



Polish Institute
for Human Rights
and Business



Implementation of the UN Guiding Principles on Business and Human Rights

3 May 2017 | European Parliament | Brussels

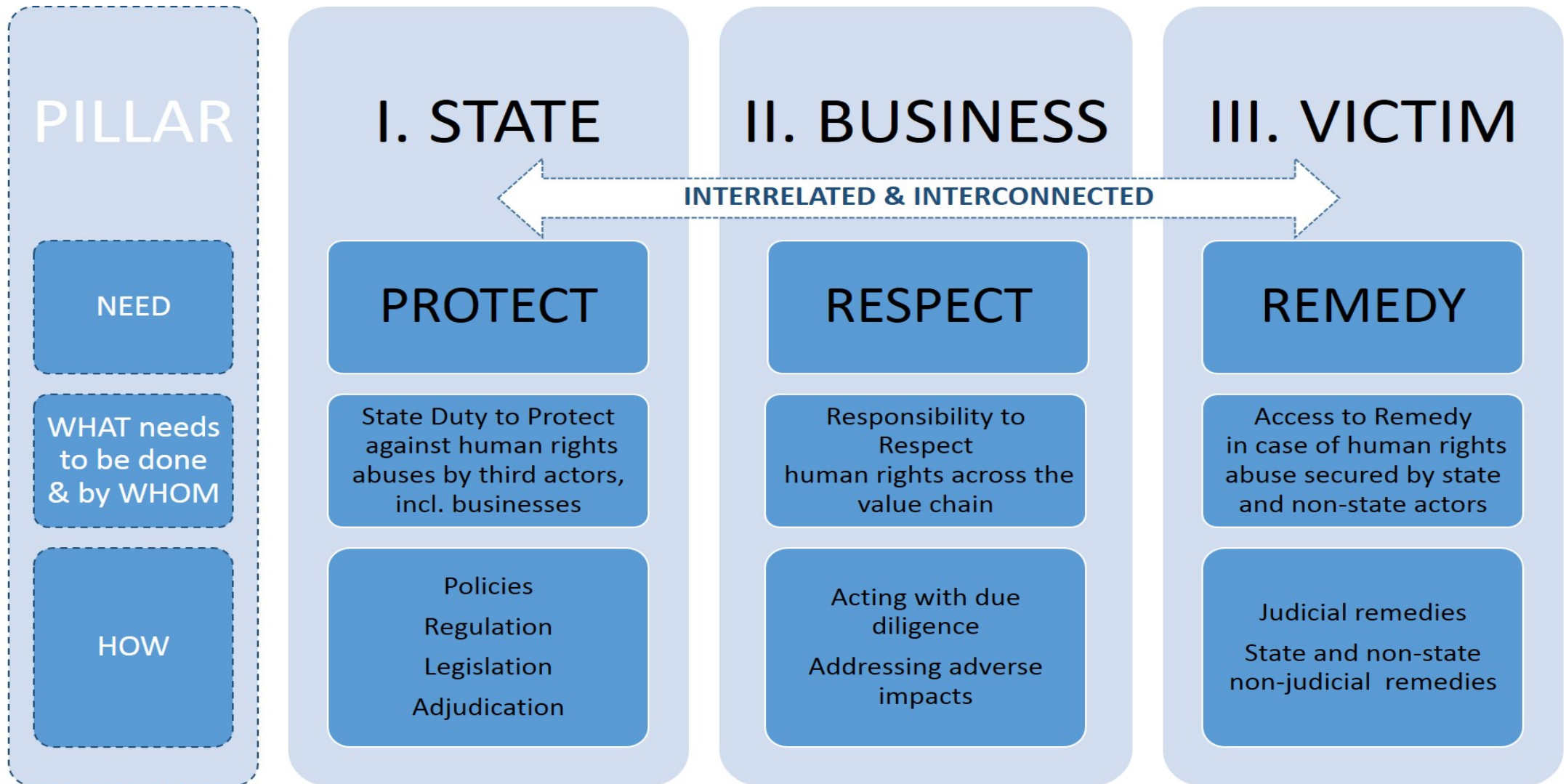
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Agenda

