



CDDH(2017)09

30/11/2017

STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)

Online Platform for Human Rights and Business

Introduction

1. In light of the terms of reference received from the Committee of Ministers for the biennium 2018-2019,¹ the CDDH is called to exchange views at its 88th meeting (5-7 December 2017) on the follow-up to its work on human rights and business.
2. At its last meeting (6-9 June 2017) the CDDH agreed that the Secretariat would present a document detailing in broad terms a plan for a digital platform, as is planned in Recommendation CM/Rec(2016)3 on Human Rights and Business (see §4 below).
3. The elements prepared by the Secretariat in response to this request appear in the present document.

¹ See the Terms of Reference (2018-2019): Main Tasks, item (ii) "*follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given supervision by the Committee of Ministers*".

I. Description of on-going work

4. Pursuant to Recommendation CM/Rec(2016)3 of the Committee of Ministers on Human Rights and Business, the member States are to:

[3.] share examples of good practices related to the implementation of this recommendation with a view to their inclusion in a shared information system, to be established and maintained by the Council of Europe, and which is to be accessible to the public, including through reference to existing information systems;

[4.] share plans on the national implementation of the UN Guiding Principles on Business and Human Rights (“National Action Plans”), including revised National Action Plans and best practice concerning the development and review of National Action Plans in a shared information system, to be established and maintained by the Council of Europe, which is to be accessible to the public, including through reference to existing information systems;

5. As author of the Recommendation, the CDDH has begun work on establishing such an information system to facilitate the above tasks.²
6. The Secretariat has conducted preliminary research on this project, engaging other sections of the Council of Europe for suggestions and advice on the possible outputs and processes of the project, and has also exchanged views with the former chair of the Drafting Group on Human Rights and Business (CDDH-CORP), Professor René LEFEBER (Netherlands), who remains in close contact with the Secretariat.
7. The current proposal is to develop an **online platform and dedicated website** for the collection and dissemination of information on the above topics. It is important to clearly show the added value of the exercise and the CDDH’s involvement in this field: this platform should not be only a simple compilation of National Action Plans (NAP’s) and good practices, a service that is already being offered by other sources.³ The information displayed should provide a benefit for both those involved in drafting or reviewing National Action plans, and other actors concerned with ensuring implementation and progress in the field of human rights and business.
8. Therefore a number of suggestions for features of the platform have been identified. This platform could contain:
- a) An **information archive containing NAPs and good practices** in their entirety, alongside other relevant sources of information and work carried out in the field of human rights and business.
 - b) An **interactive dashboard displaying the specific features** of each NAP/good practice and how these relate to the implementation of the Committee of Ministers’ Recommendation and the United Nations Guiding Principles. In order to achieve this, the information should be displayed in a way that shows how it is related to the

² Report of the 87th Meeting of the Steering Committee on Human Rights, CDDH(2017)R87, § 97.

³ See the relevant websites of the *Office of the United Nations High Commissioner for Human Rights*: <http://www.ohchr.org/EN/Issues/Business/Pages/NationalActionPlans.aspx>; the *Business and Human Rights Resource Centre*: <https://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/implementation-by-governments/by-type-of-initiative/national-action-plans>; and the *Danish Institute of Human Rights*’ new tool on NAPs: <https://www.humanrights.dk/news/new-tools-field-national-action-plans-business-human-rights> and <https://globalnaps.org/>.

relevant provisions of the Recommendation and of the text of the United Nations, and should be accessible on an easy-to-use interactive dashboard.

