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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Building capacity for the implementation of the
Guiding Principles on Business and Human Rights****Report of the Working Group on the issue of human rights and
transnational corporations and other business enterprises****Summary*

In the present report, submitted to the Human Rights Council pursuant to Council resolutions 17/4 and 44/15, the Working Group on the issue of human rights and transnational corporations and other business enterprises builds upon the findings drawn from the Working Group's road map project, in which the Working Group proposed a course of action for accelerating the implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. Specifically, the Working Group addresses the persistent capacity and knowledge gaps among stakeholders – particularly States, businesses and rights holders – to understand how the State duty to protect and the corporate responsibility to respect human rights in the context of business activities can be achieved in practice. Noting that one of the key action areas identified by the road map project calls for "more and better international cooperation and implementation support", in the present report the Working Group surveys and assesses existing capacity-building measures and sets out recommendations on how the landscape of capacity-building efforts and initiatives can be shaped for the advancement of the business and human rights agenda.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. Since the unanimous endorsement of the Guiding Principles on Business and Human Rights by the Human Rights Council in 2011, the business and human rights movement has witnessed the proliferation of capacity-building measures aimed at promoting, disseminating and implementing the Guiding Principles, which have been carried out by a diverse range of stakeholders operating at the global, regional and local levels. Momentum has been gathering in the area of regulatory developments concerning business and human rights, including mandatory human rights due diligence legislation. The momentum has led to an inflection point, in terms of how States, businesses and the wider business and human rights community can leverage those opportunities to support better and ongoing efforts and chart an ambitious vision for the next decade of implementation of the Guiding Principles.

2. At the centre of the agenda for the second decade of the Guiding Principles is the need to improve the complementarity of capacity-building initiatives while allocating adequate resources to the implementation of the Guiding Principles, to ensure transformative and durable impact. Indeed, despite efforts to ensure the strengthened alignment, accessibility and sustainability of capacity-building initiatives relating to the Guiding Principles, coordination across multiple stakeholders, sectors and levels of implementation remains a significant challenge. This stems, in part, from the fact that capacity-building measures vary considerably in geographical and sectoral focus, the breadth of audiences targeted, and the type of human rights issues addressed.

A. Aims, scope and methodology of the report

3. The present report contains a holistic assessment of the landscape of capacity-building efforts and initiatives related to the Guiding Principles and the broader business and human rights agenda. In the report, the Working Group addresses the persistent capacity and knowledge gaps among stakeholders – particularly States, businesses, especially small and medium-sized enterprises, and rights holders, including local communities and human rights defenders – to understand how the State duty to protect and the corporate responsibility to respect human rights in the context of business activities can be achieved in practice. The Working Group takes stock of existing capacity-building efforts and initiatives to examine how capacity-building should be institutionalized to facilitate the implementation of the Guiding Principles. Based on that analysis, the Working Group identifies the key elements of effective capacity-building and considers how a globally coordinated effort to build and strengthen capacity in the business and human rights domain can be achieved.

4. For the purposes of the present report, capacity-building (or capacity development) is understood as the “process of developing and strengthening the skills, instincts, abilities, processes and resources that organizations and communities need to survive, adapt, and thrive in a fast-changing world”.¹ With respect to the business and human rights agenda, any action taken to promote and support the implementation of the Guiding Principles must involve reinforcing and expanding the capacities of not only States and businesses, but also of national human rights institutions, civil society organizations and human rights defenders, among other stakeholders. A core focus of capacity-building should be to support groups that are particularly at risk of business-related human rights abuses, including older persons, Indigenous Peoples, people of African descent, women, migrants, persons with disabilities, members of minority groups and children. The Working Group thus adopts a holistic perspective to assess the current landscape of capacity-building measures and what is needed in terms of ensuring that existing and future measures align with the standards enshrined in the Guiding Principles.

5. Alongside these and other observations, the Working Group sets out a three-part approach to capacity-building centred on the creation of institutional knowledge hubs, comprised of international, regional and subregional elements, in order to enhance accessibility by diverse groups of stakeholders. It proposes that those hubs should be

¹ See <https://www.un.org/en/academic-impact/capacity-building>.

complemented by a business and human rights help desk function situated within the Office of the United Nations High Commissioner for Human Rights (OHCHR), which would provide coherent interpretive advice on the Guiding Principles, in close collaboration with the Working Group.

6. The Working Group also endorses the creation of a global fund to support capacity-building measures, aimed at accelerating the implementation of the Guiding Principles.² Such a fund would respond to the vital need for a significant increase in investments for developing and strengthening the capacity of stakeholders. Taken together, the steps in the approach are consistent with the requirements underpinning effective capacity-building, namely collaborative research and consistent monitoring of progress and impact, and with the need for any such body to be strategic and coordinated in its approach and to work within and beyond institutional confines.

7. For the report, the Working Group has drawn from multi-stakeholder consultations, expert workshops and semi-structured interviews held in various regions with States, business representatives, international organizations, civil society organizations and experts. The report is also informed by desk-based research; on the basis of publicly available information sourced from a range of organizations the Working Group was able to identify, for further analysis, 45 major initiatives that provide capacity-building support in the area of business and human rights. To allow for a more diverse sample, the selection of initiatives for analysis reflected variations in terms of size, membership and geographic distribution.

II. Context

8. Moving into the second decade of implementation of the Guiding Principles, it is important to celebrate the progress that has been made, not least in relation to the policy coherence achieved between the Guiding Principles and key global instruments pertaining to responsible business conduct, including the OECD Guidelines for Multinational Enterprises, issued by the Organisation for Economic Co-operation and Development (OECD),³ the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the International Labour Organization (ILO), and the ILO Declaration on Fundamental Principles and Rights at Work.

9. Even so, significant work remains to be done on the promotion and dissemination of the Guiding Principles in various parts of the world, especially among the countries of the global South, and on their accelerated and coordinated implementation. Stakeholders at the annual and regional forums on business and human rights, multi-stakeholder consultations and meetings organized or jointly organized by the Working Group have frequently raised questions regarding how the Guiding Principles should be translated into practice at the local level and how the capacity of human rights defenders to engage with relevant human rights mechanisms on business and human rights-related issues can be strengthened.

10. In its resolution 17/4, the Human Rights Council requested the Secretary-General to prepare a report on how the United Nations system could contribute to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles, addressing in particular how capacity-building of all relevant actors to that end could best be addressed within the United Nations system.

