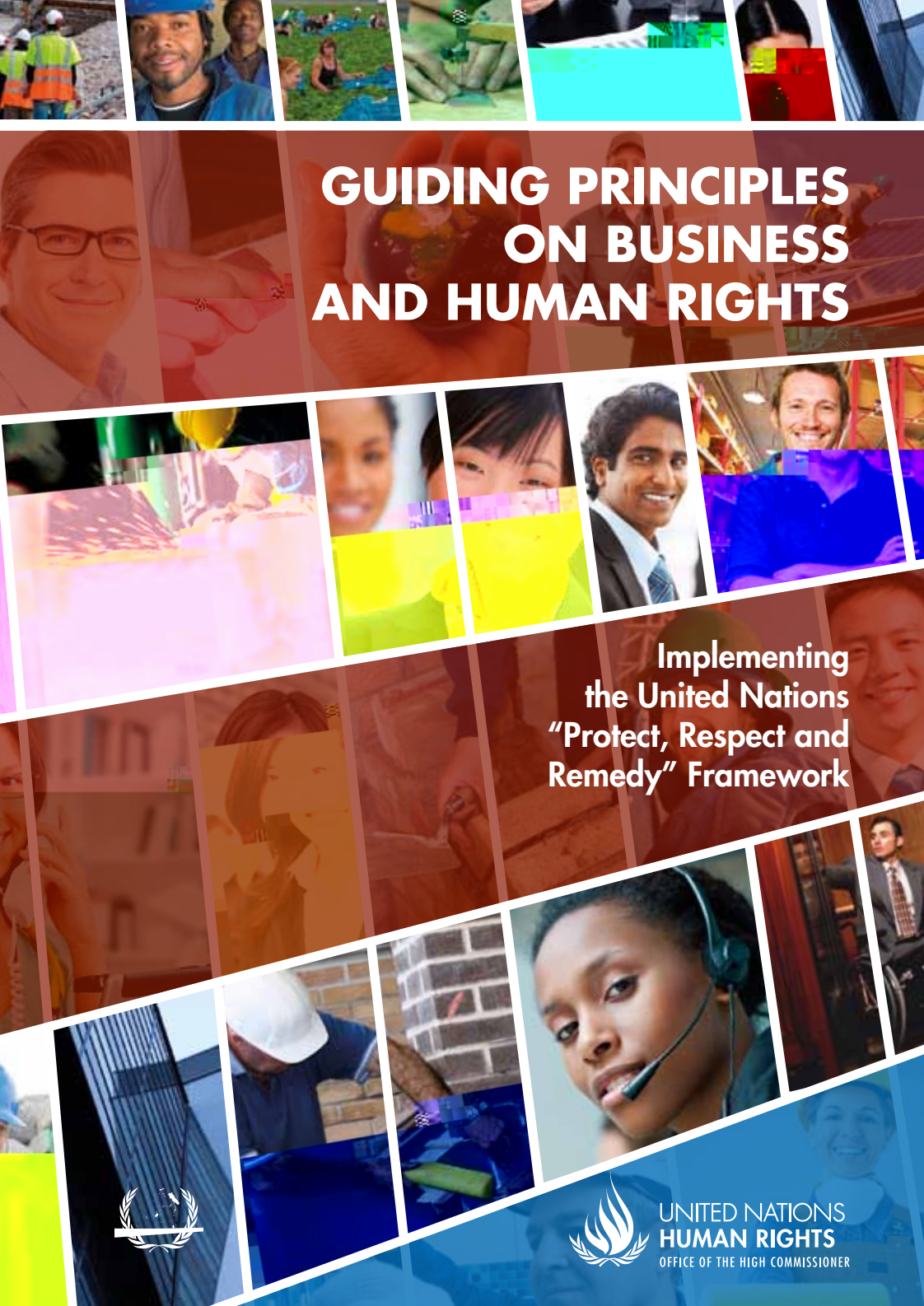


**GUIDING PRINCIPLES
ON BUSINESS
AND HUMAN RIGHTS**

**Implementing
the United Nations
“Protect, Respect and
Remedy” Framework**

