**Consultation Concept Note**

At the request of the UN Human Rights Council, the UN Working Group on Business and Human Rights has been asked to prepare a study on best practices and how to improve on the effectiveness of cross-border cooperation between States with respect to law enforcement on the issue of business and human rights.

This report is meant to build on and supplement the preliminary work done by the Office of the High Commissioner for Human Rights (OHCHR) in its Accountability and Remedy Project (ARP), which focused on access to remedy issues in cases involving business and human rights. The OHCHR ARP final report has a series of recommendations focused on cross-border cooperation to improve State action.

The Working Group is currently consulting with relevant stakeholders, including civil society organizations, law enforcement, intergovernmental organizations, and the private sector, to identify key best practices where cross-border cooperation has been successful in areas related to corporate crime. To date, there have been few successful cross-border criminal actions against businesses or individual economic actors relating to human rights abuses. As such, the Working Group would like to examine how law enforcement has worked to improve cross-border cooperation in cases that involve business entities.

The Working Group will host a consultation on **February 17** during its February meeting. The consultation will focus on the following issues. If interested stakeholders are not able to join the consultation in person, they are invited to submit written comments to the Working Group.

1. What are the best practices which law enforcement, prosecutors, the judiciary and other government bodies have implemented focusing on cross-border cases relating to criminal business conduct? For example, what best practices or innovations have been developed in the investigation and/or prosecution of human trafficking, illegal timber trading, transnational bribery and corruption, and environmental crimes?
2. Are there examples of useful cross-border cooperation in cases focused more directly on corporate involvement in human rights-related crimes or international crimes such as forced labour, genocide, crimes against humanity and other war crimes?
3. Are there specific treaty mechanisms that have been established that have improved cross-border cooperation?
4. Are there useful networks that have improved cooperation among law enforcement, prosecutors and judges in different jurisdictions, leading to more investigations and actions focused on corporate misconduct?
5. Are there specific best practices that allow law enforcement and courts to more effectively gather evidence in cross-border cases involving corporate crimes?