

Wide range of civil society organisations call on the UK to prioritise human rights in UN Treaty Negotiations

Statement on UK Engagement on a UN Binding Treaty on Business and Human Rights

5 December, 2024: As the UN Human Rights Council (UNHRC) enters into the 10th negotiation session for a legally binding treaty on business and human rights, we, the undersigned organisations, call on the UK government to constructively engage in these treaty negotiations while simultaneously pursuing mandatory legislation on a national level to fulfil its duty to protect against human rights abuses by third parties, including by businesses.

In 2024, the G7 [committed](#) to “support a global level playing field on business and human rights” and “explore ideas and options for a consensus-based legally binding instrument at the international level”. This is warmly welcomed and supports the UK’s intention to build resilient supply chains, as [reflected](#) in the UK’s new industrial strategy green paper. The situation of many communities and ecosystems around the world negatively impacted by business operations continues to be severe due to the inadequate human rights protections businesses put in place, and both inaction and existing inadequate actions by states. To fulfil its commitments at this year’s Treaty negotiations, we call on the UK Government to adopt a gender responsive, rights-holder and victim-centred approach, and to constructively support a strong Treaty that ends corporate impunity, particularly in transnational settings, and enables effective access to justice.

Reliance on voluntary compliance with the UN Guiding Principles on Business and Human Rights (UNGPs) is insufficient. Businesses, including [UK businesses](#), continue to cause, contribute to, or be linked to human rights violations and environmental destruction, and victims very often face many hurdles to access effective remedies. Among the multiple abuses suffered are forced labour, land grabbing, violent attacks on human rights defenders including trade unionists, and widespread environmental pollution destroying livelihoods. Women and marginalised groups, including but not limited to Indigenous and other customary rightsholder groups, are often disproportionately impacted due to intersecting forms of discrimination.

Consequently, mandatory measures are needed at the national level and, due to the size and power of businesses and the global nature of their activities, at the international level. The UN Binding Treaty would regulate the activities of transnational corporations and other business enterprises in international human rights law and fill important accountability gaps. To do so, strong provisions on, among others, prevention, access to remedy, legal liability and jurisdiction are needed – as are provisions on the protection of the environment and climate change. However, the [2023 updated draft](#) weakened these provisions compared to the third draft, and many significant comments by Global South countries were disregarded in producing it. Existing power imbalances, including between the Global North and South, must not be reproduced, and the systemic inequalities and specific challenges faced by women and marginalised groups and communities should be addressed in the text through meaningful engagement both with civil society and affected communities.

All business enterprises must be legally obliged to respect human rights and the environment. Transnational enterprises and business activities of a transnational character can exploit accountability gaps that are created by complex corporate structures, which obscure responsibility

under different domestic laws, create power imbalances across borders, and lead to jurisdictional challenges. The Treaty must specifically focus on these transnational businesses and activities. At a national level, mandatory rules are needed for all businesses, including those without any transnational activities, to implement and complement international standards.

The 2024 UK House of Lords Modern Slavery Act Committee [recognised](#) that international best practice has moved beyond mere transparency in supply chains. The UK needs to introduce new domestic [legislation](#) to hold businesses and the public sector to account when they fail to prevent human rights abuses and environmental harms in their global value chains. An effective model was already recommended by the [Joint Committee for Human Rights](#), and is championed by [civil society organisations](#) and [businesses](#). While other countries, including the EU bloc, are moving ahead with new [laws](#) which align with the UNGPs, the UK is falling behind as it continues to allow UK companies to profit from human rights violations and environmental destruction.

We call on the UK Government to:

- 1. Adopt a rights-holder and victim-centred approach, and constructively support a strong Treaty that ends corporate impunity, particularly in transnational settings, and enables effective access to justice.**
- 2. Engage with civil society organisations, affected communities and rights-holders, particularly women and historically marginalised groups ahead of, during and following the negotiations on 16-20 December 2024.**
- 3. Listen to all States and actively avoid reproducing existing power imbalances and hierarchies between the Global North and Global South.**
- 4. Introduce national legislation to implement and complement international standards – ensuring UK businesses prevent human rights abuses and environmental harm in their operations and value chains and victims have access to justice.**

Signatories:

1. ABColombia
2. ActionAid
3. Amnesty International
4. Anti-Slavery International
5. CAFOD
6. Christian Aid
7. Corporate Justice Coalition
8. Ekō
9. Global Justice Now
10. Oxfam
11. Peace Brigades International UK
12. Size of Wales
13. Transform Trade
14. Trócaire
15. Womankind Worldwide
16. Water Witness International