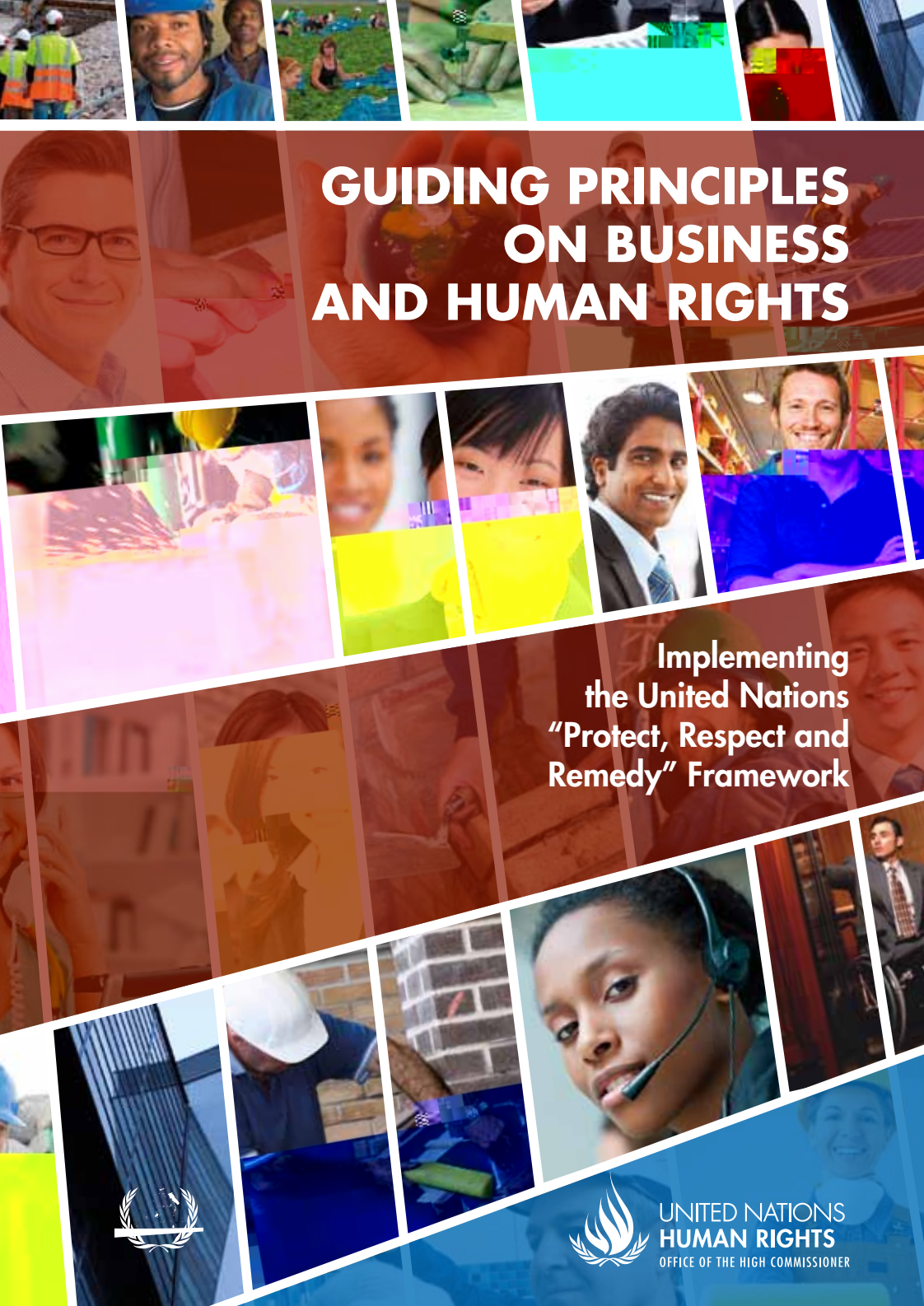
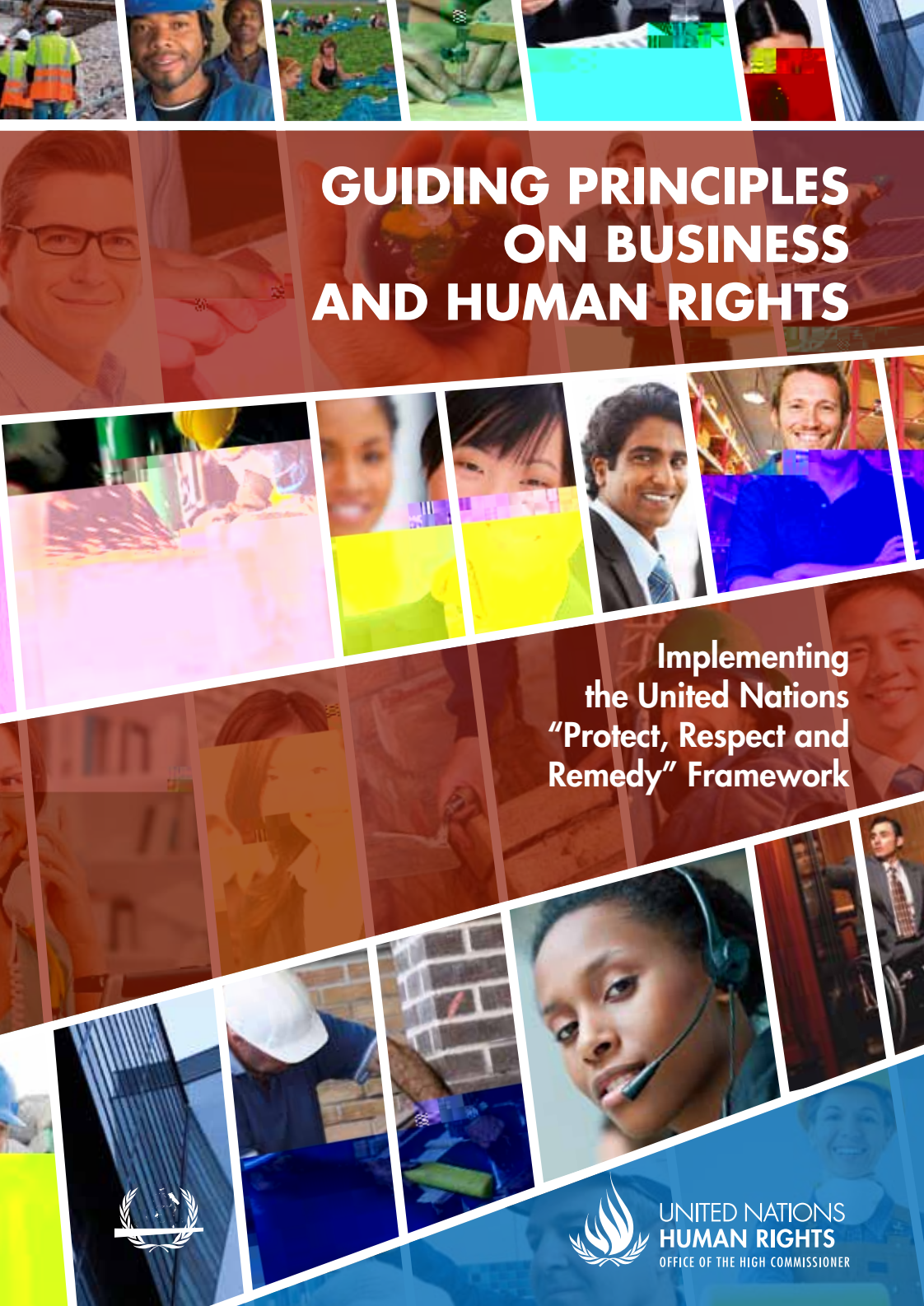
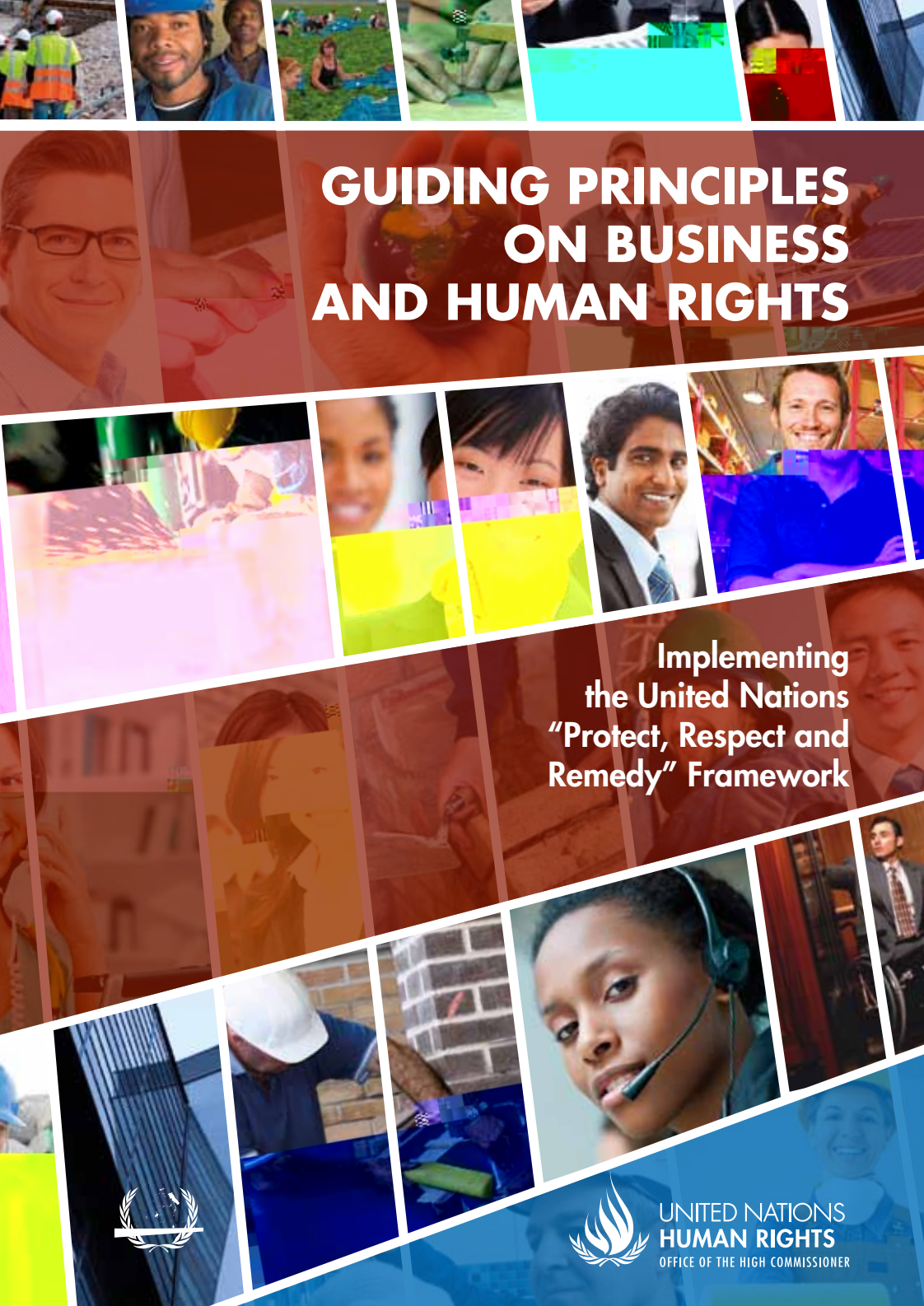
 **UNITED NATIONS
HUMAN RIGHTS**
OFFICE OF THE HIGH COMMISSIONER