1. UNGPs – overview & impact
2. UNGPs Implementation
 - a. National Action Plans on BHR
 - b. Non-NAP related efforts aimed at UNGPs implementation
 - c. Support available to states
3. Drivers
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6. Conclusions
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UN Guiding Principles on Business and Human Rights – overview



UNGPs – impact

- **Standards alignment:** OECD Guidelines for MNEs (2011), IFC Performance Standards on Environmental and Social Sustainability (2012); ISO 26000 – Social Responsibility), the UN Global Compact, the 2030 Agenda for Sustainable Development.
- **Action of regional bodies, incl.:**
 - The EC’s Communication on Corporate Social Responsibility (CSR), 2011; Non-Financial Reporting Directive, changes in the 2014 Public Procurement directives;
 - Council of Europe’s 2014 Declaration on the UNGPs, Council of Europe - Committee of Ministers of the Council of Europe adopted the Recommendation CM/Rec (2016) 3 on human rights and business.
 - The Organization of American States: 2 resolutions – 2012, 2014.
- **Court decisions**



UNGPs - Implementation

1. National Action Plans on BHR
2. Non-NAP related efforts aimed at UNGPs implementation
3. Support available to states



UNGPs – National Action Plans on BHR

1. United Kingdom (UK) – September 2013; revised version – 2016
2. The Netherlands – December 2013; revision forthcoming
3. Denmark – April 2014
4. Finland – October 2014
5. Lithuania – February 2015
6. Sweden – August 2015
7. Norway – October 2015
8. Colombia – December 2015
9. Switzerland – December 2016
10. Germany – December 2016
11. Italy – December 2016
12. United States – December 2016
13. France – April 2017



UNGPs – National Action Plans in progress

<u>Americas</u>	<u>Europe & Central Asia</u>	<u>Africa</u>	<u>Middle East</u>	<u>Asia & Pacific</u>
<ol style="list-style-type: none"> 1. Argentina 2. Chile 3. Guatemala 4. Mexico 	<ol style="list-style-type: none"> 1. Azerbaijan 2. Belgium 3. <u>Czech Republic</u> 4. France 5. Greece 6. Ireland 7. Kazakhstan 8. Latvia 9. Poland 10. Portugal 11. Slovenia 12. Spain 	<ol style="list-style-type: none"> 1. Kenya 2. (Ghana) 3. <u>Mauritius</u> 4. Morocco 5. Mozambique 6. Nigeria 7. Tanzania 8. (Uganda) 9. (South Africa)f 	<ol style="list-style-type: none"> 1. Jordan 	<ol style="list-style-type: none"> 1. Australia 2. (Indonesia) 3. Malaysia 4. (Myanmar) 5. (The Philippines) 6. (Republic of Korea) 7. India 8. Japan

Note: (In brackets: NAPs processes initiated by NHRIs/CSOs/TU)