11. Pursuant to that request, the Secretary-General submitted a report in 2012 in which he noted that supporting efforts to promote capacity-building among relevant actors was one of the tasks assigned to the Working Group, but that given the scale of the task, the Working Group had recognized that it alone could not carry out capacity-building efforts and would need to leverage other efforts.⁴ Accordingly, the Working Group has consistently called for enhanced and accelerated international cooperation and coordination to support the

² See <https://www.ohchr.org/en/calls-for-input/reports/2010/study-feasibility-global-fund-capacity-building-business-and-human-rights>.

³ At the time of writing, there are discussions indicating that the name of the OECD Guidelines may change slightly.

⁴ [A/HRC/21/21](#) and [A/HRC/21/21/Corr.1](#).

implementation of the Guiding Principles, as per action area 8 of its road map project,⁵ in which it highlights the need for:

- (a) Better integration of the Guiding Principles within the United Nations System (goal 8.1);
- (b) Enhanced capacity-building and coordination to support faster and wider uptake and implementation of the Guiding Principles (goal 8.2);
- (c) Expansion of geographic uptake and implementation efforts, so as to drive a race to the top (goal 8.3).

12. Compounding the complexity of these challenges are the different understandings of what capacity-building entails, and how it can be undertaken in ways that are effective and coordinated and that uphold the integrity of the Guiding Principles. The challenges associated with capacity-building are not new, but a new impetus is required from States, businesses, and the wider business and human rights community to innovatively address these complexities. Although the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises recommended in 2011 that the Human Rights Council consider establishing a voluntary fund for business and human rights whose primary purpose it would be to enhance the capacity of stakeholders seeking to advance the implementation of the Guiding Principles,⁶ the issue has not been addressed in a sustained way over the past decade. This is also despite the proposed next steps offered in a follow-up report⁷ requested by the Council.⁸

13. Recalling the findings of the road map project, which include an acknowledgement of how capacity-building on the ground needs to be backed by a strategic and coordinated approach at the global level, the Working Group has identified the following two priorities with respect to scaling up efforts to strengthen concerted action:

- (a) Development of an ambitious approach – supported by adequate resources – to bolster the implementation of the Guiding Principles through a broad range of capacity-building initiatives for States, businesses, national human rights institutions, civil society and other stakeholders;
- (b) Strengthening of multi-stakeholder coordination and collaboration, including with entities in the United Nations system, to spur uptake of the Guiding Principles on a larger scale through the provision of coherent interpretation and guidance.

14. In line with the above priorities, there is a need to create a funding and resource base for large-scale capacity-building interventions that would enable the active involvement of stakeholders outside the United Nations. The Secretary-General has pointed out that a model of public-private partnerships, similar to the model used to address other global challenges, could be relevant for the design of a strategic response to meet capacity-building needs in the business and human rights area,⁹ and that, given the scale of the challenge and the resource implications of meeting it, the establishment of a global fund on business and human rights linked to the United Nations, and based on multi-stakeholder engagement, should be considered.¹⁰

III. Capacity-building under the Guiding Principles

15. As a core concept in policy and practice, particularly in the development sector, capacity-building is extensively used but also widely debated. Having emerged in the 1970s in relation to discussions on fiscal decentralization policies, the term has received great

⁵ See <https://www.ohchr.org/sites/default/files/2021-12/ungps10plusroadmap.pdf>.

⁶ [A/HRC/26/20/Add.1](#), para. 8.

⁷ [A/HRC/26/20/Add.1](#).

⁸ Human Rights Council resolution 21/5.

⁹ [A/HRC/21/21](#) and [A/HRC/21/21/Corr.1](#), para. 74.

¹⁰ *Ibid.*, para. 101.

interest since the 1990s.¹¹ During this period, frustrations about the lack of improvement in the adverse economic conditions seen in the global South culminated in a general realization within the policy community of the importance of capacity-building to generating ownership among stakeholders and to producing systems, organizational and individual change.¹² Indeed, “capacity” itself is not a passive state, but part of a continuing process that speaks to the power of a system, an organization or a person to perform or to produce.¹³ It is for this reason that capacity-building must be a continuous, iterative process.

16. While the Guiding Principles emphasize the importance of capacity-building, they do not offer a clear-cut definition of the concept. Instead, the meaning of “capacity-building” and its implications for State and business obligations are articulated through both explicit and implicit references to the centrality of capacity-building to the Guiding Principles’ implementation. For example, in accordance with Guiding Principle 10, States, when acting as members of multilateral institutions that deal with business-related issues, should encourage those institutions, within their respective mandates and capacities, to promote business respect for human rights and, where requested, to help States meet their duty to protect against human rights abuse by business enterprises, including through technical assistance, capacity-building and awareness-raising. The commentary to Guiding Principle 10 further emphasizes that capacity-building and awareness-raising through such institutions can play a vital role in helping all States to fulfil their duty to protect human rights.

17. Of course, within the three-pillar framework of the Guiding Principles, capacity-building is not limited to the State duty to protect. It is also mentioned in the pillar concerning the corporate responsibility to respect. The commentary to Guiding Principle 14 highlights, for example, that while small and medium-sized enterprises may have less capacity as well as more informal processes and management structures than larger businesses, and thus their respective policies and processes will take on different forms, such businesses can nonetheless have severe human rights impacts, which will require corresponding measures regardless of their size.

18. Capacity-building is further referenced in the commentary to Guiding Principle 19, which elaborates on the aspect of taking action regarding identified human rights impacts. In the commentary, it is noted that, if a business enterprise has leverage to prevent or mitigate an adverse impact, it should exercise it, and if a business enterprise lacks leverage, there may be ways for the enterprise to increase it. Offering capacity-building, among other measures and incentives, to the relevant entity is mentioned as one way to increase leverage.

19. Although other guiding principles do not explicitly mention the term, capacity-building is critical to their actualization, including under the pillar on access to remedy. As observed in the commentary of Guiding Principle 25, ensuring access to remedy for business-related human rights abuses requires also that States facilitate public awareness and understanding of these mechanisms, how they can be accessed and any support (financial or expert) for doing so. The Working Group has, moreover, released guidance on ensuring respect for human rights defenders, which identifies capacity-building as pivotal to strengthening effective human rights due diligence that takes human rights defenders into account.¹⁴

20. In sum, the Guiding Principles spotlight the role of the State in facilitating capacity-building measures for various stakeholder groups as a means to accelerate the uptake of the Guiding Principles, and also provide greater clarity on the human rights responsibilities of businesses. Capacity-building can contribute to the implementation of the Guiding Principles by, for instance, growing practical expertise on human rights due diligence and raising awareness of the different grievance mechanisms that should exist. Further to this, the Guiding Principles underscore capacity-building as a way businesses can build and exercise leverage in their business relationships in order to prevent or mitigate adverse human rights

¹¹ See [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599411/EPRS_BRI\(2017\)599411_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599411/EPRS_BRI(2017)599411_EN.pdf), p. 2.

