

# UN Guiding Principles on Business and Human Rights at 10 "Business and human rights: towards a decade of global implementation"

## CONCEPT NOTE

### Overview

June 2021 marks the tenth anniversary of the unanimous endorsement by the Human Rights Council of the [United Nations Guiding Principles on Business and Human Rights](#) (UNGPs). A major step forward in efforts to prevent and address business-related human rights abuse, they provide a global authoritative framework for State duties and business responsibilities to achieve the UNGPs' vision of "tangible results for affected individuals and communities, and thereby also contributing to a socially sustainable globalization."

As part of its mandate to promote the UNGPs, the [UN Working Group on Business and Human Rights](#) (a group of five independent experts, of balanced geographical representation) is undertaking a new project to chart a course for a decade of action on business and human rights. This effort, informed by wide-ranging stakeholder consultations, will take stock of achievements to date, assess existing gaps and challenges, and, most importantly, develop an ambitious vision and roadmap for implementing the UNGPs more widely and more broadly between now and 2030.

The project is supported by the Government of Germany – including in the context of Germany's presidency of the Council of the European Union during the second half of 2020. The global consultation process to develop the roadmap will involve collaboration with OHCHR and UNDP as well as a range of other partners.

### Context

The human rights and economic [consequences of the COVID-19 pandemic](#), coming on top of the severity of the climate and environmental emergencies, have demonstrated the dire need for better safeguards for all in both developed and developing economies, especially vulnerable workers and communities.

Both the ongoing crisis and fundamental challenges to sustainable development and stability – notably climate change and ecological disruptions; rising inequalities and pervasive corruption; rapid technological change with unforeseen human consequences; shrinking civic space and democracy; and widespread fragility, conflict and violence – will require renewed and reinforced attention as the pandemic passes. They highlight the need for multi-stakeholder dialogue, renewed multi-lateralism and transformational collective action for the next decade and beyond, in fostering people-centred government and business responses and sustainable development that leaves no one behind. States

and business actors must use this moment to not revert to business as usual, but to “build back better” from the current crisis. Business as usual should not be an option.

The UNGPs were precisely designed as a response to such global governance challenges. By aligning and mutually reinforcing business respect for people, they offer a pathway to a sustainable future for all.

In this context, the primary focus of the initiative led by the Working Group is to build momentum towards 2030 for mainstreaming and scaling up implementation of the UNGPs, and consequently contributing to the Decade of Action for the Sustainable Development Goals and the [UN Secretary-General's 2020 Call to Action for Human Rights](#). The initiative will also look further ahead to inform and contribute to wider debates on strategic visions in connection with the climate agenda and the need for a just transition to a green economy by 2050; and the perspectives that the business and human rights agenda can offer for sustainable pathways into the next century.

### Need for the project (baseline)

Since their [endorsement by the Human Rights Council in 2011](#), the UNGPs have become the common reference point for efforts to address adverse human rights impacts arising in a business context. They have seen wide uptake in policy and regulatory frameworks with public and private actors. More fundamentally, they have demonstrated that change is possible, as witnessed by leading practices by governments, companies, investor organizations and public sector organizations that are maximizing the potential of the UNGPs.

Yet, while progress is encouraging, a lot more remains to be done by States and business to achieve progress at national levels and a globalization that works for all, delivering on the promise of the 2030 Agenda for Sustainable Development to “leave no one behind”. To make headway, it is necessary to move beyond leaders and pioneers, to reach mainstream businesses that remain unaware of the UNGPs, or the laggards unwilling to meet their responsibility to respect human rights. Such efforts need to take into account systemic challenges and ways to reinforce emerging collective action, including at the sectoral level or in specific geographies.

The first step towards this has been achieved. The UNGPs provide a globally agreed standard and baseline for what governments and businesses need to do to embed respect for human rights in a business context. They clarify the legal and policy implications of States’ existing international human rights obligations and the implications for business of existing standards and practices. As such, they are a transformational tool that can be applied across different areas and agendas that deal with the fundamental question of the role of business in society and how to make business work for a sustainable future for all.

Going forward, the challenge is to scale up and replicate these emerging good practices and leverage wider, more robust policy action and incentives. This endeavour needs to be supported by a strategy to implement the UNGPs-, with a clearer understanding of the concrete goals and targets against which progress along the three pillars of “Protect, Respect and Remedy” can be tracked and assessed.