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UNITED NATIONS



CONTENTS

I. THE STATE DUTY TO PROTECT HUMAN RIGHTS	3
A. FOUNDATIONAL PRINCIPLES	3
B. OPERATIONAL PRINCIPLES	4
 II. THE CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS	 13
A. FOUNDATIONAL PRINCIPLES	13
B. OPERATIONAL PRINCIPLES	16
 III. ACCESS TO REMEDY	 27
A. FOUNDATIONAL PRINCIPLE	27
B. OPERATIONAL PRINCIPLES	28

Tā bīcāh g...ā "Gīd Pī ā Bī ā d H ā Ā :
 I ... Uī d Nāh 'Pī c, R c a d R d 'F a , ,
 d , d b S ā a R .ā , S c .a -G a ,
 , a ī a d . a ā a g , ā a d , b . T
 S ā a R .ā a d . Gīd Pī ā a a ,
 H ā Ā G ā (A/HRC/17/31), ā a , c d a , d c ,
 Gīd Pī ā a d a , , c a d , d ,
 T H ā Ā G ā d d . Gīd Pī ā ī ī , ā 17/4
 , 16 J . 2011.

. a d/ d c . N a a d d , d ,
 , d d . a a d d c a b a . W . a a
 , a a b d a . S a a
 , ab ab, ad b b . d c .
 T a c a S a c a
 , c a b c a ab, ad, a a
 . S a d b . T a c d
 d c a b . b b b d a d
 a , a d S a ' . a .
 S a a d . d a a a , a c . a d . S a a
 d c a a a a c a . E a c d
 a a a a a b a a
 . ; a a a c a . G d
 , M a a E . O a a E a c G a
 a d D , ; a d a c a d a d d b .
 a a a a . Q a a a d c
 , a a a a d c . T c d c a
 a a c b a d a a a . a
 a . c c . V a a a a b .
 c d a d a c a a b . S a ' a
 a a d d a a a

B. OPERATIONAL PRINCIPLES

GENERAL STATE REGULATORY AND POLICY FUNCTIONS

3. In meeting their duty to protect, States should:

- (a) Enforce laws that are aimed at, or have the effect of, requiring business enterprises to respect human rights, and periodically to assess the adequacy of such laws and address any gaps;
- (b) Ensure that other laws and policies governing the creation and ongoing operation of business enterprises, such as corporate law, do not constrain but enable business respect for human rights;
- (c) Provide effective guidance to business enterprises on how to respect human rights throughout their operations;
- (d) Encourage, and where appropriate require, business enterprises to communicate how they address their human rights impacts.

