also mandated to integrate a gender perspective and pay special attention to vulnerable groups such as indigenous people and children.

The Working Group will hold an Annual Forum on Business and Human Rights every December. The purpose of the Forum is to allow representatives of States, businesses and civil society to discuss trends and challenges in the implementation of the Guiding Principles and to promote dialogue, cooperation and sharing of good practices. The Working Group reports its activities to the UN Human Rights Council and the General Assembly every year.