The UNGPs also need to be seen as pivotal to the new decade’s key agendas for sustainable and responsible business, including rebuilding a sustainable and more resilient post-COVID global economy; achieving the Sustainable Development Goals (including SDG 16 of promoting just, peaceful and inclusive societies, and SDG 17 of revitalizing global partnerships); implementing the Secretary-

General's Call to Action on Human Rights; achieving a just transition to a green economy by 2050; addressing the growing inequalities and injustices of which the most vulnerable are bearing the brunt; making rapid technological change work for all people; and recalibrating the relationship between business and society.

[Read more background here](#)

## Aims

The Working Group's project "***Business and human rights: towards a decade of global implementation***" aims to contribute towards collective efforts to shape a better world by exploring and leveraging the transformational potential of the UNGPs. It seeks to do so, first and foremost, by developing a roadmap for action on the UNGPs during the next decade, with clear goals and targets that can serve as a common reference to help spur action to speed and scale up responsible business conduct based on respect for human rights.

The project will address the three "Protect, Respect and Remedy" pillars, in recognition of:

- the need for State action to foster responsible business through leadership, legislation and regulation, policy coherence, and support;
- the responsibility of businesses to avoid negative impact on people by implementing human rights due diligence and addressing impacts with which they are involved; and
- the need to strengthen both judicial and non-judicial grievance mechanisms to enable access to remedy for victims, to fill gaps when prevention fails and to strengthen future prevention efforts.

The strategic aim is to set out an implementation strategy that can provide a common reference point for all stakeholders, focused on tangible progress – with associated targets – in five key areas:

- Including the business and human rights agenda more concretely within climate change and sustainable development discussions, and vice-versa, as these are key pillars of the "people and planet" vision of the 2030 Agenda for Sustainable Development and beyond.
- Strengthening convergence around the UNGPs at a global governance level, including by leveraging the UN system and supranational action to reinforce national efforts, and building on the existing alignment between the UNGPs and the OECD's Agenda on Responsible Business Conduct, as well as the connection between promoting the UNGPs and the ILO Decent Work Agenda based on International Labour Standards.
- Stepping up State action to advance implementation of a smarter (and aligned) mix of measures by governments around the world, including mandatory measures, to address governance gaps and level playing fields.
- Scaling up approaches with potential to drive wider and deeper change, including by identifying and strengthening drivers to advance uptake of the UNGPs beyond major brands and multinational corporations and beyond pioneers, reaching mainstream business, SMEs and those companies that lag behind through ignorance or indifference.
- Making tangible progress in promoting effective remedy for affected people as a critical component for sustainable development, including by promoting wider dissemination and uptake of the policy recommendations made by [OHCHR's Accountability and Remedy Project](#) and the Working Group's recommendations on strengthening access to effective remedy for business-related human rights abuse.

## Process

The consultation process will be carried out in collaboration with OHCHR, UNDP and other partners. It will involve a series of dialogue exercises with States, international organizations, national human rights institutions, business and industry organizations, business enterprises, consumer associations, investors, trade unions, representatives of affected communities, human rights defenders, civil society organisations, professional associations and groups, academia, and others, seeking to hear perspectives from a wide range of relevant stakeholders from all regions.

## Milestones and outputs

This process will feed directly into the two main outputs of the Working Group project's first phase (2020-21):

- **A report to the Human Rights Council** in June 2021 to provide a baseline, vision and ambition for the next phase, by assessing progress to date, highlighting existing boundary-pushing practices, documenting impediments to wider and deeper action, and considering how to leverage more robust policy action for transformational change towards 2030 and beyond.
- **A Roadmap for the Next Decade**, co-created with partners and based on multi-stakeholder inputs, setting out an implementation strategy with goals and targets for States, business enterprises and associations, international organizations and other actors, to be launched at a dedicated event celebrating the tenth anniversary of the UNGPs.

Other key milestones for the process leading up to the launch of the Roadmap include a launch event in collaboration with the Government of Germany as it assumes the Presidency of the Council of the European Union, regional consultations in collaboration with UNDP and OHCHR, and multi-stakeholder consultations in the context of the UN General Assembly and the UN Forum on Business and Human Rights.

Information about consultations and other activities will be published on the [project page](#).

Beyond the main report and Roadmap, the project will also include other publications such as a compilation of policy recommendations issued by the Working Group to date, presented in an accessible format for wider audiences.

## How to get involved

All interested parties will be invited to take part in an online survey and submit written inputs that may be posted on the website dedicated to the initiative.

Key material will also be disseminated in collaboration with the Business and Human Rights Resource Centre.

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