[illegible]

... d ... d a b ... , a d ... a ... a d ...

Na ... a ... a ... Pa ... P ... a ...
 a ... a ... Sa ... d ... a ...
 a ... d ... a ... b ... a d a b ...
 ... c d, a d ... d a c ... a ... a ... b ...
 ... a d ... -Sa ac ...

G ... ca ... b b ... add ... a ...
 ... ac ca a ... a ... a c d a d ...
 ... a b ... Sa ... a ... a ...
 ... , c ... ca ... a ... c ...
 ... b b l c ... ca ad a ...
 ... a ... d c d ... c ...
 ... a ... a d ... a ... c d . A ...
 ... ca ca b a c a a ... a ... b ...
 ... a ... a ... ca ... a ...
 P ... a ... a a ca ... a a d ... b ...
 ... d ... ca ... b ... acc ... a d acc ac ...
 ... ca ...

A ... a ... d ... ad a ... ca ... d ...
 ... ac ... a ... a ... a d c ... d a ...
 a d a ... ; ... a ... a ... d ... ; a d ...
 ... a ... a d ... c ...

H a a ... d ca ... a ... a ... ac ...
 ... a c ... a b ... a ... ca ...
 ... a c ... b ...

THE STATE-BUSINESS NEXUS

4. States should take additional steps to protect against human rights abuses by business enterprises that are owned or controlled by the State, or that receive substantial support and services from State agencies such as export credit agencies and official investment insurance or guarantee agencies, including, where appropriate, by requiring human rights due diligence.

G. , Sa d g a a d, ... a , āa ,
 a d dī c b a ā a d b
 b c c A
 a d dī c b a āa
 a b ā ā g āa
 a

5. States should exercise adequate oversight in order to meet their international human rights obligations when they contract with, or legislate for, business enterprises to provide services that may impact upon the enjoyment of human rights.

Commentary

States should exercise adequate oversight in order to meet their international human rights obligations when they contract with, or legislate for, business enterprises to provide services that may impact upon the enjoyment of human rights. This provision is intended to ensure that States are held accountable for their actions in relation to business enterprises. It is a key element of the framework for business and human rights, and it is essential for the protection of human rights in the context of business activities. The provision is designed to ensure that States are held accountable for their actions in relation to business enterprises, and it is essential for the protection of human rights in the context of business activities.

6. States should promote respect for human rights by business enterprises with which they conduct commercial transactions.

Commentary

States should promote respect for human rights by business enterprises with which they conduct commercial transactions. This provision is intended to ensure that States are held accountable for their actions in relation to business enterprises. It is a key element of the framework for business and human rights, and it is essential for the protection of human rights in the context of business activities. The provision is designed to ensure that States are held accountable for their actions in relation to business enterprises, and it is essential for the protection of human rights in the context of business activities.

SUPPORTING BUSINESS RESPECT FOR HUMAN RIGHTS IN CONFLICT-AFFECTED AREAS

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:
 - (a) Engaging at the earliest stage possible with business enterprises to help them identify, prevent and mitigate the human rights-related risks of their activities and business relationships;

$S_1 = \{a, b, c, d\}$
 $G_1 = \langle S_1, \{a, b, c, d\} \rangle$
 $R_1 = \{a, b, c, d\}$
 $L_1 = \{a, b, c, d\}$

Sa d a b . . . d b .
 d d ab a c d a a .
 T d a , a d
 c a c add d , c d .
 a d a d d c b b . W
 d a , Sa d a a a . add
 T a c d , a , ad . a c a ab .
 . d a d , a d / d c a
 a b . a a ab . M , Sa d
 d a a a ac . a d add c ac , a
 a . c a c a .
 A a a add . Sa ' b a d . a
 a a a a d a c , a d d . a
 c a a .

ENSURING POLICY COHERENCE

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.

Commentary

$a d \quad c \quad \bar{a} \bar{b}$ $\bar{a} \bar{b}, \bar{a} \bar{c}, \bar{a} \bar{d}, \bar{b} \bar{c}, \bar{b} \bar{d}, \bar{c} \bar{d}, a d, a c, b d, b c, c d, a b$

Commentary

G a ṛīc ḡṛ cī a ṛī d dā. . . āḡ a ṛī c dī
 Sa āā a ī ā a ā ī ā . . . a d a ī b ī
 a dī , c a ī . . . āḡ a . ad a d . . . ā ā ī ā . . . Sa
 ā . . . āḡ a a ī a , bī āḡ . . . āā a
 ī c ī ā . . .

Ca āā . bī dī a d a a . . . āī . . . c ī ā . . . ca a
 ā ā a , ī . . . a Sa ḡ . . . d . . . c ī c dī b
 . . . abī . . . āī . . . āḡ abī . c a . . . a d b . . . ācīc ,
 . . . ḡ . . . a , ac .

G cū āḡ . . . ā a ā ī ā . . . ca . . . Sa . . .
 āī , d ī a d , b ī . . . c , a ī , b ī d
 d , b āī . . . a c , a ad . G , āḡ b . . . Sa ,
 ā a ā ī ā . . . a dī . . . a d ca a , a āī . . . a . . .

T Gīdī Pī ā . . . d a ḡ . . . c . . . a d ,
 a d ḡ d . . . a a . . . bāī , bī dī a c ā . . . c
 . . . a . a . . . acḡ . . . ā . . . a d . . . āī , a . . .
 . a d .

