



UK Mission  
Geneva

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**Note Verbale No. 243**

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to submit its' response to communication UA GBR 11/2023, further to the letter dated 28 April 2023 from Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Working Group on Arbitrary Detention; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on extrajudicial, summary or arbitrary executions and; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 08 August 2023.

Special Procedures Branch  
Office of the High Commissioner for Human Rights



UK Mission  
Geneva

**United Kingdom of Great Britain and Northern Ireland**

**Response to Special Procedure communication UA GBR 11/23 of 28 April 2023 from the Special Rapporteur on adequate housing as a component of an adequate standard of living and on the right to non-discrimination in this context; the Working Group on Arbitrary Detention; the Working Group on the issue of transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.**

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- 1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.**

The UK opposes the use of the death penalty in all circumstances, as a matter of principle. Saudi Arabia is well aware of the UK's position on the death penalty and we have discussed allegations of human rights violations with the Saudi authorities at official and ministerial level. We will continue to monitor reports and discuss such allegations with relevant stakeholders, including the Saudi government.

- 2. Please highlight the steps that your Excellency's Government has taken, or is considering to take, in relation to this project, to protect against human rights abuse by business enterprises domiciled in the United Kingdom of Great Britain and Northern Ireland and its territories and/or within its jurisdiction, such as Keller Group Plc, Solar Water Plc, and Zaha Hadid Architects. Please provide information on what measures your Excellency's Government has taken to ensure that such business enterprises conduct effective human rights due diligence. Such a process allows companies to identify, prevent, mitigate and account for how they address their impacts on human rights (as per the Guiding Principles on Business and Human Rights 17-21) and it helps to ensure that human rights defenders can operate in a safe and enabling environment, free from restrictions and attacks.**

The UK supports voluntary due diligence approaches by our businesses to protect human rights and the environment across their operations and supply relationships, as steered by

the UN Guiding Principles on Business and Human Rights and the OECD Guidelines on Multinational Enterprises. The Government is clear that it expects all UK businesses to respect human rights throughout their operations, in line with the UNGPs.

The UK has consistently supported the UN Guiding Principles (UNGPs) on business and human rights, which are widely regarded as the authoritative international framework to steer practical action by Governments and businesses worldwide on this important agenda. Implementation of the UNGPs will support access to justice and remedy for victims of business-related human rights abuses, wherever these occur, and encourage businesses to voluntarily adopt due diligence approaches to respecting human rights. In response to the UNGPs, the UK was the first State to produce a National Action Plan (NAP) and we continue to develop our approach, including in line with the provisions of the Modern Slavery Act 2015.

The UK fully recognises that human rights defenders play an essential role in promoting and protecting human rights, democracy, and the rule of law. It is crucial that they are allowed to work and live in safety, without fear of harassment or harm.

**3. Please describe any guidance that your Excellency's Government has provided to domiciled business enterprises on respecting human rights throughout their operations in line with the UN Guiding Principles, including by setting out the Government's expectations as to how human rights due diligence should be conducted, how to consult meaningful potentially affected stakeholders, and how to remedy any negative human rights impacts. Please also indicate whether any guidance was provided with respect to the duty to obtain free, prior and informed consent of indigenous peoples prior to the approval of business activities affecting their land use.**

As per the UN Guiding Principles on Business and Human Rights, enterprises should respect the human rights of individuals belonging to groups or populations that require specific attention, and notes that UN instruments have elaborated further on the rights of indigenous people. In regard to the obtaining of free, prior and informed consent (FPIC) of indigenous people, this would be the primary responsibility of the State where the indigenous people reside. The UK understands any internationally-agreed reference to the rights of indigenous peoples, including those in the UN Declaration on the Rights of Indigenous Peoples in which the principle of FPIC is articulated, to refer to those rights bestowed at the national level by governments to indigenous people.]

As set out in the UK's National Action Plan (NAP), the UK Government is clear that it expects all UK businesses to respect human rights throughout their operations, in line with the UNGPs. The UK Government is fully committed to promoting and protecting human rights for all individuals, including indigenous people, without discrimination on any grounds.

The UK Government has published [advice](#) on tackling human rights abuse risks within businesses and international supply chains. Businesses can also access the [overseas business risk pages](#), managed by the UK's trade and diplomatic network, which include information on human rights risks when trading overseas.

Section 54 of The UK's Modern Slavery Act 2015 requires businesses with a turnover of £36m or more to report annually on the steps they have taken to prevent modern slavery in their operations and supply chains. HMG have also announced plans to introduce financial penalties for organisations who fail to meet their statutory obligations to publish annual modern slavery statements.

Section 54 of the Modern Slavery Act is designed to drive senior-level accountability and leadership, which is why modern slavery statements require Director-level sign off and Board approval. Detailed best practice guidance can be found on gov.uk pages, including [statutory guidance](#) from the Home Office with links to external resources to help businesses publish their annual modern slavery statement.

Section 414C(7) of the Companies Act 2006 further requires the annual strategic report of a quoted company to include information about social, community and human rights issues, including information about any policies of the company in relation to those matters and the effectiveness of those policies. They are required to produce this information to the extent necessary for an understanding of the performance or position of the company's business.

**4. Please indicate the steps that your Excellency's Government has taken, or is considering to take, to ensure that business enterprises domiciled in your territory and/or jurisdiction establish or participate in effective operational-level grievance mechanisms, or cooperate with legitimate remedial processes, to address adverse human rights impacts that they have caused or contributed to.**

The UK has a range of judicial and state-based non judicial mechanisms that help to support access to remedy for human rights abuses by business enterprises both in the UK and overseas.

The UK operates a [National Contact Point \(UK NCP\)](#) to promote the OECD Guidelines for Multinational Enterprises and to run a non-judicial grievance mechanism to assess alleged non-compliance with the Guidelines. It also offers a platform for mediation and conciliation. The complaints mechanism can include the examination of instances where abuses of human rights may have occurred.

The Government continues to keep the UK provision of remedy under review.