



Mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises

**Survey on the implementation of the Guiding Principles on Business and Human Rights:
National Action Plans on Business and Human Rights**

The present survey focuses on National Action Plans on Business and Human Rights. States are invited to complete this survey in order to provide the Working Group with key background information to help it to undertake its mandate.

The UN Guiding Principles on Business and Human Rights were unanimously endorsed by the Human Rights Council in 2011 (Resolution 17/4) and have become the authoritative global reference point for preventing and addressing adverse impacts on human rights arising from business-related activity.

The Working Group strongly encourages all States to develop, enact and update a National Action Plan on Business and Human Rights as part of their efforts to disseminate and implement the Guiding Principles. This call was also made by the Human Rights Council in its resolution 26/22, in which it encouraged all States “to take steps to implement the Guiding Principles, including to develop a national action plan or other such frameworks”, and “to submit information on their national action plans and other relevant initiatives, with annual reports on the implementation of such commitments.”

In order to facilitate the development of National Action Plans, the Working Group has produced **Guidance on National Action Plans on Business and Human Rights**¹. The Guidance was developed through a year-long consultative process. A first version of the Guidance document was launched on 1 December 2014 at the Third Annual United Nations Forum on Business and Human Rights, and a revised version was presented at the Fourth Annual Forum in November 2015.

In its resolution 26/22, the Human Rights Council welcomed “the efforts of the Working Group to develop guidance for the development and implementation of effective national action plans ..., and encourages all States and other stakeholders to engage with the Working Group in developing such guidance.”

States and other stakeholders are invited to provide comments on the Working Group’s Guidance on National Action Plans **by 16 September 2016**. Such comments, together with other consultations held over the past year, will inform the final version of the Guidance to be presented at the Fifth Annual Forum on Business and Human Rights, to be held from 14 to 16 November 2016.

Apart from soliciting comments on the Guidance document, the present survey seeks to gauge whether and how the development and implementation of National Action Plans on Business and Human Rights have served to better prevent, mitigate and protect against business-related human rights abuse.

The results of the survey will inform the Working Group’s revision to its Guidance on National Action Plans on Business and Human Rights and will feed into discussions at the Fifth Annual Forum, as well as other global and regional consultations planned for 2017.

¹ The Working Group’s Guidance on National Action Plans on Business and Human Rights is available at: <http://www.ohchr.org/EN/Issues/Business/Pages/NationalActionPlans.aspx>. This page also includes a list of countries that have developed national action plans or indicated plans to do so.

Questionnaire

Please send the response by 16 September 2016 to wg-business@ohchr.org.

Please use the following subject line in the email response: “[Country name] SURVEY 2016”.

The Working Group will post responses on the Working Group’s web site² unless respondents indicate that their submission should be treated confidentially.

1. Where a State has developed, or started the process of developing, a National Action Plan (or another specific Government-lead plan to promote responsible business practice in line with the UN Guiding Principles), please share experiences on whether and how the NAP/NAP process has:
 - (a) Helped identify gaps in State and business implementation of the Guiding Principles;
 - (b) led to concrete steps (e.g. new laws, policies, regulations) to address gaps identified;
 - (c) helped improve policy coherence in the areas of business and human rights;
 - (d) addressed the role of the States vis-à-vis companies that are owned or controlled by the State (in line with the recommendations set out in A/HRC/32/45);
 - (e) led to new initiatives to encourage companies to discharge their responsibility to respect human rights (such as mandatory human rights due diligence requirements);
 - (f) helped to develop a strategy for improving accountability and access to remedy (in line with Human Rights Council resolution A/HRC/32/L.19).
2. Where a State has consulted the Working Group’s Guidance on National Action Plans on Business and Human Rights, please comment on:
 - (a) How the Guidance has informed/is informing the NAP/NAP process;
 - (b) which elements are seen as particularly useful;
 - (c) how the document could be further improved.
3. Where a State has not consulted the Working Group’s Guidance on National Action Plans on Business and Human Rights, please comment on why this was the case.
4. Where a State has already adopted and started to implement a National Action Plan, what progress has been made and what lessons have been learned from its implementation?

² <http://www.ohchr.org/EN/Issues/Business/Pages/ImplementationGP.aspx>