¹² See <https://www.cbd.int/doc/pa/tools/Capacity%20assessment%20and%20development.pdf>; and https://www.undp.org/sites/g/files/zskgke326/files/publications/CDG_PrimerReport_final_web.pdf.

¹³ See <https://www.cbd.int/doc/pa/tools/Capacity%20assessment%20and%20development.pdf>.

¹⁴ A/HRC/47/39/Add.2, pp. 24 and 25.

impacts, in line with their corporate responsibility to respect. With regard to ensuring unobstructed access to effective remedy, it is necessary to strengthen the capacity of rights holders, including human rights defenders and communities adversely affected by business operations, to engage with relevant human rights and grievance mechanisms. As indicated by many stakeholders, this is a high priority in most regions, including Africa, Asia and the Pacific and Latin America.

IV. Current landscape of capacity-building measures in the context of the Guiding Principles

A. Types of capacity-building

21. Existing efforts to bolster the capability of relevant actors to implement and enforce the Guiding Principles are best described as a kaleidoscope of measures, considering how creative stakeholders have been in responding to the capacity needs and knowledge gaps related to the Guiding Principles. Recurring formats seen across different capacity-building measures include peer-learning initiatives and training webinars for business, as well as toolkits, risk-assessment tools, and guidance for stakeholders. They can be sector- or issue-specific, and include learning spaces in multi-stakeholder initiatives, national help desks for advisory opinions, and global help desks for interpretative advice, such as the ILO Helpdesk for Business on International Labour Standards.¹⁵ It is important, however, to ensure that these efforts do not simply replicate one another or result in the fragmentation of knowledge and information; that they leverage opportunities for inter-organizational and/or inter-agency collaboration; and that they are consistent with the spirit of the Guiding Principles.

22. Furthermore, when in-person gatherings were placed on hold owing to the coronavirus disease (COVID-19) pandemic, stakeholders were compelled to seek out technological solutions for hosting capacity-building programmes and to ensure that there was no reduction in the progress made in that space. Since then, technology (for example, videoconferencing platforms) have proved essential to maintaining the progress of capacity-building initiatives. Digital toolkits and knowledge portals on the Guiding Principles and human rights due diligence have also improved in quality over time, facilitating information-sharing among diverse stakeholders spread across the globe. But while technological advancements have allowed capacity-building opportunities to reach a broader audience, accessibility among rights-holders, especially those located in the global South, remains a challenge – one that stands to dilute the effectiveness of global capacity-building measures and widen the digital divide between and within countries.

23. The following subsections provide an aggregated summary of current capacity-building measures, categorized by target audience (States, business, civil society, national human rights institutions and other actors). It should be noted that the survey of initiatives presented here is in no way exhaustive; rather, it provides an illustrative sampling of capacity-building efforts.¹⁶

1. States

24. Capacity-building related to the Guiding Principles and aimed at States has been carried out in multilateral settings for the most part, including global and regional multi-stakeholder events such as the annual Forum on Business and Human Rights, as well as in the framework of dialogues on national action plans on business and human rights. Capacity-building events are often organized jointly by United Nations agencies and programmes and/or intergovernmental organizations such as the African Union, the European Union, ILO and OECD. For States, capacity-building usually happens under the umbrella of technical assistance, and is a part of country-specific or regional project-based efforts to provide support and transfer knowledge for the effective implementation of the Guiding Principles.

¹⁵ See <https://www.ilo.org/empent/areas/business-helpdesk/lang--en/index.htm>.

¹⁶ See also [A/HRC/50/45](#), paras. 44–61.

25. One recurring topic in capacity-building activities on the Guiding Principles for States over the past several years has been the drafting of national action plans. In more recent years, other seminar and training topics that have proved to be of great interest to States include the impact of efforts relating to mandatory human rights due diligence, such as the development of the corporate sustainability due diligence directive proposed by the European Commission, and how to motivate business engagement, especially among micro-, small and medium-sized enterprises, in national action plan processes and the implementation of the Guiding Principles.

26. International organizations often must tailor their training sessions or events to better suit the prevailing legal and sociopolitical contexts within a particular regional or national setting. This, however, means that capacity-building efforts tend to be effective only when there is local expertise readily available to inform the design of such activities, and where support and participation from representatives of the relevant State or States in a region are also forthcoming. There can also be tacit pressure placed on organizers to circumvent potential political sensitivities by, for example, avoiding the explicit use of human rights language or not addressing specific human rights issues, such as human rights abuses suffered by specific groups or abuses that occur in extraterritorial value chains. One other gap in the capacity-building offerings for States arises from the low number of peer-learning opportunities among and within States, especially at the subregional and subnational levels.

2. Business

27. Over the past decade, capacity-building initiatives tailored to businesses have grown steadily in terms of volume and sophistication. What started as mere introductory training sessions on the Guiding Principles and how they should be operationalized have evolved into more in-depth and context-specific training sessions on a range of complex issues, offered by a number of entities and law and consultancy firms. Based on its stakeholder consultations and survey of the literature, the Working Group observes that the development of a “smart mix” of measures – national and international, mandatory and voluntary, including mandatory human rights due diligence legislation – has contributed significantly to increasing corporate interest and participation in such capacity-building initiatives.

28. At the global and national levels, the key methods for building the capacity of businesses involve the use of help desks or knowledge hubs, whose functions can include providing both expert advice on general aspects of the Guiding Principles and context-specific guidance relating to certain rights, sectors or situations in which businesses operate. Entities that offer such guidance and related training – through in-person and online tools such as interactive dialogues and e-learning courses – can include State agencies, business associations, international and non-governmental organizations and civil society organizations. For example, ILO and the United Nations Global Compact have developed a joint learning plan for businesses, comprised of six modules covering the Global Compact labour principles.¹⁷

29. As the capacity and knowledge needs of businesses change with the evolving business and human rights agenda, some entities have discontinued their basic introductory training on the Guiding Principles. They have in turn expanded the scope to offer more advanced training to businesses through, for example, customized training programmes, toolkits and facilitation guides on human rights due diligence,¹⁸ thematic round tables and webinars, and on-the-ground training that puts employees in actual work scenarios (for example, in local factories). The United Nations Development Programme business and human rights team, for instance, has developed, itself and with others, a variety of training resources for business stakeholders.¹⁹ The business-to-business model has also grown in popularity, where peer-to-

¹⁷ See https://www.ilo.org/empent/areas/mne-declaration/WCMS_863814/lang--en/index.htm.

