

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

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;

- The action plan was developed by the Government Offices in consultation with various stakeholders. A draft was published for public comments on the Government Offices website and the subject of four public consultation meetings in which more than 100 different companies, government agencies, trade unions, NGOs and other stakeholders took part.
- The consultation process helped identify key issues, including necessary actions required, to implement the Guiding Principles.
- The Government will conduct a baseline study of how Swedish legislation compares with the Guiding Principles to determine whether there are any obvious gaps that need to be addressed.

(b) led to concrete steps (e.g. new laws, policies, regulations) to address gaps identified;

- The Swedish National Action Plan identifies around 30 measures already taken and 30 concrete measures that will be implemented by 2017.
- The planned activities include new legislation on public procurement based on EU procurement directives and new legislation on sustainability reporting by private companies with more than 250 employees applicable as of 1 January 2017 (i.e. more ambitious than the EU directive on disclosure of non-financial and diversity information).
- For more information about ongoing and planned measures, please see the Swedish National Action Plan.

(c) helped improve policy coherence in the areas of business and human rights;

- The National Action Plan is an important part of the Swedish Government's increased ambitions in the area of sustainable business, linked to foreign trade and investments. It is also an important part of the Government's relaunch of its Policy for Global Development and its efforts to contribute to the new global Sustainable Development Goals (SDGs).
- The National Action Plan, together with a new CSR Strategy (in the form of a Communication to Parliament), forms the basis for the Swedish Government's new and more ambitious policy on CSR.

(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);

- Since 2012, the government state ownership policy, requires that state-owned companies set a good example, which, for example, means that they must seek to comply with international guidelines such as the UN Guiding Principles on Business and Human Rights.

The companies' efforts are followed up in the management organisation's sustainability analysis and implementation of the principles is discussed as needed in the owner dialogue. As of 2007, they must also be transparent and report in accordance with the Global Reporting Initiative (GRI).

- As stated in the Swedish National Action Plan, CSR will continue to be an integral part of the Government's active corporate governance of state-owned companies. The human rights work undertaken by state-owned companies will be examined in relevant cases in the sustainability analysis and followed up in stakeholder dialogues between representatives of the owner and the companies.
- Knowledge about the UN Guiding Principles on Business and Human Rights, due diligence and redress mechanisms has been promoted in state-owned companies through a series of workshops. A series of workshops held by the management organisation starting in 2015 ended in April 2016. The focus of the workshops was the foundations of the principles, the Human Rights Reporting and Assurance Frameworks Initiative (RAFI), the whistleblowing system as part of the grievance mechanism and human rights due diligence. Each occasion provided an opportunity for experience exchange between the companies and highlighted tools and good practices for implementation by the companies in their own operations.
- The Government will continue its work to increase knowledge about the UN Guiding Principles on Business and Human Rights in state-owned companies and will ensure that these companies, where appropriate, conduct human rights due diligence in order to assess and address any significant risk to human rights.

(e) led to new initiatives to encourage companies to discharge their responsibility to respect human rights (such as mandatory human rights due diligence requirements);

- The Government's new and more ambitious policy on CSR including business and human rights, describes the Government's expectations of companies' sustainability efforts and recommendations of how these efforts should be pursued. The Government's clear expectation is that companies operating in Sweden or abroad comply with the UN Guiding Principles for Business and Human Rights and other relevant guidelines in this area, and review their due diligence and redress mechanisms. These expectations have been clearly communicated to companies at various occasions.
- Continuous reviews are also conducted to assess whether further improvements are needed of the human rights clauses in the policy instruments governing the Swedish Export Credits Guarantee Board, the Swedish Export Credit Corporation et.al.

(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).

- One of the measures in the National Action Plan is to examine the possibility of strengthening the Swedish National Contact Point (NCP) for the OECD Guidelines for Multinational Enterprises.

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;

- The Guidance was published too late to influence the ongoing work of the National Action Plan.

(b) which elements are seen as particularly useful;

(c) how the document could be further improved.

- The Guidance implies a rather high threshold for developing a National Action Plan, this is maybe something that one could consider.

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?

- The National Action Plan goes hand in hand with other initiatives taken by the Swedish Government, including the new and more ambitious policy on CSR. That has been helpful in moving forward the agenda.