

## Recommendations for Non-Governmental Human Rights Grievance Mechanisms

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NomoGaia has researched and analyzed non-governmental human rights grievance mechanisms. These institutions are recognized in the UN Guiding Principles on Business and Human Rights as an important means to obtaining remedy for affected rightsholders. (See UNGPs Pillar III--Access to Remedy, Principles 28-31) Although our work continues, it is time for us to begin to share what we have learned to assisting in future creation, reform and critique of these systems.

There are several forms of non-governmental human rights complaint mechanisms. They include any mechanism that 1) addresses claims that human rights have been violated by, or because of, business activities and which 2) does not have the power of the state behind it. Types include a company's own complaint mechanism, whether internal (addressing employee claims) or external (addressing community and supply chain claims). The company's contractors and subcontractors may be able to access one or both of these systems. In addition, multi-stakeholder initiatives ("MSIs"), as well as other international groups may operate human rights complaint mechanisms. Another type is the Independent Accountability Mechanisms operated by multilateral and unilateral development banks and funds.

The following recommendations are both negative (should not do) and positive (should do). We have found good examples where what we recommend is already being done in existing grievance mechanisms. We also found distressing examples which gave rise to the negative recommendations. All our recommendations are based on actual practice and concrete examples, not just on theory. While the complaint mechanism data published on the NomoGaia Access to Remedy website (<https://nomogaia.org/access-to-remedy/>) and our academic journal articles so far focus on multi-stakeholder initiatives, we have experience with, and continue to research, both development finance independent accountability mechanisms and company-managed operational level mechanisms. The recommendations below are intended to apply generally to non-governmental business and human rights complaint systems. Our goal here is to offer recommendations for improvements, not to shame, so we do not name any particular systems.

Some of these recommendations may seem obvious. They should be. We have had unsettling conversations with complaint mechanism personnel in which we point out clear, fundamental flaws, and these are acknowledged by them with the response "I know, I know, terrible isn't it, but there is nothing I can do." Those who create these grievance mechanisms have goals and agendas which do not always include providing effective remedy to aggrieved rightsholders. Some clearly want to claim to have a human rights complaint mechanism, without taking the trouble to actually run one.

These recommendations are addressed to those creating and running human rights complaint mechanisms. They are also directed to those who are reviewing, critiquing, and commenting on those systems, including the claimants themselves and the organizations that support them. We therefore keep our recommendations as clear and simple as possible and do not include academic references.

Finally, we are commenting here on adjudicative processes in which a set of facts are judged against a standard to determine if that standard has been violated, and if it has, a remedy is ordered. We are not addressing negotiated settlements of claims. We recognize that agreed-upon settlements of claims can be an important, even essential, part of a mechanism. But, for a variety of reasons (lack of transparency and bias in reporting, to name just two) the subject here is not settlements or so-called “dispute resolution,” but the adjudication or compliance functions of the complaint systems.

While the recommendations below interrelate and connect, they generally fall into three main groups:

- A. **Mechanisms’ Structure and Operation** (Recommendations 1 through 3)
- B. **Mechanisms’ Processes** (Recommendations 4 through 8)
- C. **Mechanisms’ Remedy** (Recommendations 9 through 11)

Note on terminology. We are talking about non-governmental human rights complaint mechanisms. That is a mouthful, so we will often just call them “mechanisms” or “systems.” While we know there can be significant distinctions, in this Report we will use the terms “complaint,” “claim” and “grievance” interchangeably. The “claimant” is the person, group or entity that filed the claim. The “respondent” is the entity (here, almost always a company) whose behavior is alleged to have violated a standard. The complaint system is always part of another entity or organization, which may be an MSI, a development bank, or a corporation.

## **A. Mechanisms’ Structure and Operation**

### **1. Spend the Money, Make the Effort, Make it Real**

A human rights complaint mechanism is a serious enterprise. It is a commitment to rightsholders that they will know where to complain, that their claims will be carefully judged, and, if the claim is valid an effective remedy will be provided. These systems take time, effort and money. To underfund and understaff them turns that commitment into a lie.