II. THE CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS

A. FOUNDATIONAL PRINCIPLES

11. Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

Commentary

The text is partially obscured by a large, faint watermark that reads "Business Enterprises and Human Rights". The visible text appears to be a commentary on the principle that business enterprises should respect human rights, discussing the need to avoid infringing on the rights of others and to address adverse impacts.

Add the text: Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

The text is partially obscured by a large, faint watermark that reads "Business Enterprises and Human Rights". The visible text appears to be a commentary on the principle that business enterprises should respect human rights, discussing the need to avoid infringing on the rights of others and to address adverse impacts.

12. The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.

Commentary

The text is partially obscured by a large, faint watermark that reads "Business Enterprises and Human Rights". The visible text appears to be a commentary on the principle that business enterprises should respect human rights, discussing the need to avoid infringing on the rights of others and to address adverse impacts.

c a t i a c t i . l a c c , , a t i a b
 a a t i a t i a c a d t i g , , a d ,
 t b , c , t d a . H , t a c a ,
 , a a t i t d b , b c , t a c t i .
 A a t i a t i t g t i a a g t i d a t i
 t g . a d t i . l . a t i a B , H a R (g t i t i
 U t a D c a a t i , H a R a d . a t i .
 t c t i a b g d , d i . l . a t i a G a a . G a d P t i c a
 R a d . l . a t i a G a a . E g , t c , S a a a d C . a
 R) , g d t i t a g c t i d a . a t i t i .
 t i l l O g g t i a t i . D c a a t i F d a . a
 P t a a d R a W . T a t b c a a a . t c
 , t a a c , a t i a t i a c , b t i .
 T t i t i b t i . t i c a t i t i d i c
 t i t i a t a b t i a d , c , t c a d , d a
 b t i a a t i t i t a . t d c t i .
 D d t i a c . a c , b t i . t i a d , g t i d
 a d t i a . a d a d . F t i . a c , t i t i d c . a
 t i t i d a b t i t i a c , , a t i a t i
 a t c a a . t i , t i a a a d t i a t i t i a c
 t i . l . t g t i c t i , U t d N a t i . t i . a t a b a d
 t i t i t i d t i ; t i t i a t i t i c ,
 t i t i a d t i t i c t i t i ; c d ; t i t i d a b t i ; a d
 t i a . t i a d t i a t i . M t i , t i a t i a d g t i c
 t i t i d c . a d a d t i . a t i a a t i a a .

13. The responsibility to respect human rights requires that business enterprises:

- (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;
- (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

Commentary

B... a b... d... ad... a... ac...
 ... ac... a a... b... a...
 ... G... P... 19 ab... a... ca...
 ... b... d add... a... F...
 ... G... P... a b... ac... a... d...
 ... c d b... ac... a d... ; a d... b... a...
 ... d... d... c d... a... b... a...
 ... a... c... a d a... -S a... S a... d c... d...
 b... a... , d c... c...

14. The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure. Nevertheless, the scale and complexity of the means through which enterprises meet that responsibility may

- (a) A policy commitment to meet their responsibility to respect human rights;
- (b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

Commentary

B. Operational Principles
 The commentary states that the business enterprise should express its commitment to meet this responsibility through a statement of policy that:

B. OPERATIONAL PRINCIPLES

POLICY COMMITMENT

16. As the basis for embedding their responsibility to respect human rights, business enterprises should express their commitment to meet this responsibility through a statement of policy that:

- (a) Is approved at the most senior level of the business enterprise;
- (b) Is informed by relevant internal and/or external expertise;
- (c) Stipulates the enterprise's human rights expectations of personnel, business partners and other parties directly linked to its operations, products or services;
- (d) Is publicly available and communicated internally and externally to all personnel, business partners and other relevant parties;
- (e) Is reflected in operational policies and procedures necessary to embed it throughout the business enterprise.

Commentary

The commentary states that the business enterprise should express its commitment to meet this responsibility through a statement of policy that:

The commentary states that the business enterprise should express its commitment to meet this responsibility through a statement of policy that:

r ā̄ . E ca b d a , ā̄ c , a .
 c db , c , c g . ā̄ g d .
 T . a , g d b b̄c aā ab l d b
 g ca da cū , ā̄ ā̄ c . ā̄ a g ac a
 ā̄ ; d c d , ā̄ , ā̄ c a i c d
 Sa c , c ā̄ d , ca , ā̄ ā̄ ca .
 a ā̄ ā̄ ā̄ ā̄ ā̄ a c d a d .

1. a g c a a d a d a d
c d d a c a a d acc a b
b a d d b d b a c a a
a b c

J . a S a d , d a d , c G c , b .
 d , . G c b .
 a d , a d , c d a , d b
 aciv a d a . T d c d , , a , a
 a d , c d a a a d , a c c .
 ; c ac ; a d , b b aciv a
 a a .

$T_1, \dots, a d a, \dots, a, \dots, \bar{a}, \dots, a, \dots, \bar{c}, \dots, a, \dots$

- ## Commentary

[illegible]

- 18. In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships. This process should:**
- (a) Draw on internal and/or independent external human rights expertise;**
 - (b) Involve meaningful consultation with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation.**

[illegible]

[illegible][illegible]

B ca a ā̄ ī . ā̄ a d.. a īc , a
ā̄ ac db .. d . a .. a ī . va : ħ ḡ a
acwī . ā̄ ; ħ ḡ a d ā̄ cā ī . ā̄
(... a ...) d c a cū īc cā id cā
. b ī); ī a ā̄ ā̄ cā ā̄
... (... ā̄ ā̄); a d ħ dca

T̃ ab b̃
 acc a d a d a d c a a a
 a c d a d b c a a a a
 acc a a a d a ba a
 l a c a a b b
 d d a ab a a c a c ab
 d d c a d a d d a d
 a a

$T = \begin{pmatrix} a & b \\ c & d \end{pmatrix}$

19. In order to prevent and mitigate adverse human rights impacts, business enterprises should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.

