Access to Effective Remedy

Where there have been abuses, affected people must be able to seek redress through effective judicial and non-judicial grievance mechanisms. The third pillar of the Guiding Principles sets out such mechanisms and can be strengthened by both states and businesses.

As part of their duty to protect, states must take appropriate steps to ensure that when abuses occur, victims have access to effective judicial and non-judicial state-based grievance mechanisms.

Non-state-based grievance mechanisms should compliment state-based mechanisms. This means that business must seek to align its internal policies and remedies with legitimate and recognised grievance mechanisms.

All non-judicial grievance mechanisms should meet key effectiveness criteria: by being legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous internal business learning, based on internal business dialogue and engagement.