Underfunded systems are easy to recognize. Two clear signs are that (1) they have very few claims and (2) that claims are very slow to be processed. In scenario one, this is most likely because there is no budget for outreach and publicity and there are very few claims because claimants don’t know about the system. Those considering only the budget may be delighted with the low cost of dealing with a tiny number of claims, but an unknown system is not a genuine one. In scenario two, some systems openly admit that they only address a few claims at a time, (“new claimants will just have to wait”). As the backlog grows, potential claimants see how slow the system is and take their claims elsewhere. Again, from the viewpoint of a system that is budget-driven, this failure is touted as a success as the number of claims diminishes over time. (“We are making real progress. Look how the number of claims fell!”)

We have seen systems that are so grotesquely underfunded that their assertion that they have a complaint mechanism is almost entirely false. These should be called out, and either closed down or ramped up so that they can become legitimate. Fake human rights complaint mechanisms are not

helpful, to the institution that runs them, to the business and human rights movement, or to the rightsholders themselves. ‘How much is enough?’ is a question that is very difficult to answer as the budgets of the complaint systems we studied were not made available to us or to the general public. Complaint mechanisms need to disclose their cost information so that best practices can be established. Legitimate cost saving methods can only be promoted after cost information is shared.

If you are running a human rights complaint mechanism, you should be asking “Are there signs that we are underfunded to a degree that negatively impacts legitimate claimants?” If you are planning to create a complaints system, you should be ready to fund one that is real and effective. Grossly underfunded systems are easy to recognize and are likely to be called out more easily in the future as the signs of under-funding become better known.

**Claims systems should ensure that sufficient time, effort and money is put into the system.**

**Key signs that a complaint system is under-resourced are:**

- **Small numbers of claims submitted.**
- **Long claim resolution times.**
- **Claim numbers dwindling over time.**
- **Claims ending up mostly in a few, limited categories.**

## **2. Be Transparent**

Information is empowering. Complaint mechanisms should be transparent both for their own sake and for the sake of all such mechanisms collectively. Transparency is a high-level human rights value. Human rights complaints mechanisms should disclose as much information as possible consistent with the goal of protecting claimants and their rights. Parties deserve current information on the status of their claim. Potential claimants need to be able to evaluate a claims system. Information allows claimants to judge which complaint mechanisms to use, which to avoid, and what to expect from the ones they choose. Information allows complaint mechanisms to learn from others and is a prerequisite for the development of best practice. Transparency is the duty of each mechanism for the benefit of all.

The current state of complaint mechanism transparency is abysmal. We were able to study only a small number of MSI complaint systems because they were leaders in transparency. (for the identity of those six MSIs, see the NomoGaia Database at [www.nomogaia.com/access-to-remedy](http://www.nomogaia.com/access-to-remedy)) Company complaint systems are uniformly hidden behind confidentiality barriers. Complaint mechanisms are too worried about, and fearful of, releasing the details of the claims. This habit must be broken. Companies’ and systems’ reputations gain more from an honest airing of complaints than from hiding and obscuring them. Only details of complaints, and their results, adequately describe what a complaint system does. These must be made public to the full extent that claimants desire.

Of course, claimants must be protected and their privacy respected when they wish. But this power lies with the claimant, not with the system or the respondent. Too many mechanisms use legitimate privacy and security concerns as an excuse to keep everything secret all the time—to protect

the guilty, not the innocent. Many claimants want their claims to be publicized as much as possible; others are happy to see them published to enlighten other potential claimants. Still others want the public to know how well the complaint mechanism worked. Often all of this information is suppressed. There should be procedures which protect claimants' identity when they wish or when the mechanism perceives a risk. Those are limited cases. For some claims systems they would be quite rare. But, when there are no such concerns, the presumption, and the standard practice, should be detailed transparency.

**Complaints systems should publicly provide, at a minimum, the following details about each claim:**

- **The human right alleged to have been violated.**
- **The harm alleged.**
- **The identity of the claimant (with their permission).**
- **The identity of the respondent.**
- **The remedy provided.**
- **The steps and timeframes of the process.**

### **3. The Complaint Mechanism Must Fit the National Context**

All complaint mechanisms operate within legal and cultural contexts. While in some cases, those contexts can give the mechanism a boost and make it more effective, in others they create absolute limits to what the system can achieve. The mechanism must acknowledge these limitations. A complaint mechanism should never promise what it cannot deliver. It must not hold itself out as a solver of problems it is unable to address. It absolutely should not put rightsholders at risk of government (or private sector) reprisals.