- c) A **news portal** that would enable the Council of Europe, member States and other interested parties to provide updates on progress and developments.
 - d) A **forum** for connecting relevant officials of the member States and possibly other stakeholders in order to enable adequate coordination, collaboration and exchanges. In this respect, the establishment of national contact points will be necessary.
9. Further to the above functions, the platform could be progressively expanded and make use of the data collected to include more features such as:
- e) **Follow-up** on developments can be displayed, trends mapped and progress showcased.
 - f) The elaboration of **annual reports**.
 - g) Producing **country profiles and specific case Studies or thematic reports** (as the amount of data collected increases).
 - h) Including information on the **features/functions of other systems** (by connecting, if need be, with other sources of data, such as the OECD Guidelines for Multinational Enterprises and its reporting network, in order to aid create a thorough and connected overview of developments and practice in the field of Human Rights and Business).
 - i) Developing **online learning**, in particular in co-operation with the HELP programme; organisation of webinars, meetings, seminars and conferences.
 - j) Finally, potentially contributing to the **review of the Recommendation** in the light of the data collected. This review is provided for by the Recommendation itself:

[5.] examine, within the Committee of Ministers, the implementation of this recommendation no later than five years after its adoption, with the participation of relevant stakeholders.

10. The final review process is a separate undertaking, however its format has not yet been discussed in detail. Whatever decisions will be taken in the future concerning possible review of the Recommendation, the content of the platform can greatly contribute: member States will be able to refer to data already available on the platform instead of replying to questionnaires. In addition, the fact of having sent such contributions is in itself proof of the States' commitment.

II. Next steps

11. While the research so far has resulted in a potential outline for the platform, it is clear that additional consultation with member States and experts on the intended outputs of the project is welcome. In this regard, the participants in CDDH meetings are invited to put forward ideas or suggestions.
12. Once the main features and objectives of the project have been established, adequate data should be collected progressively, and the dashboard and the website should be developed.

a) Collection of data

13. It is essential that sufficient data of the highest quality be collected in a manner that allows it to be easily sorted and clearly displayed. More consultations will need to be done in order to establish a suitable methodology in this regard; however at this stage, three options are available:

- i. submission by member States of all their NAPs and good practice they wish to share;
- ii. submission of specific data following a questionnaire;⁴
- iii. submissions by other interested parties (NGOs, NHRIs, Businesses, etc.).

14. The Secretariat has already carried out the relevant consultations with the Directorate of Information Technology (DIT) and has explored other existing platforms in the Council of Europe regarding online data collection. It has already identified a number of potential solutions.

b) Dashboard and website

15. This section of the project comprises the technical work of designing a suitably clear and interactive interface for the user. Such a process will entail collaboration between relevant programming specialists to ensure that the correct data is displayed in a simple and accessible manner.

16. Further consultation can be done in relation to the final result of this exercise. It is clear that the final design of the platform will depend on the amount and quality of the data collected. The current work of *The European Commission for the Efficiency of Justice (CEPEJ)* for their data display could provide useful inspiration, in particular their *Dynamic database on the Evaluation of European Judicial Systems (CEPEJ-STAT)*⁵. This platform has a number of innovative features for the interactive display of information, and provides a dashboard that is easy to consult.

17. In conclusion, the three requirements below should be borne in mind:

- (i) clear communication of information;
- (ii) motivating and interactive dissemination of information;
- (iii) intuitive use of the platform.

Following its consultation with the DIT and other departments, the Secretariat already has possible suggestions on these points.

c) Timeline

18. The timeline will be dependent on the final decisions on the scale and scope of the platform. For the setup phase, rough estimates can be drawn from similar projects; a period of **twelve months** will be necessary from the project approval to the first publication of the results.

⁴ It should be noted that a sufficiently detailed questionnaire will be a complex drafting process and will require sufficient consultation with experts in this field, and additional input from the member States.

⁵ See <https://www.coe.int/t/dgh/cooperation/cepej/evaluation/2016/STAT/>

III. Funding by Voluntary Contribution

19. The setup phase of this project is intended to be funded from the extraordinary budget as all the CDDH's ordinary budget is currently committed to its regular functions. Therefore voluntary contributions from member States are currently sought in order to launch the establishment process of the platform; the intention is of course, that this project will eventually come under the CDDH ordinary budget in order to ensure its stability and its long-term viability.
20. Member States that intend to make a voluntary contribution to this project are invited to contact the Secretariat for further information.