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Geneva

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**Note Verbal No. 317**

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 AL GBR 10/2024, further to the letter dated 12 September 2024 from the Working Group on the issue of transnational corporations and other business enterprises; the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

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, 11 November 2024.

Special Procedures Branch  
Office of the High Commissioner for Human Rights



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Geneva

## United Kingdom of Great Britain and Northern Ireland

### **Response to Special Procedure communication AL GBR 10/2024 of 12 September 2024 from the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.**

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

The UK remains steadfast in its commitment to an open international order, a world where democracy and freedoms grow and where autocracy is challenged. We have put open societies and the protection of human rights around the world at the heart of what we do. We are fully committed to promoting and protecting human rights for all individuals, including indigenous people, without discrimination on any grounds.

The UK acknowledges the cultural and historical significance of Shark Island, whilst also noting the economic importance of the planned extension of the seaport. We strongly encourage all parties involved in the project to carry out human rights and environmental due diligence, in line with the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD Guidelines on Responsible Business Conduct for Multinational Enterprises.

The UK and its overseas territories are not home to any indigenous peoples. However, we recognise the important global contribution that Indigenous Peoples make to climate change mitigation, biodiversity preservation, and inclusive and sustainable development and support global efforts to recognise and advance their contribution. The UK accepts Free, Prior and Informed Consent as set out in the United Nations Declaration on the Rights of Indigenous Peoples.

The UK Government is committed to implementing the UNGPs and is clear that it expects all UK businesses, including investment companies, to respect human rights throughout their operations, in line with the UNGPs.

**2. Please provide information on any steps taken by Your Excellency's Government to set out clearly the expectation that all business enterprises domiciled in its territory and/ or jurisdiction respect human rights throughout their operations**

The UK Government is clear that it expects all UK businesses to respect human rights throughout their operations, in line with the UN Guiding Principles on Business and Human Rights (UNGPs). The UK Government has consistently supported the UNGPs, 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 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. This year, the FCDO will also be carrying out a National Baseline Assessment (NBA) on the implementation of the UNGPs. An NBA will contribute to the evidence base to inform the UK's approach to tackling business-related human rights abuses, including in global supply chains.

The UK also has clear legislation to combat forced labour in supply chains. Section 54 of the Modern Slavery Act 2015 requires commercial businesses who operate in the UK and have 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. 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.

In the UK, under the Companies Act 2006, all directors of a company are required to consider the impact of a company's operations on a range of factors including the community and environment when making decisions to promote the success of a company. Since 2019, large companies are required to disclose how they have done that in their Annual Report. In addition, certain other companies (quoted companies and large public interest entities) are required to report on social matters and respect for human rights as part of their annual reports and accounts.

The UK's National Action Plan on Business and Human Rights makes clear that the UK Government expects all UK businesses, including investment companies, to respect human rights throughout their operations, in line with the UNGPs. 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.

**3. Please provide information on the steps taken by Your Excellency's Government to make sure that financial entities respect human rights in line with the UN Guiding Principles on Business and Human Right, by requiring them to conduct human rights due diligence throughout its value chain.**

The UK supports voluntary due diligence approaches taken by UK businesses to respect human rights across their operations and supply relationships, in line with the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD

Guidelines for Multinational Enterprises on Responsible Business Conduct. The UK Government is clear that it expects all UK businesses to respect human rights throughout their operations.

Both the UNGPs and OECD Guidelines make clear that, depending on the context in which they operate, companies may need to consider additional relevant human rights standards to ensure respect for the human rights of individuals belonging to specific groups or populations that may require particular attention, including indigenous peoples.

As a signatory to the Guidelines the UK is legally required to operate a [UK National Contact Point \(NCP\)](#). This is an independent function within the Department for Business and Trade (DBT) responsible for promoting the OECD Guidelines and managing a non-judicial grievance mechanism to resolve complaints where a stakeholder alleges a breach of the Guidelines by a UK business.

Going forward, the Government will assess the best ways to prevent environmental harms and human and labour rights abuses in supply chains, including through effective due diligence rules.

**4. Please indicate where financial institutions contribute to adverse impacts, how Your Excellency's Government provides for appropriate remediation that accords with the responsibility for the harm.**

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, as part of this, administers a non-judicial complaints mechanism to examine and resolve complaints where a stakeholder alleges a breach of the Guidelines by a UK business. This can include the examination of complaints where abuses of human rights may have occurred.

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