For example, if there are no independent worker-protective unions in a country, mechanisms should not say they handle unionization claims or protect union rights in that country. This is the case in, for example, China and Vietnam, where state-controlled unions fail to protect the labor rights of their members. No legitimate unions exist. A complaint system that has adopted the internationally recognized Right to Organize as a standard cannot provide a remedy to workers claiming that they are not able to form a valid, genuine union. In relation to all claims affecting workers, a system that envisages that it will be unions who will bring claims needs to work out how its system will function in a country where those unions do not exist.

On the other hand, if a complaint mechanism covers labor rights in a country with strong legislation actively enforced by the ministry of labor, the mechanism should understand how the system strengthens, assists, and supports that legal system. We have seen cases in which a fact judged to be true in a non-governmental complaint mechanism was taken in a court proceeding to be proven. There have even been cases in which the grievance mechanism investigators were star witnesses in trials on the very same issues they investigated. These are cases in which the non-governmental complaint

system ties into, and strengthens, governmental complaint systems to the benefit of both. Mechanisms need to be aware, and take advantage of, these contextual opportunities.

**A complaint mechanism must:**

- **Know its context.**
- **Understand what claim types it can and cannot address in each national context.**
- **Work out how claims will be brought in each different national context.**
- **Be honest with the public about these limitations.**
- **Be open to support government mechanisms.**

## **B. Mechanisms' Processes**

### **4. The Grievance Mechanism Must Be Responsible for Investigating Claims**

All mechanisms have to define the relative roles of the system and the parties. There is a fundamental distinction in legal traditions between the so-called inquisitorial systems (typically civil law systems, in which the adjudicator often takes a leading role in discovering the relevant facts) and adversarial systems (typically common law systems, which put the onus on the parties to take the leading role in discovering the relevant facts and presenting them to the adjudicator). Non-governmental human rights complaint mechanisms also tend to be structured after one or the other of these models. However, business and human rights disputes almost always present a basic inequality of power in which the claimants are fundamentally weaker (in multiple senses) than the respondents. The legal term for this is "inequality of arms." The claims we are addressing here typically involve an extreme case of inequality of arms, often pitting some of the most disempowered people against rich and powerful companies. This means that putting the responsibility of discovering, presenting and arguing evidence equally on both parties is, in practice, wildly unfair and ineffective.

As a result, a human rights claim system may accept information from the parties (which is often unfair to reject), but it cannot rely on them for the discovery of relevant facts. It must conduct investigation through its own processes and have personnel available to investigate, either as part of its staff or as outside consultants. The parties should be required to cooperate as part of the rules of the complaint mechanisms. Usually, third parties only cooperate voluntarily, which is an unavoidable limitation on non-governmental systems. The information obtained should include, when needed, interviews, documentary evidence, videos, photos, and physical evidence. Investigation is the gathering of evidence. This requires an understanding of what evidence is relevant, what evidence can be obtained, as well as practical techniques for how to obtain it.

Once the evidence is obtained, there is the further determination of whether the evidence is reliable. Witnesses do not always tell the truth; documents can be falsified. An unscrupulous company

can easily create a fake pay stub or notes of an exit interview that never happened. A claimant can exaggerate an injury or get a fake medical record. Detecting false evidence is a basic task of any complaint system. When it is detected, the party that has falsified evidence needs to be punished as a separate claim. The use of false evidence is a direct attack on the claims system itself and one that the system must protect itself from. If the word gets out that a complaint mechanism can be fooled, then the floodgates of bogus claims or defenses will open. In some cases, the complaint system is undermined; in others it fails altogether.

**A complaint system should:**

- **Investigate the facts alleged.**
- **Determine the reliability of the evidence, either with**
  - **In-house personnel**
  - **Outside professionals**
- **Determine the reliability of the evidence found and punish false evidence submitted by the parties.**

## **5. Claim Investigators Must Be Competent and Impartial**

Complaint mechanisms need reliable knowledge of what happened. Investigators are the keystone of all such systems. The best adjudicator cannot judge correctly without good investigation. In effective systems, quality claim investigators stand out. They are trusted and respected by the parties, and justly feared by the party that knows it is in the wrong.

They must be competent. This means that they have professional-level knowledge of the standards the system applies. They have to have working familiarity with the industry they are dealing with and expertise in the processes needed to uncover the truth. In addition, they must be impartial, and not biased by background or experience to find facts that support one side or the other. This can be difficult, as a background is created by life experiences which have the tendency to create bias. A union expert may have been a labor organizer or worked for an NGO that supported labor unions, thereby gaining valuable experience of factories' techniques of union suppression. A human resources expert may have worked for factories and seen employees abusing company policies. Both may be experienced and knowledgeable, but hopelessly biased. But there are people to be found that can perform the investigation both fairly and well. It may, however, take years of trial and error to find the right people for the job. This is why the complaints mechanism must engage the most competent and impartial investigators, and then regularly evaluate their competence and impartiality.

