# Human Rights Harm Analysis Worksheet

This worksheet is provided for use while working through the questions in the *Seven Questions to Help Determine When a Company Should Remedy Human Rights Harm under the UNGPs* white paper to support assessment of company involvement in adverse human rights impacts.

| QUESTION | ANSWER | ATTRIBUTION | EVIDENCE, OR NEED MORE EVIDENCE? |
|---|---|---|---|
| **1. Did the company's actions on their own cause the human rights harm?**<br><br>**Guidance:** A company's actions that on their own cause a negative human rights impacts fall in the "cause" category. | *No*<br>*Probably not*<br>*Probably yes*<br>*Yes* | *Cause*<br>*Contribute*<br>*Directly linked*<br>*Not linked* | |
| **2. Did or will the company facilitate, enable, or incentivize other parties in causing the harm?**<br><br>**Guidance:** The more evidence that a company has enabled, facilitated, or incentivized another entity to cause harm—accounting for other factors below, especially around foreseeability—the more the scales tip toward contributing for this factor. | *No*<br>*Probably not*<br>*Maybe*<br>*Probably yes*<br>*Yes* | *Contribute*<br>*Directly linked*<br>*Not linked* | |
| **3. Could the company have known about or foreseen the potential harm?**<br><br>**Guidance:** The more evidence available that the harm could have been reasonably foreseen, the more likely it is that a company moves into the contribute category for this factor. | *No*<br>*Probably not*<br>*Maybe*<br>*Probably yes*<br>*Yes* | *Contribute*<br>*Directly linked*<br>*Not Inked* | |

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| 4. **How specific was the connection between the company's operations and the harm?**<br><br>**Guidance:** The closer the connection between the company's core business operations, specific products, or specific purchasing activities and the resulting harm, the greater likelihood the company contributed to this factor, and vice versa. | *Scale of 1-5*<br><br>*1 = not specifically tied to harm*<br><br>*5 = Company's specific assets, operations, or purchases were involved in the actual harm.* | *Contribute*<br>*Directly linked*<br>*Not linked* | |
| 5. **Did the company take steps that likely could have prevented the harm from occurring?**<br><br>**Guidance:** If there were no mitigation measures taken, as in **ANZ**, the analysis probably leans toward contributing for this factor. If some measures were taken but the harm occurred nonetheless, it's important to look more closely at the reasonableness of those steps, including their nature, how they were determined, their robustness, and their implementation, along with why the harm occurred despite the mitigation steps. It might be worthwhile to consider bringing in external stakeholder views to help reach a reasonable conclusion. | *No*<br>*Probably not*<br>*Maybe*<br>*Probably yes*<br>*Yes* | *Contribute*<br>*Directly linked*<br>*Not linked* | |
| 6. **Did the company directly benefit from the negative impact?**<br><br>**Guidance:** Where the benefit is directly related to the harm and easily identifiable, **the more likely it is that the company will be considered to have contributed to that harm** and the greater the possibility that disgorgement may be included in part of a broader remedy analysis. | *No*<br>*Maybe*<br>*Yes* | *Contribute*<br>*Directly linked*<br>*Not linked* | |

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| 7. **Do stakeholders and rightsholders believe that the company caused, contributed to, or was directly linked to the harm, or that the company should otherwise provide or contribute to remedy?**<br><br>**Guidance:** The views of stakeholders and rightsholders are critical to any company's analysis of attribution and remedial responsibilities and should be integrated into a final conclusion. | *No*<br>*Probably not*<br>*Maybe*<br>*Probably yes*<br>*Yes* | *Cause*<br>*Contribute*<br>*Directly linked*<br>*Not linked* | |
| **Final Conclusion:** | *Cause*<br>*Contribute*<br>*Directly linked*<br>*Not linked* | | |
| **Rationale:** | | | |