¹⁸ See, for example, <https://www.undp.org/sites/g/files/zskgke326/files/2021-09/UNDP-RBAP-Human-Rights-Due-Diligence-Training-Facilitation-Guide-2021.pdf>.

¹⁹ See <https://www.undp.org/rolhr/business-and-human-rights/bhr-academy>.

peer engagement and knowledge exchanges are contributing to fostering “safe spaces” for businesses to share both good practices and challenges in their fields of operation.²⁰

30. The nature of the businesses identified as the target audience for capacity-building will – and indeed, should – usually inform the design of related guidance and other activities. For example, a government agency providing guidance to a multinational corporation can draw on the global partnerships and networks that have a strong presence in the corporation’s countries of operation to better contextualize the guidance and create opportunities for peer learning. In contrast, guidance provided by a government agency to micro-, small and medium-sized enterprises does not generally need to be drawn from such broad partnerships.

31. Thematic areas of interest for capacity-building activities and knowledge products for businesses include issues such as forced and child labour,²¹ climate change and environmental pollution, gender equality, diversity and social inclusion, and responsible exit, especially in conflict-affected contexts. An especially long-standing area of interest is the practice of human rights due diligence and its ancillary forms, including heightened human rights due diligence, human rights and environmental due diligence and supply-chain due diligence. In particular, demand among businesses for training on mandatory human rights due diligence laws and their implications has also risen in recent years. This is reflected in business and human rights help-desk initiatives spearheaded by some States to provide information and guidance to businesses and other stakeholders about new human rights due diligence legislation.²² Furthermore, reflecting the need to address the well-known barriers obstructing effective communication between executive-level and lower-level management in many businesses, specialized training programmes for senior management are growing in popularity.

32. These trends are evident in ongoing capacity-building efforts aimed at businesses in Asia, Latin America, Western Europe and North America, with incremental growth in activity also emerging in Africa, Central and Eastern Europe, the Middle East and the Pacific region. Even so, among global South countries, there is ongoing reliance on support and resources from international and philanthropic organizations, as well as States in the global North, to fund capacity-building initiatives that bring concerned stakeholders together. Challenges also persist with respect to, *inter alia*, galvanizing businesses to engage in multi-stakeholder capacity-building events, sustaining corporate interest over time and ensuring that staff from different parts of a company – not just the human rights team – are engaged in capacity training. Also, not all organizations that offer capacity-building initiatives to businesses will necessarily be able to provide legal or policy interpretations on business and human rights matters and will thus be limited in their scope of engagement.

3. Civil society

33. Capacity-building initiatives on the Guiding Principles aimed at civil society organizations are predominantly seen in Asia and Latin America, and to a lesser degree in Africa, with tailored training offered to particular subregions. Such programmes are frequently led and/or organized by civil society organizations for their peers and funded through a variety of sources. In these geographical contexts, on-the-ground training has proved to be one of the more preferred methods, alongside expert-led workshops at the regional or subregional levels. One example is the Responsible Business Conduct in Latin America and the Caribbean project, which has encompassed a range of capacity-building activities for governmental officials, members of the judiciary, and businesses. Under the project, emphasis has also been placed on supporting rights holders and civil society organizations in key issue areas, such as access to effective remedy.²³ In early 2023, the Centre for Research on Multinational Corporations also announced its intention to launch

²⁰ See, for example, <https://www.ohchr.org/en/business/peer-learning-project>; see also <https://bhr-navigator.unglobalcompact.org/about/>.

²¹ See, for example, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/instructionalmaterial/wcms_ipecc_pub_27555.pdf.

²² See, for example, <https://wirtschaft-entwicklung.de/en/helpdesk-on-business-human-rights/questions-and-answers-on-the-due-diligence-act>.

²³ See <https://empresasyderechoshumanos.org> (in Spanish).

The Counter, a free help desk offering expertise on corporate structures and finances to social justice organizations around the world, among other services.²⁴

34. Nevertheless, there remains a large gap between the coverage of the capacity-building initiatives currently available to civil society and rights holders and the extent of the need to strengthen expertise on the Guiding Principles within this stakeholder group across different regions and subregions. Indeed, the gap is evident in the uneven regional distribution of allegations of business-related human rights abuses received by the Working Group through the special procedure communications mechanism: throughout the first decade of the implementation of the Guiding Principles, the allegations have consistently been received from stakeholders in Asia, Latin America, Western Europe and North America, with considerably fewer complaints received from Africa, Central and Eastern Europe, the Middle East and the Pacific region.²⁵

35. Based on the Working Group's consultations with stakeholders from the latter regions, this distribution is not due to a lower number of business-related human rights abuses occurring in Africa or Central and Eastern Europe, but rather to a lower degree of awareness about the Guiding Principles and familiarity with the roles of human rights mechanisms in business contexts. As a result, the Working Group and OHCHR regional offices have received repeated requests for training on the Guiding Principles and other relevant standards (for example, the OECD Guidelines for Multinational Enterprises) for rights holders, especially human rights defenders and communities affected by business-related human rights abuses, at the local level.

36. Strengthening capacity among civil society actors vis-à-vis the Guiding Principles requires continuous engagement and improved access to resources, including knowledge products in the local language, especially by members of marginalized groups and groups that face a higher risk of abuse, including Indigenous Peoples, minority groups, human rights defenders and frontline journalists. It also necessitates the "training of trainers", which would enable grass-roots organizations to take ownership of capacity-building activities and lead training sessions with locally grounded knowledge. For many civil society stakeholders, central to these activities is the concept of "knowledge co-creation", which puts rights holders and their needs at the centre of capacity-building initiatives by enabling them to identify the desired objectives of an activity and decide what format works best in their local context.

37. Furthermore, capacity-building for civil society requires upfront investment for longer-term impact. For example, efforts aimed at strengthening networks of civil society organizations, and/or providing multi-year funding and resources for sustained collaboration among such networks, help to develop capacity in a more durable and transferable way. The development of greater capacity through network-building can, moreover, facilitate coordination, synergies and alignment around specific needs, such as for legal support, advocacy, technical advice and financial support. Bolstering and growing such networks can also support the development of joint strategies, which can generate substantial impact.