### **Claim investigators should be:**

- **Knowledgeable about the subject industry sector.**
- **Experienced in the art of investigation.**
- **Unbiased towards claimants or respondents.**
- **Unbiased towards the respondent companies.**
- **Unbiased towards type of claimants (e.g. labor unions).**

## **6. The Grievance Mechanism Must Perform Outreach**

An unknown grievance mechanism is nothing at all. Potential claimants may not assume, and should not have to guess, that a particular institution has such a system. The result is that all non-governmental human rights complaint mechanisms have the basic duty to make themselves known. The people who need to know about the systems are the people who can file complaints. “Outreach” is the term for the efforts made by a complaint system to inform potential claimants of the essential elements of the system and how it can be accessed. Those elements include the system’s scope (who can file what kind of claim against whom), procedures (how to file a claim and what the claimant needs to do at each stage), and outcomes (what remedies can be provided). These answer the threshold questions claimants have: Can I file a claim? How do I do it? What will I get? Grievance mechanisms must make affirmative effort to present the answers to these questions to potential claimants.

This is not a simple or cheap task. It requires an ongoing program of outreach. The forms of outreach depend on the complaint mechanism and the local context. In-person presentations can be made to factory workers and local communities. NGOs can be informed directly and in groups. Posters and short handbooks can be distributed. Internet information is of limited usefulness for many types of claimants (depending on language skills, technical abilities, and multiple other limitations) and will only find those who can find it. Many utterly ineffective complaint systems exist only as words on a website.

Some complaint mechanism managers and the entities that support them are uncomfortable with outreach. It can seem to them to be the equivalent of suggesting that its own members are violating human rights or as trying to solicit illegitimate claims. This is an error. A complaint system must be constantly publicized by multiple means for the system to be effective. The best complaint mechanisms have the most robust outreach.

### **Outreach should be:**

- **Ongoing.**
- **Directed toward all potential claimants.**
- **Be adequately resourced.**
- **Include explanations of**
  - **what kinds of claims the complaint mechanism addresses**
  - **who can file a claim**
  - **how a claim is filed**
  - **what a claimant needs to do to pursue a claim to the end**
  - **what a claimant can get**

## **7. Act Quickly**

For claimants, complaint mechanisms are always too slow. From the point of view of the complaint system's personnel, they are working through a complex series of difficult actions and want to get each step right. A careful system's confidence in a result is often proportional to the time taken to reach that result. This can lead to complaint mechanisms being in the habit of moving slowly and carefully. But, for human rights claims, delay can mean a family shattered, a community uprooted, a life destroyed. To lose a job and wait to get reinstated can mean children go hungry, the family leaves its hometown, and the job can never be reclaimed. The sufferings from delay compound the damage from the claim itself, and are rarely compensated by the system. In these cases, effective remedy is never achieved. "Speed" is a relative term, but at some point unjust delay is all too obvious. If human rights claims take years to resolve, there is a fundamental flaw in the system. If a claim can be decided in weeks rather than months, the system provides significant additional benefits.

Speed has another role. For claims that focus on particular events, the evidence of those events becomes stale, memories dim, documents are lost. Almost always, the best time to investigate is as soon as possible. Often the time and effort needed for the investigation is reduced when it is done quickly. The most efficient systems can be the fastest ones. There is no justifiable reason to delay adjudication. Once the investigation is done, adjudication should follow as quickly as possible.

### **Claims systems should work to investigate and adjudicate on claims as fast as possible, because:**

- **Delay in remedy creates a new harm.**
- **Justice delayed is justice denied.**
- **Fresher evidence is often easier to collect and evaluate.**
- **Delay in investigation can mean that key evidence is lost forever.**



## **8. Create Justified Trust that Claimants will not Suffer Retaliation**

All too often claimants' biggest fear is not that their legitimate claims will fail, but rather that they will be punished for filing their claim. Claims often arise in contexts where the law does not protect claimants. In some places violence is a real danger, in others being blacklisted from jobs means financial disaster. Exposing yourself, your spouse, even your children to threats and harms, takes real trust. The complaint system has to win, and deserve, that trust.

