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UN FORUM SERIES – Measuring progress through National Action Plans and sustainability reports

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Strong political support

The United Nations Guiding Principles on Business and Human Rights (UNGPs) arrived in 2011 to stay. They established an agenda that is constantly moving forward and will not pull back.

The UNGPs have strong political support. The first step was the [unanimous endorsement](#) by the UN Human Rights Council. However, their backing did not come just from states, but also from different organizations, initiatives and businesses themselves. All these actors have driven, integrated and recognized this tool, and the “do no harm” approach that it implies.

First of all, several regional organizations have supported the UN agenda. The European Union (EU) through the European Commission and the Council of Europe [has endorsed this instrument](#) asking EU Member States to develop National Action Plans on Business and Human Rights. The Organization of American States, meanwhile, approved a resolution in its 2014 General Assembly encouraging countries of the region to implement the UNGPs and a Special Session for the issue was held in January of 2015. The African Union and the Association of Southeast Asian Nations have also made some steps towards the adoption of this agenda.

The UNGPs have also been integrated coherently with other international instruments, such as the OECD Guidelines for Multinational Enterprises, in which the 2011 review adopted the UNGPs entirely. This integration deepened throughout the discussion of the national implementation of both instruments in the OECD Annual Forum on Responsible Business Conduct held in June of 2015.

And as the Guidelines did, many other instruments and initiatives integrated the “do no harm” approach, like ISO 26000, GRI and its new version G4, the Dow Jones Sustainability Index, the International Organization of Employers in its recent Bahrain Declaration, ICMM, WBCSD, IFC, IPIECA, PRI, to name some examples.

Recently, 10 global business organizations published a [statement](#) recalling the importance of the UNGP as a “contribution and vehicle” through which business can work on the realization of the 2030 Agenda and the Sustainable Development Goals that it enshrines.

From policies to practice

The political support of the UNGPs is undeniable. But not all is a bed of roses. The practical implementation of this tool by states and companies has been slow. So slow, that in 2014 a group of states promoted an initiative aiming to develop a binding treaty on the matter.

That is why now we are at a decisive point. The political basis is strong but action is needed. For this purpose, states and businesses can use two tools respectively: National Action Plans on Business and Human Rights and sustainability reports that integrate human rights due diligence.

The UN Working Group on Business and Human Rights [has said](#) on multiple opportunities that NAPs on business and human rights are an important tool, not just because it is the most comprehensive way to implement the Principles, but also because they encourage the multi-stakeholder dialogue and policy coherence within the state.

NAPs are also [a powerful tool](#) to measure progress. To develop NAPs, it is recommended that states start the process by doing a baseline assessment, providing an empirical approach to the development of the public policy. These studies are important because they allow the detection of specific issues of interest in every country, help identify gaps in the implementation of the UNGPs, act as useful parameters to measure progress of the NAP over time.

Most countries that have produced NAPs so far have developed evaluations within the state. But countries such as Italy, France, Switzerland, Norway, and currently Chile, have developed or are in the process of developing studies conducted by external experts. In the case of Chile and (partly) Norway, those studies have been carried out by external experts using the

methodology created by ICAR and the Danish Institute for Human Rights "[Toolkit on National Action Plans for Business and Human Rights](#)".

These baseline assessments allow the identification of the current status of human rights and business in a particular country and measure progress over time through the comparison between the first assessment and following studies.

Currently, nine states have finalized their first NAP on business and human rights and there are more than 20 on track to finishing a NAP. NAPs, as well as the human rights due diligence that companies should do, are a continuous process that require constant follow-up and improvement. They are not a first and singular effort.

As for states, the process of implementing the business and human rights vision within companies must be continuous. To achieve this, aside from the policy commitment and due diligence that the UNGPs suggest business should do, companies must follow and regularly communicate the way they are addressing real and potential impacts on human rights.

An effective way to make this communication is through sustainability reports. The exercise of preparing those reports allows businesses to assess the impacts, create a permanent follow-up of them and communicate the process.

The Group of Friends of Paragraph 47 (GOF47), whose name comes from the final document of Río + 20, is a state's initiative aiming to promote policies of sustainability reporting in companies. The goal of the initiative is to increase the number of governments with policies and initiatives that promote sustainability reports, including the strengthening of the quality of those reports.

This objective is progressing every day. As the UNEP and GOF47 report "[Evaluating of National Policies on Corporate Sustainability Reporting](#)" states, every day more countries encourage companies to report and more companies are reporting on non-financial issues.

But a challenge to this agenda is not just to increase quantity but quality as well. The UNGPs shed light upon this. Companies can guide their non-financial reporting by the management requirements established by this tool, embedding the human rights due diligence not only in their operations, but also in their reporting.

It is necessary that states encourage companies to report on human rights, integrating the human rights due diligence progressively. And states can encourage this through NAPs.

Finally, it is important to note that the recently approved Sustainable Development Goals (SDGs) are arriving at a great time for the business and human rights agenda. SDGs not only have strong political support and point to the UNGPs to achieve what was established in the 2030 Agenda, but also SDGs are all about measurement. States are currently bound to develop follow-up and compliance mechanisms to achieve the SDGs and the business and human rights agenda must be embedded in those mechanisms.

No doubt there is still a long way to go. Nevertheless, it is a good sign that every day more states make steps to implement the UNGPs, every day more businesses develop sustainability reports and the 2030 agenda recognize the UNGPs as a tool to achieve the agreed targets.

NAPs provide the unique opportunity to state clear lines of action, discussed by all actors, on how to make progress on this agenda, aiming always towards policy coherence between all the international instruments and national policies.

This is the moment when we are going decidedly from politics to practice.

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