4. National human rights institutions

38. National human rights institutions play a significant role in promoting and protecting human rights by engaging with States and businesses to ensure that they uphold their respective duties and responsibilities. They can also contribute to bridging implementation gaps between global expectations and domestic understandings of the Guiding Principles. Over 80 national human rights institutions have adopted the Edinburgh Declaration, a document that sets out the activities that national human rights institutions can undertake to better address business-related human rights risks and abuses. Measures under the Edinburgh Declaration include advocating for, and advising States on the introduction of, national legislation that meet international best practices in the prevention of human rights violations

²⁴ <https://www.somo.nl/somo-launches-the-counter-a-global-help-desk-for-activists-challenging-corporate-power/>.

²⁵ See https://www.ohchr.org/sites/default/files/Documents/Issues/Business/UNGPsBHRnext10/dla_piper.pdf.

by businesses; providing guidance to businesses on how to integrate human rights into their business conduct; documenting violations; and examining conditions of access to justice.²⁶

39. However, many national human rights institutions – particularly those located in the global South – require more capacity, resources and support to effectively fulfil their mandates. Although several capacity-building initiatives provide general human rights training for national human rights institutions,²⁷ there remains a gap in guidance on the Guiding Principles, specifically, and on business and human rights, more broadly. There are, however, growing efforts by national human rights institutions to establish mechanisms for knowledge-transfer and capacity-building among national human rights institutions on an interregional scale, which deserve support. These include efforts under the auspices of the Global Alliance of National Human Rights Institutions and its Working Group on Business and Human Rights,²⁸ and regionally based initiatives, such as the online platform of the European Network of National Human Rights Institutions that facilitates exchanges of information and good practices among regional national human rights institutions.²⁹ United Nations entities, together with the Working Group, have also collaborated on joint training programmes. For instance, ILO worked with OHCHR and the Working Group to present joint capacity-building training sessions for national human rights institutions on the interlinkages between the Guiding Principles and the ILO Tripartite Declaration.

5. Other actors

40. In an emerging trend in the business and human rights capacity-building space, universities have been establishing degree programmes and courses on the Guiding Principles and business and human rights. Typically aimed at preparing future policy, business and legal practitioners to develop and integrate human rights standards into their respective sectors and industries, these programmes and courses are essential to breaking down disciplinary and professional silos and to generating much-needed dialogue across law schools, business schools and social/political science faculties on the business and human rights agenda. Initiatives to publish academic and practitioner textbooks on business and human rights for different country contexts and in different languages – focusing especially on situations in the global South – demonstrate a promising approach to raising awareness and disseminating knowledge of the Guiding Principles.³⁰

41. It is equally interesting to observe how capacity-building on the Guiding Principles has been undertaken within international organizations, including United Nations entities. For example, the Business and Human Rights Unit in OHCHR, along with OHCHR field and regional offices, has contributed substantially to the coordination of activities related to the implementation of the Guiding Principles across OHCHR and the United Nations system. Examples include an internal round-table and training series on issues pertaining to business and human rights for United Nations staff working on or in Asia, the Pacific region, the Middle East and North Africa.³¹

V. Elements of effective capacity-building

42. Although capacity-building activities aimed at businesses remain dominant in the business and human rights space, there is slow but steady growth in the area of awareness-raising and capacity-building measures for States, members of civil society, national human rights institutions and other actors. Encouraging this trend is integral to cultivating greater alignment and cooperation among relevant actors and to scaling up efforts to implement the Guiding Principles. Even so, for capacity-building to prove successful, it is necessary to ensure that certain key elements are present and evaluative processes are in place.

²⁶ See https://www.ohchr.org/sites/default/files/Documents/AboutUs/NHRI/Edinburgh_Declaration_en.pdf.

²⁷ See, for example, A/HRC/50/45, para. 51.

²⁸ See <https://ganhri.org/working-group-business-and-human-rights/>.

²⁹ See <https://ennhri.org/hub/>.

³⁰ See, for example, <https://rwi.lu.se/2021/06/15/business-and-human-rights-a-tool-for-lecturers/>.

³¹ A/HRC/50/45, paras. 45 and 46.

43. Drawing on the inputs and information compiled from the stakeholder consultations and interviews, as well as known conceptual frameworks for capacity-building found in the policy literature,³² the Working Group has identified three key dimensions – process, form and relationships – encompassing a total of 14 elements that are deemed central to the institutionalization of effective capacity-building in the context of the Guiding Principles and the broader business and human rights agenda.

A. Process

44. As previously stated, capacity-building is predicated upon a continuous and iterative process. To ensure the integrity of this process, the elements listed below are required.

1. Accessibility

45. To ensure accessibility, it is essential that the relevant actors are aware of the range of capacity-building initiatives available, and it must be ensured that the format of such activities does not create barriers to the participation of stakeholders, especially at the local level. For example, at an administrative level, there have been discussions as to whether imposing a fee for training programmes would result in higher levels of commitment among participants. However, doing so may restrict the range of audiences reached, given that rights holders, civil society, small and medium-sized enterprises, certain State actors and other organizations with limited budgets might not have the resources to pay the fee.

46. With respect to capacity-building for businesses, it is important to ensure greater accessibility of measures by local business actors, such as suppliers in the value chain and their employees. Similarly, for States, it is imperative that training opportunities are not only afforded to particular departments or agencies but also offered to all interested parties, so as to prevent the silo effect.

47. In addition to capacity-building for States and businesses, it is equally important that capacity-building opportunities are available to and accessible by rights holders and members of civil society. Stakeholders who were consulted stressed that access to capacity-building by this stakeholder group is vital to ensure that local lived experiences are reflected in the understanding of human rights risk for specific high-impact sectors, including agribusiness, extractive industries and infrastructure, where the voices of civil society organizations are often missing from the discussion. That is how the capacity-building process can give rise to a mutually reinforcing dynamic, in which the inclusion of rights holders and members of civil society leads to their empowerment, elevates human rights due diligence processes and renders the capacity-building initiative more effective.

2. Sustainability

48. The key to attaining durable impact is to ensure that stakeholders engaged in capacity-building efforts contribute to generating and/or acquiring practical expertise and transferable skills that are continuously evaluated, updated and put into practice. To that end, it is imperative that the providers of capacity-building programmes design them in a way that speaks to a long-term vision, grounded in stable knowledge and a sufficient resource base, which will allow for the knowledge and skills to be passed on more easily to new generations. This element is integral to help desks that are tasked with providing coherence and consistency in the interpretation of the Guiding Principles.