Retaliation comes not only from the respondent, but also from those that support the respondent or its industry. It can come from co-workers who expect to curry favor or even from rival unions. It can come from supposed friends and hired goons. Nothing nullifies a complaint system so completely as fear. Nothing is so essential to a complaint system as trust.

While retaliation is an attack on claimants, it is also an attack on the complaint system itself. Protecting against retaliation is a "meta issue" for the system: it is an act of self-defense. It is so important that it requires the ability to react to threats and retaliation with focused energy and sanctions that act as an effective deterrent. These will depend on the rule of law in the context, but may include criminal and civil legal action, as well as sanctions within the system itself. The latter may consist of everything from immediately losing the claim and giving the claimants the best possible remedy to expelling a member from an MSI, terminating a factory supplier from an international brand's supply chain, or declaring a development bank loan to be in default. It is also crucial that a respondent does not escape sanctions by outsourcing retaliation to its friends and supporters while claiming ignorance. Responsibility must be put on the respondent to ensure it does not encourage or permit getting help from its "friends." This is a message that the respondent must send out loudly, clearly and consistently. The complaint mechanism must have the capacity to investigate potential links between respondents and reprisals in contexts where reprisals are likely.

### **Complaints mechanisms should have systems for dealing with retaliation that:**

- **Give confidence to complainants that they can use the complaint system without fear of reprisals.**
- **Create effective deterrents for those who might retaliate against claimants.**
- **Be capable of investigating and addressing retaliation perpetrated by a range of different actors.**
- **Identify a range of appropriate sanctions for those found guilty of retaliation.**

## **C. Mechanisms' Remedy**

### **9. Remedies Ordered Must Be Verified**

Many of these recommendations seem so obvious. The reason they are included here is that, surprisingly, they are not followed in practice. This one is a clear example. It is far too easy for a

complaint system to make a ruling, give an order, and close the case. But the order is not the goal of the complaint system, the remedy is. A grievance mechanism must confirm and record that a remedy actually happened after the order was made. One key source for this information is the claimants themselves. If they confirm that they received what they were ordered to receive it is, usually, safe to assume that they did. The exception would be when there is pressure put on them to falsely state that the remedy was carried out. This can happen, for example, in a work setting when a claim is made that there has been payment of a bonus owed, but the company only paid a partial amount and told the employee to play along if she wants to keep her job.

Verification can be thwarted when the claimant leaves the area and cannot be contacted or refuses to answer the complaint mechanism's calls. In these cases the mechanism has the affirmative duty to verify what was paid or what remedial actions were taken through reliable evidence viewed with a reasonable degree of skepticism under the circumstances. For example, wage records can be reviewed.

When the claimant says a remedy was not received, the complaint system has the affirmative duty to investigate, but the standard of proof is even higher: it must find compelling evidence that the remedy was provided, and the claimant is in error or is being untruthful. Claimants, even successful claimants with righteous claims, can demand more than they deserve, and emotions can make them unreliable reporters.

#### **Remedy verification:**

- **Should be done.**
- **Should be recorded.**
- **Should be publicly noted.**
- **Should be based either on**
  - **Claimant confirmation**
  - **Or other compelling evidence**

## **10. Complaint Mechanisms Need to Have Leverage Over the Respondents Commensurate with the Remedies Ordered**

In every disputed case the respondent denies that it violated a standard. When it loses the claim, often it does not agree with the ruling. It cannot be expected to act on its own without sufficient incentive or coercion. A complaint system cannot honestly state that it provides remedy if it knows there are situations in which the remedy ordered will not be performed by the respondent.

In systems connected to organizations with voluntary participation, the respondent may well find it cheaper and easier to leave the organization rather than provide the remedy ordered by the complaint system. To allow a hostile union to operate or return land now part of a plantation to its rightful owners can be a severe economic blow to a company. The company considered solely as a rational economic actor, should not, without the right incentives, be expected to perform such actions.

