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Damiano de Felice – The 2013 Corporate Questionnaire Findings Report: slow dissemination of the Guiding Principles and importance of human rights benchmarking

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The United Nations Working Group on Business and Human Rights (UNWG) recently released its [2013 Corporate Questionnaire Findings Report](#). The objectives of the questionnaire were to:

- understand progress on the dissemination of the UN Guiding Principles on Business and Human Rights (UNGPs) amongst the business community,
- highlight implementation motivations and challenges, and
- understand the necessary support required for businesses to implement their corporate responsibility to respect human rights.

The survey is an incredibly valuable exercise. Yet, the UNWG acknowledges that the 2013 report cannot be considered “an in-depth inquiry or assessment of how companies are progressing with detailed implementation of the Guiding Principles”. This is because the questionnaire has two important weaknesses.

First, the selection of respondent companies was based on a snowball sampling approach. The process started with an initial “seeding” of the questionnaire by three organizations (the International Chamber of Commerce, the International Organisation of Employers and the Global Business Initiative on Business and Human Rights). The first respondents were then asked to circulate the survey within their network.

Snowball sampling is an easy and low-cost methodology. However, as recognised by the UNWG itself, respondents are “more likely to forward the survey to contacts they know well and who may share similar traits and characteristics to them”. The questionnaire is therefore “not representative of the wider population (in this case ‘global businesses’) as would a random sampling strategy, and this limits the extent to which generalisations can be drawn from results”.

Second, there was “no third party validation of the information expressed by respondents”. As such, it is impossible “to establish whether fact-based answers to some of the questions are indeed accurate”.

The consequence of these two limitations is that findings from the questionnaire can be expected to be rosier than reality. Respondents who were previously familiar or interested in the business and human rights agenda self-select to complete the survey (for instance, respondents are more likely to circulate the survey to contacts whom they regularly meet at business and human rights events). Moreover, if respondents second-guess the “right” answer, there is no way to check the validity of their responses.

Against this background, some findings are surprisingly poor. I highlight two sets of them.

First, the survey asked companies whether they were aware of the UNGPs and, in case of affirmative answer, when they first heard of them. Out of the 153 companies that completed the questionnaire, a quarter (that is, roughly 40 companies) had never heard of the UNGPs. Out of the 75% of the sample who had heard of the UNGPs, more than half had heard of them during their development in 2010 or earlier.

These findings highlight a huge dissemination problem. Out of 153 potentially top-performing companies, almost 40 has *never* heard of the UNGPs. In addition, out of the 75% of the sample who are aware of the UNGP, only 20% had heard of the UN document after its endorsement by the Human Rights Council in 2011.

The corporate leg of the business and human rights community is not only incredibly small. It is also growing at a surprisingly slow pace.

Second, over two in five respondent companies still need to create a public statement of policy on human rights. Combining this finding with the previous ones on dissemination, the result is that at least 20% of the respondent companies are aware of the UNGPs but have not implemented yet the first (and arguably easiest) step in the human rights due diligence process detailed in the UNGPs: adopting a human rights policy. What to expect then with regard to assessing, tracking and communicating adverse human rights impacts?

The UNWG pledges to consider alternative methodologies for future questionnaires. In this respect, I agree that “large businesses are particularly important” and that “it is a fairly simple exercise to obtain contact details for the ‘FTSE 250’, ‘Fortune 500’, etc., contact these companies to explain the nature of the research, and ask to be directed to a suitable individual”.

Implementation of the UNGPs by small- and medium-sized enterprises is a big challenge in itself (and this should not be forgotten). Yet, big multinational corporations seem to be the easiest and most influential starting point.

In order to enlarge the sample of respondent companies, the UNWG might also consider engaging with a number of UN Global Compact Local Networks. These networks are clusters of participants (mainly companies) who come together to advance the UN Global Compact and its principles within a particular geographic context. Each network could be asked to conduct the survey within its membership, or even to reach the largest 50/100 companies in its geographic context.

A last comment is dedicated to a finding which is particularly interesting for those following Measuring Business & Human Rights (MB&HR). Companies were asked to select the top three areas of support that will be the most productive over the coming years to enable companies to take forward the corporate responsibility to respect human rights. Approximately a quarter of respondents recognized the value of public benchmarking on human rights performance.

I was particularly pleased to come across this result. As highlighted by Wim Leereveld in a [previous post](#), “when we measure performance, we reveal opportunities for improvement. When we find out how our peers perform, it drives us to work harder”.

To conclude, the UNWG should be commended for taking the lead in tracking dissemination and implementation of the UNGP. Given current shortcomings, additional support from business networks and academic researchers could be a game changer in this important venture.

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