

## OHCHR Accountability and Remedy Project Information Note

### What is the OHCHR Accountability and Remedy Project?

The Accountability and Remedy Project was launched by the Office of the UN High Commissioner for Human Rights (OHCHR) in 2014 to support more effective implementation of the Third Pillar of the UN Guiding Principles on Business and Human Rights (UNGPs) on access to remedy. It has been developed to help States, business, and other stakeholders find ways to strengthen accountability and remedy in the area of business and human rights.

### What does the Accountability and Remedy Project cover?

The UNGPs reference three categories of mechanisms to resolve grievances arising from business-related human rights harms: (i) State-based judicial mechanisms, (ii) State-based non-judicial mechanisms, and (iii) non-State-based grievance mechanisms. The Accountability and Remedy Project has had three phases, with each covering a category of mechanism.

The first phase (**ARP I**) focussed on access to remedy using **judicial mechanisms** and resulted in a final report submitted by OHCHR to the UN Human Rights Council in June 2016.

The second phase (**ARP II**) concerned access to remedy using **State-based non-judicial mechanisms**, such as labour inspectorates, consumer protection bodies, ombudspersons, National Human Rights Institutions, and National Contact Points under the OECD Guidelines. OHCHR reported its findings on this phase of work to the UN Human Rights Council in June 2018.

The third phase of work (**ARP III**) was mandated by the UN Human Rights Council in July 2018 and concerns the use of **non-State-based grievance mechanisms**. OHCHR is currently engaged in the work for ARP III and will submit a report to the Council in June 2020.

### What is the outcome of each phase of the Accountability and Remedy Project?

Each phase aims to enhance the effectiveness of the respective mechanism through the development of **recommended actions** for relevant actors (both State and non-State) to improve their implementation of the UNGPs. These are developed through two years of in-depth research, surveys, interviews, and multi-stakeholder consultations, among other activities. The intention is to focus on areas that require urgent attention and/or that offer realistic prospects of delivering improvements to accountability and remedy in the short to medium term. There is extensive engagement with practitioners and key stakeholders in a range of jurisdictions to ensure that the recommendations are credible, workable, and practical.

## What kinds of mechanisms will ARP III focus on?

There is presently huge diversity in the types of non-State-based grievance mechanisms that are potentially relevant to the resolution of grievances arising from business-related human rights harms. For ARP III, OHCHR will be focussing on a few emblematic types that are particularly relevant to and/or offer particularly interesting learning relevant to business and human rights grievances, namely:

- Company-based grievance mechanisms;
- Grievance mechanisms developed by industry, multi-stakeholder, or other collaborative initiatives; and
- Grievance mechanisms associated with Development Finance Institutions, such as Independent Accountability Mechanisms.

## What areas will ARP III focus on?

Over the course of 2019-20, OHCHR's work on ARP III will focus on five priority lines of inquiry (or "work streams") for each type of mechanism:

- **Work stream 1:** Practical steps that mechanisms can take to meet the "effectiveness criteria" of UNGP 31;
- **Work stream 2:** Understanding how State-based and non-State-based mechanisms interrelate (the "public-private" interface);
- **Work stream 3:** Understanding how companies and other organisations can work together through non-State-based grievance mechanisms to improve the prospects for effective remedy;
- **Work stream 4:** Safeguarding peoples from retaliation or intimidation as a result of the actual or potential use of non-State-based grievance mechanism; and
- **Work stream 5:** Meaningful stakeholder involvement in the design and implementation of remedial outcomes.

## How can I get involved?

OHCHR welcomes inputs from all stakeholders and practitioners with an interest in, and experience of, the work of non-State-based grievance mechanisms in providing remedy in cases of business-related human rights abuse.

Over the course of 2019, there will be many different opportunities to engage with OHCHR's work on this project, whether through surveys, interviews, participation in workshops, or by making submissions on specific issues relating to the work streams above.

You can keep abreast of developments and planned events via our dedicated webpage.<sup>1</sup> If you wish to receive regular updates on specific activities, issues or work streams, you can ask to be put on our mailing list by contacting our ARP III project manager, Ben Shea, at [bshea@ohchr.org](mailto:bshea@ohchr.org).

---

<sup>1</sup> [https://www.ohchr.org/EN/Issues/Business/Pages/ARP\\_III.aspx](https://www.ohchr.org/EN/Issues/Business/Pages/ARP_III.aspx).