



INDICATORS

The responsibility for businesses to respect the rights of human rights defenders.

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INDICATORS TO ASSESS BUSINESS IMPLEMENTATION OF THE RESPONSIBILITY TO RESPECT THE RIGHTS OF HUMAN RIGHTS DEFENDERS

This set of indicators is designed to provide companies – together with their business partners and investors – with baseline guidance on what is required to fulfil the responsibility of business to respect the rights of human rights defenders and to support civic freedoms. The interrelated indicators also provide an accountability tool for human rights defenders, Indigenous Peoples, local communities, workers and trade unions to track company compliance with and implementation of essential policy commitments and implementation of necessary operational practices.

These indicators are based on the two authoritative, complementary normative and operational frameworks that set forth the responsibility of business to respect human rights defenders: the [Guidance on Respect for Human Rights Defenders](#) (UN Working Group on Business and Human Rights, June 2021) and [Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders](#) (Business and Human Rights Resource Centre and International Service for Human Rights, September 2018). Both frameworks are consistent with the [UN Guiding Principles on Business and Human Rights](#) (June 2011) and the [UN Declaration on Human Rights Defenders](#) (1998).

These indicators are informed by two of the most recent comprehensive documents also based on the UN Working Group Guidance and the Shared Space Under Pressure framework: namely, the company-specific [Unilever Principles in Support of Human Rights Defenders and Implementation Guidance](#) (September 2023) and the sector-wide [Voluntary Principles Initiative Guidance on Human Rights Defenders](#) (December 2023) focused on the agricultural and extractive sectors.

Finally, the indicators are informed as well by [Threats to Human Rights Defenders: Six ways companies should respond](#) (Oxfam, April 2023) and the [Corporate Human Rights Benchmark](#).

1. Public policy commitment to respect the rights of human rights defenders throughout the company's operations

- 1.1. The company has made a public commitment, developed in consultation with human rights defenders, that includes provisions for respecting, protecting, consulting and supporting human rights defenders and addressing any adverse impacts on defenders associated with its business operations.
- 1.2. The company has adopted publicly-available policies (either stand-alone or as part of a broader human rights policy) which commit it to:
 - 1.2.1. zero tolerance of or contribution to threats, intimidation or attacks of any kind, including all forms of retaliation or reprisals, whether physical or legal, lethal or non-lethal, against human rights defenders and also establishes the expectation that its suppliers and business partners will adhere to this commitment;
 - 1.2.2. specific due diligence processes and actions related to human rights defenders to identify and diminish risks to their security and to the enabling environment of civic freedoms essential to their work;
 - 1.2.3. access to grievance mechanisms and provision of remedy if the company has caused or contributed to adverse human rights impacts on defenders.
- 1.3. The policy commitment recognises that women human rights defenders and defenders identifying as Indigenous and those from other groups at risk of vulnerability or marginalisation, may face distinct and intersectional risks.
- 1.4. The company is prepared to act to support defenders in the face of threats and/or attacks when it has a responsibility to do so if it has caused, contributed or is linked to such threats or attacks or in other situations when it has an opportunity to demonstrate such support.
- 1.5. The company commits to working with human rights defenders to support safe and enabling environments for civic engagement and respect for human rights at local, national or international levels.

2. Procedures to ensure zero tolerance for complicity in intimidation, reprisals, threats and attacks on defenders, whether physical or legal

- 2.1. The company has developed internal guidance to staff on the role of human rights defenders and the company's policy of zero tolerance for any involvement, whether direct or indirect, in intimidation, reprisals, threats or attacks on defenders.
- 2.2. The company recognises the role of trade unions and union representatives as human rights defenders and commits to a policy of zero tolerance for any threats, intimidation and attacks – including all forms of retaliation and reprisals – against workers' elected representatives, trade union members and leaders and other worker rights advocates, consistent with its broader policy commitment to respect the rights of defenders.
- 2.3. The company has adopted a policy or otherwise made a commitment not to use SLAPPs (Strategic Lawsuits Against Public Participation) and other judicial harassment tactics against human rights defenders or other actors who may be critical of its operations.