3. Continuous learning

49. To enable the internalization of newly taught content and its application to real-world settings, it is good practice to design and structure capacity-building initiatives in a manner that allows for a continuous learning experience. For example, one organization explained how it had piloted training programmes that required regular check-ins over a three-month

³² See, for example, <https://unsdg.un.org/sites/default/files/UNDG-UNDAF-Companion-Pieces-8-Capacity-Development.pdf>.

period, during which participants had to report back on how they had put into practice the learning from the training programme within the organization.

4. Rigor

50. While being flexible enough to adapt to diverse stakeholders' needs, all capacity-building measures must be based on authoritative, interpretative guidance. Such guidance must be of high quality, that is, it must not dilute or undercut the expectations or coherence of the Guiding Principles.

5. Bottom-up and demand-driven

51. Capacity-building measures should correspond to the needs and demands of stakeholders. As indicated previously, their content should be grounded in bottom-up experiences and realities, which can help to increase the relevance and attractiveness of these measures to stakeholders. A global knowledge base without a regional or local connection is unlikely to be deemed accessible or useful by local stakeholders. Indeed, the Working Group often receives requests from stakeholders – both businesses and rights holders – for contextual interpretations of the Guiding Principles, or for the road map for the next decade of the Guiding Principles to be adapted for varying regional and national contexts. Ensuring that sector- or issue-specific capacity training, for example, still conveys a holistic understanding of the Guiding Principles is crucial in that regard.

B. Form

1. Appropriateness

52. The format and content of a capacity-building programme need to conform to a “logic of appropriateness”. That is, the programme must match the prevailing rules of the situation that it is grounded in and also relate to the roles of the actors whom it engages. The capacity-building approach taken to engage a small or medium-sized enterprise, for instance, will necessarily be different from one used with a multinational corporation, as the human rights due diligence processes that apply to a small or medium-sized enterprise and its value chains are likely to differ from those of a multinational corporation due to the scale of their business operations.

2. Adaptation

53. Further to the criterion of appropriateness, it is equally important for capacity-building efforts to be flexible and adaptive to, *inter alia*, varying levels of expertise among stakeholders, assorted perspectives and the severity of exposure to human rights risks and harm. Specifically, in the case of businesses, the differences in the size and scale of their operations warrant consideration in this regard.

3. Context sensitivity and responsiveness

54. Capacity-building measures must take into due account the local context within which they are implemented. Such efforts need to be designed in ways that are sensitive to local, political and sociocultural contexts and that respond to those realities, to create the conditions for positive change. Accordingly, it must be ensured that they do not simply replicate, for instance, structural power dynamics or gendered norms.

55. In practical terms, there is great need for knowledge and information on the Guiding Principles – usually in the form of guidance and toolkits – to be translated into various languages. This also entails making resources available in simple formats (for example, videos or comics) in order to reach a broad range of stakeholders from different backgrounds. Capacity-building programmes should, moreover, incorporate perspectives and lived experiences from the global South, enable South-South exchanges and encourage cooperation with organizations, groups and communities on the ground.

4. Sector-specific focus

56. As stakeholders' understanding of the Guiding Principles develops over time, designers of capacity-building measures should consider integrating a sector-specific focus, as the implications of the Guiding Principles for one sector will inevitably differ from another. Doing so can enable such capacity-building measures to contribute to the formulation of standards at the sectoral level and the identification of more focused ways in which stakeholders operating within that sector can be engaged to safeguard human rights.

5. Integrated focus on access to remedy

57. Capacity-building measures should empower people and direct them towards information on remedies if their rights are adversely impacted. Specifically, capacity-building initiatives should include training on how to access both State-based (judicial and non-judicial) and non-State-based mechanisms. Accordingly, such initiatives should feature multi-stakeholder engagement and, in particular, the involvement of governments, the judiciary and national human rights institutions, to facilitate an enhanced understanding of local laws and regulations pertaining to access to remedy. It is also critical to ensure that guidance provided on such matters is up-to-date and appropriate to the local context.

C. Relationships

1. Legitimacy

58. Capacity-building needs to be delivered by actors who have credibility. The involvement of international organizations can be useful in that regard, with stakeholders highlighting the important roles played by the Working Group and OHCHR in pushing forward the business and human rights agenda. With respect to establishing a global knowledge hub in this field, many stakeholders have indicated that a United Nations body would be the preferable host organization, and that such a global knowledge hub would be viewed favourably by businesses due to the perceived legitimacy of the United Nations.

2. Alignment and coordination

59. It is imperative that capacity-building services do not simply replicate one another or result in the fragmentation of knowledge and information. Accordingly, they should leverage opportunities for interorganizational and/or inter-agency collaboration whenever possible, and should ensure that they are consistent with the Guiding Principles. With respect to the provision of guidance, it should be made clear to stakeholders which organization is responsible for which type of advice and for which subject matter, so that they can be directed to the right actor for relevant information (for example, ILO for interpretative advice on labour rights standards).

3. Diversity

60. Capacity-building initiatives should involve diverse actors in their design, implementation and evaluation.

61. Further to this, stakeholders have expressed that the governing structure of a potential knowledge hub should not be overly bureaucratic; inserting too many governance layers would make it slow and complex. Emphasis should be placed on having a decision-making body that is representative of a diverse community of practice and not controlled by one group. There should be transparency when constituting such governing body, and diverse backgrounds, profiles and experiences should be reflected in the body.

62. Additionally, a knowledge hub should facilitate access among stakeholder groups, for example, by enabling civil society organizations that would otherwise struggle to make their voices heard to engage with governments and businesses.

VI. Vision for the future

63. A survey of the “state of the art” in capacity-building, together with stakeholder inputs, reveals that despite a plethora of efforts to build business and human rights-related capacities, the field remains fragmented. This is due primarily to the limited extent of coordination between initiatives and funding, and sometimes to the differences in the approaches of the various organizations involved in the field. Additionally, and especially in the light of recent legislative efforts in Europe, capacity-building efforts to date have tended to be oriented largely towards businesses, particularly those based in the global North, and there remains a gap within the field when it comes to support for civil society organizations, rights holders and other stakeholders, especially those located in the global South. The practical ideas outlined below provide some insights into how these challenges can gradually be overcome.

A. Coordinating policies and approaches

1. Establishing knowledge hubs

64. There is a need for improved policy coherence within the field of business and human rights, so it is critical that both the future knowledge hub and the future global fund are clearly defined in scope and that their activity mandates are set out explicitly. This will allow for new and existing players to better address knowledge and capability gaps and avoid replication. Additionally, a clearly defined scope can help to prevent the capacity-building effort from being misconstrued or misused as a seal of approval or certification.