(a) Effective integration requires that:

(i) Responsibility for addressing such impacts is assigned to the appropriate level and function within the business enterprise;

(ii) Internal decision-making, budget allocations and oversight processes enable effective responses to such impacts.

(b) Appropriate action will vary according to:

(i) Whether the business enterprise causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship;

(ii) The extent of its leverage in addressing the adverse impact.

Commentary

The first part of the commentary discusses the concept of adverse impact and the role of the business enterprise in addressing it. It notes that adverse impacts can be direct or indirect, and that the business enterprise has a responsibility to address them. The second part discusses the concept of leverage and the role of the business enterprise in addressing it. It notes that leverage can be used to address adverse impacts, and that the business enterprise has a responsibility to use leverage to address them.

The third part of the commentary discusses the concept of internal decision-making, budget allocations and oversight processes, and the role of the business enterprise in addressing them. It notes that these processes are essential for the business enterprise to address adverse impacts, and that the business enterprise has a responsibility to ensure that these processes are effective. The fourth part of the commentary discusses the concept of appropriate action, and the role of the business enterprise in addressing it. It notes that appropriate action will vary according to the circumstances, and that the business enterprise has a responsibility to take appropriate action to address adverse impacts.

The fifth part of the commentary discusses the concept of whether the business enterprise causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship. It notes that this is a key factor in determining the business enterprise's responsibility to address adverse impacts.

The sixth part of the commentary discusses the concept of the extent of its leverage in addressing the adverse impact. It notes that leverage is a key factor in determining the business enterprise's ability to address adverse impacts, and that the business enterprise has a responsibility to use leverage to address them. The seventh part of the commentary discusses the concept of internal decision-making, budget allocations and oversight processes, and the role of the business enterprise in addressing them. It notes that these processes are essential for the business enterprise to address adverse impacts, and that the business enterprise has a responsibility to ensure that these processes are effective.

The eighth part of the commentary discusses the concept of appropriate action, and the role of the business enterprise in addressing it. It notes that appropriate action will vary according to the circumstances, and that the business enterprise has a responsibility to take appropriate action to address adverse impacts. The ninth part of the commentary discusses the concept of whether the business enterprise causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship. It notes that this is a key factor in determining the business enterprise's responsibility to address adverse impacts.

. a c d, ... a a
 ab , a d a
 a d ad a
 c
 T a a d ca a
 ca d a d ad
 d d
 I a a a ad
 ac d A d ac a a b
 c a L a a b c a d b , ... a
 ca b c a d , ...
 ab ac
 T a a ac a
 a ac a d ab c a a H
 d a ac
 c a a a ac
 W a a a
 A d d a a
 c a b a d
 ab a H a d
 a a d ab
 c d c a a
 a d a a
 ab a d a a
 d b a a a
 a d b a a a
 a a a

20. In order to verify whether adverse human rights impacts are being addressed, business enterprises should track the effectiveness of their response. Tracking should:

- (a) Be based on appropriate qualitative and quantitative indicators;
- (b) Draw on feedback from both internal and external sources, including affected stakeholders.

Commentary

Tacitly, the Commission has adopted a balanced approach. It has not imposed a blanket obligation on all enterprises to communicate externally, but it has required those enterprises whose operations or operating contexts pose risks of severe human rights impacts to report formally on how they address them. In all instances, communications should:

Be of a form and frequency that reflect an enterprise's human rights impacts and that are accessible to its intended audiences; Provide information that is sufficient to evaluate the adequacy of an enterprise's response to the particular human rights impact involved;

Tacitly, the Commission has adopted a balanced approach. It has not imposed a blanket obligation on all enterprises to communicate externally, but it has required those enterprises whose operations or operating contexts pose risks of severe human rights impacts to report formally on how they address them. In all instances, communications should:

Be of a form and frequency that reflect an enterprise's human rights impacts and that are accessible to its intended audiences; Provide information that is sufficient to evaluate the adequacy of an enterprise's response to the particular human rights impact involved; In turn not pose risks to affected stakeholders, personnel or to legitimate requirements of commercial confidentiality.

21. In order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally, particularly when concerns are raised by or on behalf of affected stakeholders. Business enterprises whose operations or operating contexts pose risks of severe human rights impacts should report formally on how they address them. In all instances, communications should:

- (a) Be of a form and frequency that reflect an enterprise's human rights impacts and that are accessible to its intended audiences;
- (b) Provide information that is sufficient to evaluate the adequacy of an enterprise's response to the particular human rights impact involved;
- (c) In turn not pose risks to affected stakeholders, personnel or to legitimate requirements of commercial confidentiality.

Commentary

Tacitly, the Commission has adopted a balanced approach. It has not imposed a blanket obligation on all enterprises to communicate externally, but it has required those enterprises whose operations or operating contexts pose risks of severe human rights impacts to report formally on how they address them. In all instances, communications should:

a d ... a ... c ... a ... a c ... S ...
 G ... ca ... a ... a ... a ... a d ac ... ab ...
 ... d a ... a b ... a c d a d ... a ...
 ... a d ... c d ...

G ... ca ... a ... a ... c d ...
 ... d a ... G ... a c d a d ... a d ... a
 b c ... F ... a ... a ... a d ... a ... a
 ... a d G ... a ... / ... a b ... c d ...
 d a a d ... a d ... a a a d ... a a ...

F ... a ... b ... c d ... a
 ... a c ... d ... a ... b ...
 ... a ... a ... G ... T ... d G ... c a d
 ... d a ... c ... d ... a d add ... a c
 ... a ... d ... d ... ca ... a ... ca
 ... a d c d ... S c ... a c d a ... ca ... d
 ... add ... a d a ...

REMIEDIATION

22. Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes.

Commentary

E ... b ... a d ac ... a b ... a ca
 ... b ... a ad ... a ... a ...
 b ... ab ...

