# **Documentation checklist: Feedback on first draft**

ESCR-Net and Business & Human Rights Resource Centre are developing a checklist to support communities in documentation of alleged human rights abuses by business.

Below is the first draft of the checklist and a summary of civil society feedback provided. [For the current draft and latest on this project click here](http://business-humanrights.org/en/checklist-enabling-greater-documentation-of-corporate-human-rights-abuses).

Feedback was provided by individuals at the following organizations:

Center for Legal Assistance to Pollution Victims (China)

Defend Job (Philippines)

EarthRights International (USA)

Evidence Project / RAISE health (USA)

FBV (Brazil)

Habi Center (Egypt)

Nomogaia (USA)

Wits University (South Africa)

# **Compilation of feedback on draft 1**

 ***Summary of key points raised in feedback provided in italics***

FIRST DRAFT FOR CONSULTATION: Checklist for reporting human rights abuses by companies

Top of Form

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**1. Details about the incident**

**1.1 Date incident happened (or time period if incident is on-going)**

*Some pointed out that single “incident” is not always the best way of framing the documentation – often communities will be experiencing a long-term ongoing situation involving a company/ies, that might involve multiple incidents.*

**1.2 Where did it happen?**

**1.3 What was the nature of the abuses or incident, and what specific actions do you allege were taken by the company?**

*Sometimes it is not easy for communities to identify which actions were taken by company as opposed to govt. forces for example*

**1.4 Who was affected? (this does not have to include names of individual people)**

*Suggested additions: How many people were affected? How many people could be affected?*

**1.5 Name of the company or companies involved (if known)**

*Sometimes role of company may not be easily understood – could be changed to company/ies “operating in the vicinity”*

**1.6 Nationality of the company or companies involved (if known)**

*Rather than “nationality”, suggested to phrase as “Country of headquarters of company”*

**1.7 Were government representatives or other people involved as well?  If so, what specific actions or role did the government representatives or other people play in the incident?**

*Suggestion to rephrase above questions as:*

*“What specific role did local or traditional government representatives have in the incident or its aftermath?”*

*“What specific role did regional or national government representatives have in the incident or its aftermath?”*

*“What specific role did companies operating in the vicinity have in the incident or its aftermath?”*

*“Which companies took direct action (if known)?”*
 **2. Outcomes**

**2.1 What outcome are you hoping to achieve, through documentation and any further steps that are taken?**

*Suggested addition: Do you believe that your national legal system will investigate and take any actions with the information in these documents? Do you trust your national legal system?*

**3. Previous steps**

**3.1 Has any action already been taken to address this situation? If so, please explain what has been done.**

*Suggested addition: Have you communicated with company or local government? If so, please explain what has been done and what are the response of the company and the local government.*

**3.2 Have you communicated about the incident with any outside individuals or groups? If so, whom?**

**3.3 Have any written reports or accounts been published about the incident or issue? If so, who wrote them, what are the reports called, and where can they be found?**

*General suggestion on section 3: It might be good to ask about impunity*

*Suggested addition: Does the company endorses any initiative on CSR? OECD Guidelines, Global Compact, Ruggie’s Principles?*

**4. Current and potential threats or danger**

**4.1 Are there any threats or danger to you, to other stakeholders, or to any advocates who are working on behalf of those who have been harmed?**

*Suggested addition: What kind of danger and where is it come from?*

**4.2 Is there any concern that there may be additional harm in the imminent future?**

Feedback on section 4 - Risk

**5. Other information**

**5.1 Any further information: Please upload any photographs or links to videos that would be useful to publish**

**Includes:**

**Facility to upload information, including photographs, video, documents, resources**

**Warning wording necessary here to provide clarity on the risks of uploading this information, in terms of personal security & other risks**