65. The road map recommendations under action area 8 support three complementary yet distinct proposals:

(a) Establish a business and human rights help desk function at OHCHR, so as to leverage the unique institutional role of OHCHR within the United Nations system regarding advancing business and human rights;

(b) Establish a global fund to support business and human rights capacity-building measures;

(c) Strengthen coordination between international actors, and go beyond current institutional boundaries, to deliver the coherence and scale required to meet the needs for capacity-building, collaborative research and tracking progress globally.

66. The Working Group thus envisages a three-part approach to capacity-building at the international level in the field of business and human rights: a global, multi-stakeholder institution or knowledge hub, complemented by a help desk function at OHCHR, in particular to help ensure consistent interpretive advice on the Guiding Principles, and supported by a global fund. Such an ambitious approach requires adequate resources commensurate to the task.

67. While the central coordination body would be international, in order to ensure coherence and coordination, knowledge hubs would have to be established in regions or subregions, to enable easier and localized access for all stakeholders. They would also need to include both online portals and in-person access. While knowledge hubs would not have a direct implementation role, they would serve as a novel tool to strengthen coordination and collaboration across efforts to implement the Guiding Principles. Knowledge hubs would further work to complement and reinforce the roles of leading normative and technical organizations, such as OHCHR, OECD and ILO.

68. The Working Group has identified some of the main functions through which the knowledge hubs would contribute to improving and growing those capacity-building initiatives that promote rights-respecting business practices. These include:

(a) Creating a forum for discussion and cooperation: the knowledge hubs would act as a platform for regularly engaging key State and international institutions in the region and internationally;

(b) Supporting relevant institutional, legislative and policy developments and promoting good practices, including through the provision of independent expertise and information in line with the Guiding Principles. They would also provide comparative experiences, and contribute to the development of guidance products that connect research, policy and practice. Those products could be openly accessible and available in multiple languages, and could help facilitate coordination efforts and coherence among international and regional actors;

(c) Facilitating communication and exchanges among stakeholders by providing opportunities to engage and build trust, including between business, States and affected communities.

2. Deploying knowledge hubs

69. As noted above, knowledge hubs would act as support services that bring together experts and practitioners who can advise businesses on how to implement and streamline the Guiding Principles in their operations and business relationships. Such support can include assistance with assessing human rights risks and conducting human rights due diligence across a business's value chains, and providing guidance on remedial action if harm has occurred. Businesses and, depending on the hub's mission and scope, other stakeholders, could receive either interpretative or practical advice on how the Guiding Principles apply to a business situation, for no fee.

70. Beyond acting as a focal point for questions about human rights and daily business activities, a hub may also offer a range of products tailored to the needs of the businesses and relevant actors, including:

(a) An introductory course on the Guiding Principles for beginners: an online interactive, training course that provides an introductory explanation of the three pillars and what they entail;

(b) Context-specific peer-learning workshops: in-person/online sessions where businesses familiar with the Guiding Principles come together to share their experiences and good and bad practices;

(c) Individual training courses: expert-led "training of trainers" courses that provide business managers/stakeholders with guidance on how to construct individualized training sessions for their own business or field of operations;

(d) A human rights risk checker: an algorithm that provides businesses with a list of possible risks affiliated with the products or services they provide and with the regions in which the businesses provide those products or services or source them from;

(e) Individualized advisory sessions: businesses can email or call experts at a help desk and ask specific questions, such as on how to mitigate human rights risks, in a confidential manner and receive tailored advice;

(f) An online portal with anonymized frequently asked questions: a publicly accessible portal where interested stakeholders can receive immediate generalized answers to frequently asked questions on the Guiding Principles.

3. Creating a help desk

71. The institutional knowledge hubs should be inclusive, with representation from key relevant stakeholders, and be complemented by an OHCHR help desk function. The Secretary-General has highlighted the concern of fragmentation in the interpretation of the Guiding Principles and the divergence of understandings among different stakeholder groups,³³ where various actors have sought to develop their own interpretations of the Guiding Principles. To address this, he identified OHCHR as the institutional focal point within the United Nations system for providing uniform guidance and clarification on issues relating to the interpretation of the Guiding Principles, in close collaboration with the Working Group, as well as other human rights mechanisms and agencies or organizations, as

³³ [A/HRC/21/21](#) and [A/HRC/21/21/Corr.1](#), para. 32.

appropriate.³⁴ A help desk at OHCHR is thus crucial to building consistent, authoritative guidance and interpretation of the Guiding Principles. In consultation with the Working Group and in view of its relevant road map recommendations, OHCHR has in fact already begun exploring the feasibility of establishing such a help desk, and has expressed hope that it could be made operational as soon as possible.

4. Mobilizing a global capacity-building fund

72. The establishment of a global fund, with the primary aim of supporting capacity-building measures such as those listed above, would be key to advancing the implementation of the Guiding Principles. The fund should provide adequate and sustained financial support that allows relevant actors to respond swiftly to the vital need for a significant increase in investments to develop and strengthen the capacity of stakeholders globally, regionally and locally.

B. Emphasizing inclusion and support for civil society and rights holders

73. While rights holders often feature prominently in case studies or reports on business and human rights, only limited efforts have been made thus far to ensure that the information presented is relevant or beneficial for them. Furthermore, language remains a notable barrier, due to the structural inequalities and multiple languages and dialects spoken within local and Indigenous communities. Accordingly, it is critical that the voices of rights holders and other stakeholder groups beyond businesses are heard, and their concerns addressed. Potential ways to better include and support rights holders, and stakeholders more broadly, may include ensuring that any decision-making body of a major capacity-building initiative is governed in a representative manner, as stated previously, and that both financial and advisory resources are readily available to support rights holders and other stakeholders, particularly with regard to ensuring that the pillar on access to remedy is being implemented.

74. Additionally, it is important that such advisory resources are accessible through open and secure channels in multiple languages and, similarly, that information on funding opportunities is available in multiple languages. These steps are crucial to building the capacity of civil society organizations to participate in multi-stakeholder initiatives. Indeed, it warrants note that some organizations stressed that their capacity to take part in multi-stakeholder initiatives has been depleted. Although rights holders are often invited to take part in standard-setting and larger scale initiatives, they often do not have sufficient resources to participate, resulting in standards that do not meaningfully incorporate their voices.