W ... a b ... d ... c a ...
 ... a ... d ... c ... a ...
 ... a ... a c ... a ... d a ... b ...
 ... a ... a c ... O ... a ... c ...
 ... a ... a c d b ... b ... a c ... ca b
 ... a ... a b ... d a ... c ... a G
 c ... a ... P ... 31.

W ... ad ... a c ... c d ... a ... b ...
 ca d ... b ... d ... a d c ... d ... a ...

23. In all contexts, business enterprises should:

- (a) Comply with all applicable laws and respect internationally recognized human rights, wherever they operate;
- (b) Seek ways to honour the principles of internationally recognized human rights when faced with conflicting requirements;
- (c) Treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate.

A. $\frac{1}{2}ac + \frac{1}{2}ad + \frac{1}{2}ca + \frac{1}{2}da$

...addition, ...a d ...
...a b b c ... d a ...
...a ... ab ...

...a ... b ... d ...
...ac ba ... a ... b ... d ...
...b ... ad ... d a ... a d c ... c ... a ...
...a ... b ... a ... a ... c d b ...
...d ... d ... c d ... G ... a ... a ...
...a ... a d ... a ... d ...

- 24. Where it is necessary to prioritize actions to address actual and potential adverse human rights impacts, business enterprises should first seek to prevent and mitigate those that are most severe or where delayed response would make them irremediable.**

Commentary

W b ... d add a ... ad ... a ...
...ac ... a ... a b ... add ... a ...
...ab ... c ... a c a ... d a c ... a ... b ...
...d b ... a ... ac ... a ... d b ...
...a ad a d ... a a c ... d a b ...
S ... a ab ... c ... b ... a ...
...a ... ac ... b ... a d ... d.

III. ACCESS TO REMEDY

A. FOUNDATIONAL PRINCIPLE

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.

Commentary

U Sa .a a , iā . , iā d d
b i - a d a iā ab d , cc Sa d ,
c ca b d d a , a .
Acc iā d a b , c d a a d b . a iā a c
T d iā d d b iā c c a iā d c d iā
c iā a a a a , b . a iā iā iā , a
a iā , b iā , ac a iā da a iā a
a , cc d . R d a iā c d a iā , iā , iā , ab iā ,
a iā , a iā a iā a iā a d iā a c iā (iā
c iā a iā ad iā iā , c a iā) , a a iā iā
a iā iā iā a iā iā iā iā iā iā
P i c d iā iā iā d iā d b iā a iā , iā c d
iā iā a d iā iā ca iā a iā iā c iā iā
F iā iā iā G iā P iā , a iā a c iā d iā d
iā b a iā d iā iā iā a iā d iā a iā a
iā iā iā iā a b b a d iā a , iā ac , iā iā iā
iā iā c iā a iā c iā a iā iā iā a iā d
iā iā . T iā a c c a iā iā d iā iā a
iā iā d , Sa -ba d iā -Sa -ba d iā iā iā c
iā iā iā a c iā c iā b iā -a d a iā ab
ca b iā d a d d ca b iā .
Sa -ba d iā a c c a iā a b ad iā d b a b a c
iā a c iā Sa iā b a iā d d iā d iā a iā
iā iā iā a b a iā . T a b iā iā iā iā iā iā

cāī , , a c d a d c ī d ī d ī d ī
 ī , a ī . dā d ī b ā . E a ī c d
 ī g ī (b ī c ī a a d āī acī) , ab ī b ā , āī a
 ī a ī ī ī ī , Nāī a G ī ac P ī . d ī G ī d ī
 M ī āī a E ī ī O āī āī ī E g ī ī c G ī āī
 a d D ī ī ī a ī b d ī ī c , a d G ī ī ī
 g ī āī ī c ī .
 E ī acc ī d ī b ī - a d ī a ī ī ab
 ī a ī a Sā āī a b ī c a a ī a d ī a d ī
 ī cāī ī cā b acc ī d a d a ī . (a āī
 ī ī d ī ī .
 Sā -ba d ī āī a d ī āī ī ī a c cāī ī d
 ī ī dāī ī a ī d ī d ī . Wāī cā ī ,
 ī āī a- ī ī a c cāī cā ī d a ī a g
 a d ī ī . Sā -ba d a d ī āī a- ī cāī ī , cā
 b ī d ī ī a c d b ī dā ī cī ī g ab āī
 ī āī a ī a ī ī āī a a d ī a ī a ī ī
 cāī . F ī ī d a c ī a d ī cāī ī ī d d
 ī G ī d ī P ī ā 26, 31.

B. OPERATIONAL PRINCIPLES

STATE-BASED JUDICIAL MECHANISMS

26. States should take appropriate steps to ensure the effectiveness of domestic judicial mechanisms when addressing business-related human rights abuses, including considering ways to reduce legal, practical and other relevant barriers that could lead to a denial of access to remedy.

Commentary

E cī dāī cāī a a ī ī acc ī d ī
 T ī abī ī add b ī - a d ī a ī ī ab d ī d ī
 ī ī āī ī . ī a d abī ī acc d d ī c ī .
 Sā ī d ī a ī d ī c bāī ī ī a
 cā ī b ī b ī b ī g ī ī āī ī dāī
 g ī a ī āī a ī acc ī d ī a ī āī ī c ī
 cī d a ī āī ab ī d a ī ī a ī ī ī ī

... d b q ... dāa , c ... a q .
 a d d ... c , ca ... Sa a ...
 a d , b ... ac , a d . a ... a a d ac ac ...
 a d d a ... b . c d .

L a ba ... a ca ... a ca ... b ... - a d
 a ab ... b add d ca a ... a :

- The way in which legal responsibility is attributed among members of a q , a ... d d ... a a d a a a a ... a d a c , a ... a acq ... ab ;
- Where claimants face a denial of justice in a host State and cannot acc ... Sa q ... a d ... cā ;
- Where certain groups, such as indigenous peoples and migrants, are ... d d ... a ... a ... c ... a ... a a ... d ... a .