3. Human rights due diligence processes to identify, address and mitigate risks to human rights defenders

- 3.1. The company describes the process(es) it uses to identify potential human rights risks and adverse impacts that human rights defenders may face, covering its own operations and through relevant business relationships, including its supply chain.
- 3.2. The company has in place a human rights due diligence framework that is aligned with the UN Guiding Principles on Business and Human Rights and other applicable guidelines, such as the OECD Guidelines, that explicitly recognises risks to human rights defenders, and the company describes the process(es) it uses to identify these human rights risks and impacts on defenders, including those involving consultation with human rights defenders.
- 3.3. The company also considers risks to the enabling environment for defenders of civic space and freedoms – including restrictions on the rights to freedom of expression, assembly and association, and to non-discrimination and public participation – as well as risks to Indigenous Peoples, other minority groups and groups in vulnerable situations that are at risk, including women.
- 3.4. The company describes how these processes are triggered by consideration and initiation of new country operations, business relationships, human rights challenges or conflict affecting particular locations, and identifies the risks in relation to such factors, including through heightened due diligence applied to any conflict-affected areas.
- 3.5. The company's due diligence framework explicitly recognises heightened levels of risk to human rights defenders when operating in (or subcontracting with or sourcing from those operating in) environments which have been identified as 'restricted', 'repressed', 'obstructed' or 'closed' by government or NGO sources.
- 3.6. The company's due diligence processes respect the right to free, prior and informed consent (FPIC), including the right of Indigenous People to define the process by which FPIC is achieved and to withhold consent, regardless of an opposing claim by the government.
- 3.7. The company's due diligence processes are informed by substantive two-way engagement with human rights defenders that is conducted in ways that are respectful, accessible and safe. Such engagement should be initiated at the earliest possible stage of planning for changes in business operations, and maintained periodically.
- 3.8. The company provides sufficient financial and organisational resources to ensure effective engagement with human rights defenders, for example through translation/interpretation and funding local travel. It ensures that information about consultations is accessible to defenders, that consultations are conducted in formats that are acceptable to them and take safety concerns into account.
- 3.9. The company's processes for consulting with human rights defenders consider the gender-specific needs and different needs of defenders from groups at risk of vulnerability or marginalisation.
- 3.10. The company publicly discloses the findings of its human rights due diligence and impact assessments in ways that do not pose risk to human rights defenders, Indigenous Peoples, other communities, company employees or business partners.

- 3.11. The company's due diligence processes establish regular review of risks to human rights defenders caused or contributed to or otherwise linked to its operations or business partners.

4. Response to specific situations where human rights defenders are at risk of adverse human rights impacts

- 4.1. The company is committed and prepared to take action in response to an allegation of company involvement in a threat or an adverse impact on a human rights defender, informed by its due diligence processes and consultations with defenders as possible.
- 4.2. The company investigates any allegation of involvement in an adverse impact on a human rights defender, such as intimidation, retaliation, threats or attacks, whether physical or legal, lethal or non-lethal, to determine whether there is involvement either through the company's own actions or omissions, or those of its suppliers or business partners.
- 4.3. The company reports on the process it has taken to investigate allegations of involvement in adverse impacts on human rights defenders, including on steps taken to mitigate or remedy the issue or situation, with the consent of the affected parties and without placing them at further risk.
- 4.4. The company has made public statements or taken other public action in response to risks and threats to human rights defenders, including in relation to both individual cases as well as legislative and policy risks and threats, if it determines, in consultation with defenders, that such public statements or actions are useful and do not put defenders, company employees or business partners at risk.
- 4.5. The company has taken private action that it can verify in response to risks to and impacts on human rights defenders.

5. Transparency and accountability in reporting on allegations of company involvement or complicity in severe adverse impacts on defenders

- 5.1. The company reports regularly and publicly on the implementation of its human rights and human rights defender policies and commitments.
- 5.2. The company has provided a substantive and timely response when it has been the subject of a communication by the UN Special Procedures, and has publicly disclosed that it has been subject to a communication as well as its response to that communication, if determined appropriate and safe for affected defenders.
- 5.3. The company has substantively responded to allegations from or in relation to human rights defenders transmitted by civil society sources.

6. Access to remedy/grievance mechanisms for defenders connected to adverse company impacts

- 6.1. The company's publicly available policy addressing human rights defenders commits it to remedying the adverse impacts on defenders that it has caused or contributed to, and the policy clearly articulates the company's expectation on its suppliers to make this same commitment.

- 6.2. The company's publicly available policy addressing human rights defenders commits it to collaborating with judicial or non-judicial mechanisms to provide access to remedy to human rights defenders.
- 6.3. The company's publicly available policy commits the company to work with suppliers to remedy adverse impacts on human rights defenders which are directly linked to its operations, products or services.
- 6.4. The company has established an operational-level grievance mechanism:
 - 6.4.1. With an explicit independent and impartial mandate to assess and respond to impacts on human rights defenders.
 - 6.4.2. That is structured such that there are sufficient protections for confidentiality and anonymity, where required or desired by the complainant.
 - 6.4.3. That is accessible via a range of modalities (in-person, written, virtual) and relevant languages.
 - 6.4.4. That is supported by sufficient dedicated financial and human resources.
 - 6.4.5. That considers and responds to risks and safety concerns that are gender-specific or relate to particular identities, recognising that these can be multiple and intersecting.
- 6.5. The company provides publicly available instructions on how to use the grievance mechanism, as well as its mandate or constraints, and on the number of cases filed, and successfully resolved, through the mechanism.
- 6.6. The company reports on the outcome of any complaints made to the grievance mechanism, with the consent of the relevant human rights defenders.
- 6.7. The company uses grievance mechanisms as a learning source for its ability to identify and address risks to defenders.

