

Update on OHCHR's project on non-State-based grievance mechanisms (ARP III)

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Work on Phase III of the Accountability and Remedy Project (“**ARP III**”) is now in full swing.

The ARP III team at the Office of the UN High Commissioner for Human Rights (“OHCHR”) is very grateful to the many business and human rights practitioners from diverse jurisdictions who have been engaging with this project so far.

As regular visitors to the Business and Human Rights Resource Centre (“BHRRC”) website will already know, the aim of the Accountability and Remedy Project is to gather and share “good practice” information which can help State and non-State actors identify ways to **strengthen implementation of the Third Pillar of the UN Guiding Principles on Business and Human Rights on access to remedy**.

Previous phases (ARPs I and II) have focussed on “State-based” remedial mechanisms, including courts, regulatory institutions, and ombudsmen-type services.

Phase III of this project, which runs until June 2020, is concerned with “**non-State-based**” mechanisms, particularly those operated by **companies**, **multi-stakeholder initiatives**, and **independent accountability mechanisms** of development finance institutions.

We have five interconnected research projects (or “work streams”) currently underway. These focus areas for our research, and the reasons for choosing them, are explained in more detail in the [ARP III Scoping Paper](#). In brief, they are:

- **Work stream 1:** practical steps that non-State-based grievance mechanisms can take to meet the “**effectiveness criteria**” set out in Guiding Principle 31;
- **Work stream 2:** the “**public-private interface**” between the work of non-State-based mechanisms and the powers and functions of courts, regulators and other law enforcement bodies;
- **Work stream 3:** **how companies and other organisations can work together** through different types of remedial mechanism to improve the prospects for effective remedy;
- **Work stream 4:** **safeguarding** rights-holders, human rights defenders and others from retaliation and intimidation resulting from the actual or potential use of non-State-based grievance mechanisms; and
- **Work stream 5:** how different actors can ensure that there is **meaningful stakeholder involvement** in the design and implementation of remedial outcomes by non-State-based bodies.

As part of our information-gathering efforts we have developed a number of **questionnaires** tailored to different kinds of mechanisms, and different interested groups (e.g., both administrators and users of mechanisms). These are available on the dedicated ARP III websites of [OHCHR](#) and the [BHRRC](#).

If you have knowledge of or experience with a non-State-based grievance mechanism relevant to resolving cases of alleged business-related human rights abuses of any kind (e.g., labour-related,

consumer-related, environment-related, property or land-related), **we urge you to complete a questionnaire and send it back to us as soon as possible so that we can ensure that any useful learning is reflected in our work. There are questionnaires available for:**

- [States](#);
- [Users of private grievance mechanisms and their representatives](#);
- [Staff of companies who operate or participate in private mechanisms](#);
- [Staff of industry, multi-stakeholder, or other collaborative initiatives that have grievance mechanisms](#);
- [Staff of independent accountability mechanisms of development finance institutions](#); and
- [Anyone who has knowledge of and/or experience with private grievance mechanisms](#).

The questionnaires follow a simple, easy to use format.

They can be completed in English, French or Spanish and you can include as much or as little information as you like.

THE DEADLINE FOR SUBMITTING YOUR QUESTIONNAIRES IS 30TH APRIL 2019.

Following completion of the questionnaire process, we will be carrying out a number of **case studies** and **focussed research projects** designed to inform the five main work streams set out above. We also have a very busy calendar of **consultations** and **meetings** ahead.

If you are engaged in any work, or aware of any events, that could be relevant to any of the five ARP III priority work streams outlined above, please do let us know. We would be very interested to hear from you. You can get in touch with the ARP III team at business-access2remedy@ohchr.org.