P ac ca a d , c d a ba ... acc ... dāa d ca a
 ... a :

- The costs of bringing claims go beyond being an appropriate deterrent ... ca a d / ca ... b d c d , a ab ... G ... " a .-ba d" c a (c a ... a c a d a ...) , ... a ;
- Claimants experience difficulty in securing legal representation, due to a ac ... c ... c ... a ... ad cā a .
 ... a ;
- There are inadequate options for aggregating claims or enabling ... a c d (c a ca ac ... a d , q c ... ac ... c d) , a d ... c ... d , d d a cā a . ;
- State prosecutors lack adequate resources, expertise and support to ... Sa ' ... b ... a ... d d a a d b ... a ... a d cā .

Ma ... ba ... a ... d d b ...
 ba a c b ... a ... b ... - a d ... cā ,
 c a ... a āa ... c , acc ... a ... a d ...
 M ... ac ... d c ... a ... d d

ḡ... c... a... dāa... cā... a d... d a d... a ,
 ḡ d d a ... a... a... d... ab...
 a... a... ac add... a c... a... ca a d... a āa
 ḡ d... acc... a d b... cā...
 Pa... a a... d b... a d... c... d...
 c... a... a... dā... c... : acc...
 ḡ c d... a d... ḡ.

STATE-BASED NON-JUDICIAL GRIEVANCE MECHANISMS

27. States should provide effective and appropriate non-judicial grievance mechanisms, alongside judicial mechanisms, as part of a comprehensive State-based system for the remedy of business-related human rights abuse.

Commentary

Ad... a... a d... dāa... cā... a a...
 ... a d... dāa... cā...
 E... dāa... a... c... a d... c d... ca...
 ca... b d... add... a a... d ab... dāa... d...
 a a... d... a a... a... d a... ac... a cā...
 Ga... d... b... a d... a... ab...
 ḡ d b... d... a... a... b... a d... a da...
 ... dāa... cā... a d... b add... cā... T... a
 b... dāa... ba d, ad dāa... c... a a... a
 a d... a... c... a... a... a...
 d... a... c... d, a... b... a d...
 ... d... a... c... a... d...
 ... c... a... P... 31.

Na... a... a... a... a... a... a... a...
 ... a d.

A... dāa... cā... , Sa... d... a... add... a
 ḡ ba a c b... a... b... a d... a... cā...
 a d a... add... a ba... acc... ac d b... d d a...
 ... a... a... d... ab... a... a... .

[illegible]

- O ā a- ī ā c cā ca b ī ī . ā . g
 , d ā d ā ā d g cū ba ā ī c
 b . ca ī bā ī ī ī ī d ī d ī ī
 ī ī ā ad ī add ī ab - ā d ī
 ī c d acc ī dāā ī ī dāā ī ā c cā

Commentary

H a ̄ ̣ - a d . a da d a ̄ ̣ c a ̄ ̣ . c d ̄ ̣ g ̄ ̣ .
d . a ̄ ̣ b ̄ ̣ d . b ̄ ̣ d , ̄ ̣ . a ̄ ̣ d a d , ̄ ̣ g ̄ ̣ ab a ̄ ̣
̄ ̣ a ̄ ̣ , ̄ ̣ g ̄ ̣ d , ̄ ̣ d c , ̄ ̣ a c . a da d , ̄ ̣ ba

a. The first step is to identify the problem. This involves gathering information about the issue and the parties involved. The next step is to analyze the problem and determine the causes. This is followed by developing a plan of action to address the problem. The final step is to implement the plan and monitor the results. This process is iterative and may require adjustments along the way. The goal is to resolve the problem in a fair and equitable manner, while also ensuring that the process is transparent and accountable. This is a key principle of effective grievance mechanisms.

EFFECTIVENESS CRITERIA FOR NON-JUDICIAL GRIEVANCE MECHANISMS

31. In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be:

- (a) **Legitimate:** enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;
- (b) **Accessible:** being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;
- (c) **Predictable:** providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;
- (d) **Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;
- (e) **Transparent:** keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake;

- (f) **Rights-compatible:** ensuring that outcomes and remedies accord with internationally recognized human rights;
- (g) **A source of continuous learning:** drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms;

Operational-level mechanisms should also be:

- (h) Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.

Commentary

A 7̣ ̣ a c 7̣ c a 7̣ c a 7̣ a d a c 7̣ a b 7̣ a d a c 7̣ a b 7̣ T 7̣ c 7̣ a
7̣ d a b 7̣ c a 7̣ d 7̣ a 7̣ a 7̣ d a a
7̣ a c 7̣ c a 7̣ a 7̣ c a 7̣ a c c . P
d 7̣ d 7̣ d 7̣ a c 7̣ c a 7̣ c a 7̣ 9 d
a 7̣ a c d a 7̣ d b 7̣
7̣ d 7̣ a d d 7̣ c b 7̣ c
T 7̣ c 7̣ a a 7̣ a 7̣ a S a - b a d 7̣ S a - b a d ,
a d d a c 7̣ d a 7̣ - b a d 7̣ c a 7̣ . T 7̣ c 7̣ a 7̣ a c
7̣ a - 7̣ c a 7̣ a b 7̣ a d 7̣
T 7̣ a c 7̣ c a 7̣ d 7̣ a a T 7̣
7̣ a 7̣ a a b a 7̣ a 7̣ a 7̣ d 7̣ a 7̣ a c
c a 7̣ , b 7̣ c 7̣ a 7̣ c 7̣ a 7̣ a . G 7̣ a
7̣ a c c 7̣ a 7̣

- (a) Sa d a cā d d . . .
 a c . . . Accq . . .
 a a c c ca . . . a g d c
 ca . . . a . . . ac b d . . . a d . . . ;
- (b) Ba acc a c d a ac a a . . . cā ,
 a a , ac , g . . . ca , cā a d a , ā ;
- (c) l d a cā b . . . d a d d , d , d
 b c , ā ab . . . c d . . . ā ,