Source: BHRRC & UN Working Group on Human Rights and Business website

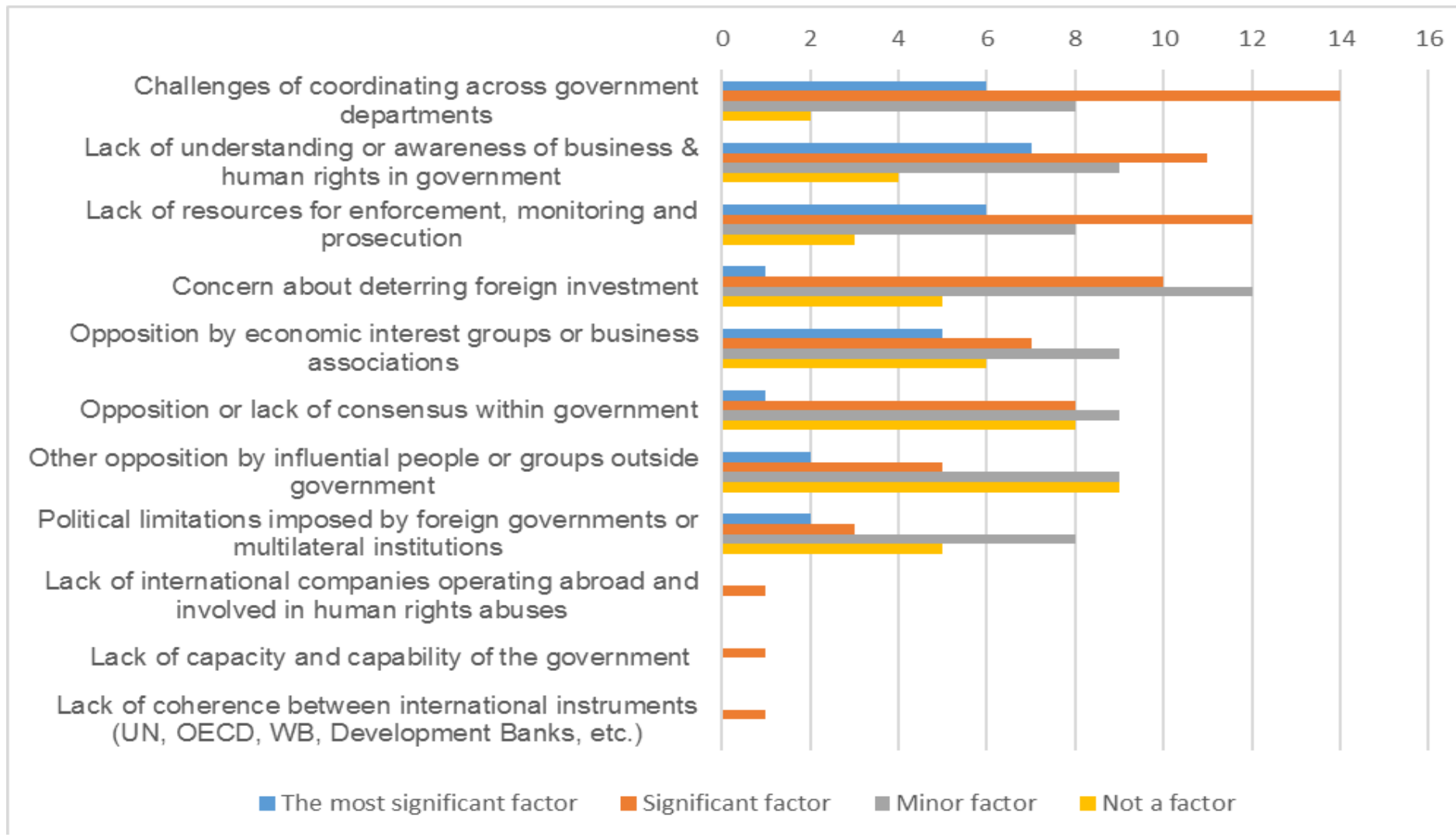


Drivers of the UNGPs implementation by states

- Willingness to be a leader globally, in the region, etc.
- An engaged internal leader within the public administration
- Encouragement / Pressure from the international organizations and other states
- Support from other states (experience sharing, funding to assist in undertaking such activities as National Baseline Assessment).



Challenges to UNGPs implementation: Factors impeding states' ability to take action on BHR



Overcoming obstacles to UNGPs implementation

- Awareness-raising;
- Capacity building activities
- Business and Human Rights events (e.g. role of the UN Forum on BHR)
- Technical assistance and training;
- Study visits;
- Experience, knowledge and best practices sharing and collaborative learning with countries that have similar characteristics although some cross-regional learning was also of interest (e.g. during the UN Forum or during AU-EU meetings, special 'labs');
- Improved co-ordination within governments as well as across governments.



CONCLUSIONS

UNGPs:

- Milestone achievement, providing legitimacy to HR&B
- Implementation efforts have engaged wide audiences and spurred development of many tools.
- Enabled constructive discussion and generated a willingness to listen to other stakeholders' arguments and contributed to increased awareness of the issues and better understanding, building trust and engagement among various groups of stakeholders.

BUT

- Commitments of governments to develop meaningful NAPs are very slow to materialize. It is time to put action into NAPs.
- Less declaration and more real political will and legal action is needed to fight Business-related human rights abuse.
- States should undertake concerted efforts to overcome basic barriers resulting from lack of awareness, capacity and resources dedicated to the UNGPs' implementation.



RECOMMENDATIONS



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Thank you!

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