When a company voluntarily joins an MSI it does so because it believes it is getting a benefit. If a claim is filed against that company and the MSI's complaint mechanism orders the company to take a costly action. The company will, naturally, decide if the benefits from belonging to the MSI outweigh the cost of that action. Similarly, when a company receives a loan from a development bank and is subject to that bank's complaint mechanism, if a claim is made and the company is ordered to act, it may decide that it is cheaper just to pay off the loan and ignore the order. In supply chain systems, the respondent factory can simply stop selling to the brand that is a member of the organization. These acts are the analog to fleeing a jurisdiction and so evading the power of a court. Looking just at the particular case at hand, it may make rational economic sense for a respondent to compare the loss to the benefit. However, respondent companies that take such actions show themselves not to, in fact, have the values that they espoused when they joined the MSI, or accepted the development bank's performance standards as borrowers. They are now known to be hypocrites that violate international human rights standards. The institutions involved, as well as civil society, should call them out for what they are.

Institutions supporting human rights complaints systems should address this issue. For example, there should be a penalty, monetary if necessary, for an MSI member or other respondent to leave the institution if there is an ongoing claim against them. A development bank borrower should be on the hook for a claim even after its loan has been paid. There are enforceable legal commitments--bonds, sureties, and other financial methods, available to achieve this result. They need to be in place if an institution is serious about providing human rights remedy.

Internal corporate grievance mechanisms must somehow induce its own corporate management to provide remedy in appropriate cases. They have no obvious leverage. Those who run such grievance mechanisms should therefore expect the outside world to be extremely skeptical about the independence of investigations, whether adequate remedies have been ordered and whether they have been paid out in practice. Currently there is almost no transparency about the processes and outcomes achieved by the vast majority of these systems. Internal grievance mechanisms can only begin to create any kind of confidence in their legitimacy if they are fully transparent about the process and outcomes of their cases.

**Institutions that set up grievance mechanisms such as multistakeholder initiatives and development banks should:**

- **Set up complaints systems where the penalties that can be imposed on a respondent if they fail to comply with a ruling against them are sufficient to induce compliance.**
- **Monitor case outcomes in practice to ensure that compliance with rulings is being achieved in practice.**
- **Where this is not regularly being achieved, introduce stronger penalties to induce compliance.**

**Internal Corporate grievance mechanisms should be fully transparent about the processes and outcomes of their cases to demonstrate that requisite action has been taken.**

## 11. Address Systematic Issues

Often complaint mechanisms see the same type of claim over and over again. This is usually a sign that there is an underlying, systematic problem causing repeated impacts. Even providing an effective remedy to each claim, does not address the systematic issue giving rise to those claims. Worse yet, almost no complaint mechanisms are designed or empowered to address systematic issues. Their job is to remedy valid claims. What the complaint mechanism can, and should, do is provide information to the organization it is part of, so that it can use resources and other systems (e.g. certification, audit, review and standards-setting) to address systematic issues. Here the role of the complaint mechanism is to give its related organization knowledge of the problem and, if they are urgent or severe, to motivate it to act.

Examples of this include the situation where an MSI in the apparel supply chain notices many claims of excessive overtime from particular factories which cluster around certain times. It may be that those factories push their employees too hard, but it may also be that the brands buying from the factories make unreasonable demands on their suppliers, forcing the factories in turn to put excessive pressure on their workers. The systematic problem is then largely caused by the brands. The institution can go directly to member brands to see if the claims of excessive overtime correlate to particular orders from particular brands. If they do correlate, then the institution can persuade the brands that they are creating the problem and need to relax their time demands on their suppliers. One apparel MSI we studied has a process that does exactly this, analyzing their pattern in the complaints to see if the real problem is the brand and not the factories. The MSI has a formal process for reviewing the actions of the brands and attempting to change their behavior. This is an example for other systems to follow.

The development banks' independent accountability mechanisms have always been sensitive to this point. They have focused on systematic change in bank procedures, based on individual claims. However, they have been justly criticized for taking this idea too far—dealing with systematic change only and failing to provide remedy in individual cases. This too is a failure. A human rights complaint system's first goal is to provide remedy to deserving rightsholders, it can then address systemic problems raised by those claims.

### **Complaint mechanisms should:**

- **Have a system for detecting repeated, similar claims.**
- **Determine if there are systematic causes for repeated claims.**
- **Have mechanisms within their host/parent organizations to address those systematic issues.**

## **D. Conclusion**

This is only the beginning. As study and analysis of non-governmental complaint mechanisms progresses and matures, there will be additional ideas for improvement. As these systems grow stronger, improve and more transparent, and as new problems emerge, there will be refinements in these recommendations to give them more detail and specificity. This is merely a first step in those processes. But these recommendations alone demand a lot. Please put them to work.