

Dear Mr. Blankenbach,

thank you for providing us with the opportunity to respond to the following reference made in a [response](#) you've received from Swiss business associations to a study we conducted as co-authors for the Swiss government in 2018:

«A study recently performed by the Swiss Confederation confirmed that large Swiss companies are well advanced in implementing the UNGPs.»

Please find our reaction below.

In September 2017, the Federal Department of Foreign Affairs (FDFA) and the State Secretariat for Economic Affairs (SECO) appointed the management consultant twentyfifty ltd. to undertake the first 'Stocktaking of the implementation of the UNGPs by the Federal Council and Swiss companies.' focusright ltd. acted as co-author for this study.

The claim *«that large Swiss companies are well advanced in implementing the UNGPs»* **is a generalized conclusion that can't be drawn from our research.** Within the sample of Swiss companies responding to the online survey our overall findings on their status of implementation of the UNGPs included the following:

- The level of knowledge about the UNGPs and the National Action Plan on Business and Human Rights (NAP) in Switzerland is generally low. For smaller and medium-sized enterprises knowledge of the UNGP and the NAP is lower than for the larger companies;
- A significant majority of companies is not clear what the UNGPs mean for their company and what is expected from them;
- While most companies responding to the survey have policy, codes of conducts and guidelines in place that somehow reference human rights, only 20% of the companies refer to the UNGPs in their policy commitment;
- Less than 50% of the large companies have processes in place to continuously assess the human rights risks and impacts of their activities and defining specific measures. This shows a gap between adopted policies and the establishment of adequate mechanisms for their implementation;
- Larger companies are more likely to have clear internal responsibilities designed for human rights, to offer training, to integrate human rights into sourcing and investment decision-making and to report on human rights than small and mid-sized companies;
- The biggest companies who have most faced human rights 'crises', civil society pressure and international markets are the most progressive in implementing the UNGPs despite the complexity of their operations.

We would also like to emphasize that the study had a qualitative approach to get an insight into corporate implementation of the UNGP and to inform a potential revision of the Swiss NAP by the Swiss government. It does not allow for general conclusions on the Swiss business community as a whole. Our dataset comprised 135 companies from a special online survey (self-declaration), thereof 30 companies above 5,000 employees. The study identified a series of gaps and made corresponding recommendations. It can be accessed [here](#).

Regarding the proposal recently announced by the Swiss Federal Council, please note that this only includes reporting-, but no due diligence-requirements for companies (alignment of Swiss law with the EU Non-Financial Reporting Directive). More information on this topic can be found in our commentary published in August 2019: [Unglückliche Vermischung zweier Vorlagen](#).

Yours sincerely,
Matthias Leisinger & Sibylle Baumgartner