C. Ensuring uptake by business

75. Capacity-building measures require adoption and implementation by businesses in order to have a resonating impact in the business and human rights space; all interviewees mentioned the need to define any new initiative in consultation with the private sector. This is particularly important in relation to areas such as responsible procurement and responsible suppliers, sustainable ventures, and small suppliers looking for support regarding ways to move up the sustainability ladder.

76. Due to a lack of standardization and policy coherence at the national and local levels, in many cases businesses and other stakeholders must navigate a highly complex terrain should they wish to develop their business and human rights capacities. Businesses often find it difficult to differentiate between the expectations and requirements associated with various business and human rights initiatives, national and regional legislation and ratified labour standards. Therefore, it is critical that all actors aim for greater policy coherence across the policy and regulatory domains, in order to facilitate uptake and reduce overlap. Recognizing the potential for businesses to also play a coordinating role in the uptake of the Guiding Principles makes the development of knowledge hubs and a global fund particularly pivotal. These hubs, along with the fund, can work to equip businesses with sound guidance and

³⁴ Ibid., para. 33.

practical tools by aligning policies, streamlining different capacity-building initiatives, for example those at national, regional and intergovernmental levels, and provide more opportunities for business and other stakeholders to interface with one another.

D. Creating balanced governance and funding mechanisms

77. The Working Group acknowledges the need to pay specific attention to the governance and funding schemes of a knowledge hub and a new global fund, in order to establish legitimacy, support the dissemination of expert knowledge and secure the necessary political autonomy to provide effective advice and broader capacity-building. Linking the mechanisms to an individual State or intergovernmental organization has been underlined by various stakeholders as being both advantageous and disadvantageous: some stakeholders see the link with an official institution as providing more legitimacy, while others noted that this might constrain the type of advice given, for political reasons. Citing the same reasons, all stakeholders favoured a mixed source of funding, including private funding, to guarantee the independence of any mechanism.

78. Therefore, the Working Group confirms the need to go beyond current institutional boundaries to find better ways for coordinating capacity-building measures related to the Guiding Principles. There is broad agreement among stakeholders that a new entity would be a useful mechanism to accelerate implementation of the Guiding Principles. There was also agreement on the continued importance of appropriate safeguards for legitimacy and independence, including the assurance of full transparency of potential donors and allocation of resources to individual projects, and the importance of a multi-stakeholder governance structure, which includes all relevant actors and their voices.

79. Due to the interrelated nature of the three pillars of the “Protect, Respect and Remedy” framework, it is evident that the mandate for such an entity should be holistic, while well-defined, with an option to scale gradually after each review. The new entity should also be designed to encourage further multi-stakeholder cooperation. The consultation process for the present report has brought forward diverse views on a number of core issues, such as the scope of this potential entity, whether such an entity should actually be called a “fund” and how the criteria identified for eligibility and governance can be implemented to create an entity that is fit for purpose.

80. As indicated above, more focused discussions involving all actors are needed in order to define the precise mandate of the entity and its decision-making structure. To that end, a targeted multi-stakeholder consultation process would assist the development of concrete recommendations for the operation of such an entity, with the involvement of all relevant stakeholder groups, including representatives of States, the private sector, rights holders, members of civil society and grass-roots organizations, the Working Group, ILO and OECD. The experiences of existing United Nations trust funds, public-private partnerships and other funding models administered through multi-stakeholder governance structures provide valuable examples that can inform relevant deliberations.

VII. Conclusions

81. **Capacity-building underpins the implementation of the Guiding Principles. In the absence of stakeholders who understand the expectations of the Guiding Principles and who possess the capabilities to promote, disseminate and implement them, the global business and human rights movement would not exist as it does today.**

82. **The endorsement of the Guiding Principles has given rise to a range of capacity-building efforts and initiatives in the business and human rights space. Over time, those efforts have grown in both volume and sophistication, with a variety on offer for businesses, States, rights holders and other stakeholders. However, the increase has not necessarily yielded greater coordination or coherence across efforts. Additionally, most capacity-building programmes are still focused on catering to businesses, with more options needed for States, civil society organizations and rights holders. More capacity-building measures are thus required to address the capacity needs of stakeholders,**

especially those who are marginalized and most at risk, including women, older persons, human rights defenders, Indigenous Peoples, people of African descent, migrants and workers in informal sectors.

83. Supporting efforts to promote capacity-building among relevant actors is an important task assigned to the Working Group. Given the scale of the challenge, and considering how sustainability and context sensitivity are among the key elements required for effective capacity-building, this becomes a task that is best shouldered by all stakeholders.

84. Therefore, States should consider, and businesses should support, ways in which resources and funding can be mobilized to accelerate the implementation of the Guiding Principles through a selection of capacity-building initiatives for States, businesses, national human rights institutions, civil society organizations, rights holders and other stakeholders, as set out in action area 8 of the road map project. Such action would also require the strengthening of multi-stakeholder coordination and collaboration, including with agencies in the United Nations system, to ensure the provision of coherent interpretation of and guidance on the Guiding Principles that would facilitate their uptake on an even larger scale.

VIII. Recommendations

85. The Working Group recommends that States:

(a) Endorse a three-part approach to capacity-building at the international level in the field of business and human rights based on the Working Group's road map, composed of:

- (i) A global, multi-stakeholder institution or knowledge hub;
- (ii) A help desk function at OHCHR;
- (iii) A global capacity-building fund;

(b) Provide support, including funding, for the creation and functioning of knowledge hubs;

(c) Support the establishment and resourcing of a help desk at OHCHR;

(d) Create a global fund aimed at supporting capacity-building measures to accelerate the implementation of the Guiding Principles.

86. The Working Group recommends that the United Nations and other international actors:

(a) Ensure extensive support for the implementation of the Guiding Principles, including through bilateral assistance and in the framework of cooperation with multilateral organizations;

(b) Strengthen coordination between international actors to deliver coherent and adequate capacity-building services, and ensure collaborative research and better tracking of progress globally;

(c) Use the three-part capacity-building approach to support States and all relevant stakeholders, including by promoting good practices, supporting policy development and guidance and facilitating coordination efforts and coherence among international actors.

87. The Working Group recommends that businesses:

(a) Invest in and sustain a focus on building their capacities to fulfil their responsibility to respect human rights across their activities, operations and business relationships;

(b) Seek support for the design and implementation of responsible internal corporate policies and practices in line with the Guiding Principles;

(c) **Contribute constructively to a multi-stakeholder knowledge hub by acknowledging the power asymmetries that can affect their interactions with other stakeholders, especially rights holders, participating in those spaces and commit to constructive dialogue.**