7. Support for an enabling environment of civic freedoms necessary for defenders through long-term advocacy and engagement

- 7.1. The company publicly or privately engages with its home country government and host country governments where it operates or maintains business relationships to express concern about attacks on, or restrictions of the rights of, human rights defenders.
- 7.2. The company publicly expresses its support for open and pluralistic civic space that guarantees freedom of expression, opinion, assembly and association, as well as the rights to non-discrimination and public participation, and a safe and enabling environment for human rights defenders in countries where civic space is under threat.
- 7.3. The company participates in collective actions such as industry-wide and multi-stakeholder initiatives to support civic space, for example through joint letters and statements in support of civic freedoms, trade union rights and the rights of human rights defenders.

8. Company roles and responsibilities for implementation and action to support policy commitments

- 8.1. The company's policy commitment is communicated externally and internally by the CEO and other senior executives.
- 8.2. The company has adequate internal governance mechanisms in place to support implementation of the human rights defender policy commitment, including board-level oversight and senior management involvement.
- 8.3. The company has allocated sufficient financial and human resources to build capacity across the organisation and its subsidiaries to ensure relevant personnel (including employees, consultants, contractors) understand and commit to respecting the rights of human rights defenders.
- 8.4. The company has appointed an individual or a team with a clear role, mandate and resources to act as a focal point on issues related to human rights defenders.
- 8.5. The company focal point has an explicit mandate to work across functions to investigate and respond to allegations concerning threats against human rights defenders, where they may be caused or linked to company operations.
- 8.6. The company has provided financial and human resources to support monitoring, evaluation and learning of the function of the focal point on human rights defenders.
- 8.7. The company provides training on respecting, protecting, consulting and supporting human rights defenders to relevant employees and staff. The company provides training to relevant business partners and suppliers, particularly in high-risk operating contexts, such as where civic space is restricted or in conflict-affected areas.

9. Company requirements to business partners/suppliers to respect human rights defenders

- 9.1. The company evaluates the human rights commitments, impacts and records of potential suppliers in awarding contracts and otherwise entering into business relationships.
- 9.2. The company has incorporated a provision in contracts with suppliers, security providers and other business partners that recognises the need to respect human rights defenders, and consequences of non-compliance, including, if necessary, termination.
- 9.3. Where the company works with public security forces and / or private security providers, it has committed to implementing the Voluntary Principles on Security and Human Rights and to be informed by the Voluntary Principles Initiative's guidance on human rights defenders.
- 9.4. Where the company contracts with public or private security providers, it engages in regular, verified follow-up with such providers to ensure that security providers' personnel have the necessary training to respect human rights defenders' rights.
- 9.5. With respect to investors and financial institutions:
 - 9.5.1. The investor/institution includes in pre-investment screening criteria related to human rights defenders and civic space;

- 9.5.2. The investor/institution supports shareholder action and/or otherwise engages portfolio companies on the need to address risks to human rights defenders and civic space.
- 9.5.3. The investor/institution divests from a company following severe allegations of violations against human rights defenders or complicity in a closure of civic space (including use of SLAPP suits).

10. Implementation and performance

- 10.1. The company is not identified as implicated in allegations of threats, intimidation or attacks on human rights defenders by UN experts, including the High Commissioner on Human Rights, Special Procedures, Treaty Bodies, the UN Secretary-General and the Assistant Secretary-General in their role as senior official on reprisals; or by OECD National Contact Points.
- 10.2. The company is not directly or indirectly linked to allegations of retaliation, violence or stigmatisation against human rights defenders (including trade unionists), according to information available through environmental, social and governance (ESG) platforms, and civil society using transparent and evidence-based methodologies.
- 10.3. The company is not implicated in any cases of SLAPPs, as documented by UN human rights mechanisms or civil society, whether in the country where it is domiciled or in third countries.
- 10.4. The company is not implicated in allegations of using criminal complaints against human rights defenders, either in the country where it is domiciled or in third countries, as reported by civil society organisations.
- 10.5. The company is not identified in reports by UN human rights bodies and mechanisms, civil society, or other media sources as attempting to block human rights defenders' efforts to seek remedies through judicial or non-judicial mechanisms.
- 10.6. The company is not identified in reports by UN human rights mechanisms, civil society, or media sources as using lobbying, whether directly or through intermediaries such as trade associations, to promote restrictions on civic space.
- 10.7. The company cooperates in good faith with processes led by non-judicial mechanisms (in addition to its own) related to complaints by or in relation to involvement in retaliation, threats or attacks on human rights defenders.



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