

The Corporate Justice Coalition welcomes Government announcement of mandatory human rights due diligence law

On Wednesday November 4th, the UK Government announced that it will introduce mandatory human rights due diligence (mHRDD) legislation in the UK, alongside associated measures to tackle forced labour. The Government plans for the mHRDD regime to apply to services across the UK and to goods across Great Britain.[1] According to the Ministerial announcement, current proposals are restricted to UK businesses with an annual global turnover of £350m as well as non-UK businesses with a UK-generated turnover of over £350 million.

The Corporate Justice Coalition (CJC) and undersigned members support this landmark step towards ending decades of corporate impunity for the exploitation of people and planet. However, we are concerned about the exclusion of the environment and the public sector from the proposed framework, whether there will be true access to justice for victims, and the high thresholds which exclude many businesses. If done well, the law can:

- Support access to justice and accountability for victims of corporate harm;
- Drive improved protections for workers, communities, Indigenous Peoples, women, and the environment both in the UK and abroad, and;
- Level the playing field for responsible businesses, contribute to greater supply chain resilience in the UK, and limit negative externalities of corporate harm currently paid for by UK communities and taxpayers.

CJC is a broad civil society coalition that has led the campaign for legislation to prevent corporate harms to people and planet for almost a decade, regularly consulting with rightsholders in the UK and abroad. In recognition of the Government's commitment to reshape the economy around greater fairness and accountability and to abolish exploitation in the supply chains that serve the UK market, we expect that this legislation will be comprehensive and holistic, and will include the following measures.

1. In Northern Ireland, the Government plans for the EU Forced Labour Regulation to apply to goods.

1. Accountability and justice

Currently, individuals, workers and communities harmed by business practices face major barriers in achieving accountability and justice. Rarely do victims receive remedy, while unscrupulous businesses can disregard human rights and environmental protections with impunity. The introduction of a new UK law must therefore be underpinned by robust measures relating to enforcement, access to justice and remedy.

CJC has long campaigned for a duty to prevent harm[2] within a human rights and environmental due diligence law. This measure has also been proposed at UN level and recommended by Parliamentary committees, businesses networks, and civil society and trade unions alike. Introducing a duty to prevent would reset the scales between victims and businesses in civil liability cases, and also state-bodies and businesses in criminal law. Offences for the failure to prevent bribery, tax evasion and fraud already exist in the UK and have led to greater preventative action. Successful prevention of human rights abuses and environmental harms is urgent, and within reach of the Government.

We welcome the plans to introduce a regulator. This body must offer accessible routes for victims, workers and their trade unions, civil society organisations and whistleblowers to raise complaints and be meaningfully involved in any ensuing investigation. This will break down additional barriers to justice, allowing for harm to be discovered and remedied more rapidly, and ensuring a strong enforcement regime. Crucially, legislation will only be effective if enforced by a sufficiently funded regulator.

2. The need to include the environment

Human rights and the environment are fundamentally interlinked. A clean, healthy and sustainable environment is crucial for all of us, while constituting a human right in itself. Conversely, environmental degradation and climate change drive other human rights abuses, including forced labour, forced displacement and land grabbing.

This is recognised in the global consensus on responsible business conduct,[3] and reflected in legislative developments in the EU's Corporate Sustainability Due Diligence Directive (CSDDD) as well as national laws in France, Germany, South Korea, and Switzerland, which all require human rights and environmental due diligence (mHREDD). Excluding the environment would leave behind the communities struggling with pollution, environmental destruction and biodiversity loss caused by irresponsible business activity. Critically, it risks interoperability of UK-EU systems, including the level playing field on common standards.

2. A duty to prevent, also known as the failure to prevent clause or reversal of the burden of proof, would place the burden of proof of demonstrating that all reasonable steps were taken to identify, prevent and remedy any human rights and environmental harms, or risks thereof, onto the business rather than victim of harm.

3. The OECD Guidelines for Multinational Enterprises include the environment, and the UN Guiding Principles on Business and Human Rights (UNGPs) have expanded to include climate change.

3. Broad scope on human rights and businesses covered

The proposed mHRDD regime does not, as yet, determine the scope of human rights covered. We expect that this legislation will cover all internationally recognised individual and collective human rights. Human rights are universal and indivisible. Efforts to eradicate forced labour will fail unless they also address the underlying abuses that allow exploitation to flourish, including attacks on trade union rights, insecure work, gender and other discrimination, unsafe working conditions and barriers to workers organising collectively to defend their interests. Crucially, enhanced protections for human rights defenders, the individual and collective rights of Indigenous Peoples, land rights, the rights of traditional communities, and women's rights must be within the scope of the legislation.

In line with international standards like the UN Guiding Principles on Business and Human Rights (UNGPs), we would also expect all businesses to have a duty to respect human rights and the environment. A UK-turnover of more than £350 million excludes companies such as Palantir, Lockheed Martin and Boeing. A broad scope is particularly important from a gender perspective, as women often depend on precarious, informalised employment, including within small to medium sized subsidiaries.

4. Inclusion of public sector

The public sector leverages significant power through its annual spending, which in 2025/6 amounted to £461 billion. However, public bodies like the NHS and local authorities are spending vast amounts of this taxpayer money on goods and services from irresponsible businesses that are harming people and the planet - with taxpayers picking up the costs of unpriced negative externalities of irresponsible business conduct.

Crucially, the public has the opportunity to lead the way, reflecting a model of best practice to the private sector, and positively shaping responsible business conduct through purchasing practices.

The current public procurement framework in the Procurement Act does not enable the public sector to ensure human rights, labour rights and environmental protections are protected in the goods and services it buys, and the applicable existing legal framework is incomplete. The public sector must be required to conduct preventative human rights and environmental due diligence. A Centre for Excellence for Responsible Public Procurement should be set up, which should run a database to improve access to suppliers' supply chains data, along with a training hub for public procurement purchasing and sustainability professionals as well as SMEs supplying to the public sector. This legislation would offer the opportunity for the public sector to set and support the standards throughout the country so that public money contributes to a race to the top rather than to the bottom.

5. Timeline, transparency and a fully inclusive process

We welcome the Government's announcement that it will work closely with stakeholders on the design and implementation of these measures. We urge the Government to publish a clear timeline for this legislative process, which must include a meaningful, full public consultation, and to include this legislation in the next King's Speech for introduction in the subsequent parliamentary session.

The individuals, communities and workers this legislation seeks to protect must be at the forefront of the consultation and design of this law. This requires enabling meaningful gender-informed input from all affected rightsholders, with a particular focus on women and historically marginalised communities domestically and internationally, including workers, human rights defenders and Indigenous Peoples.

We note that neither the review of Responsible Business Conduct or the National Baseline Assessment have yet been published. In the interests of transparency, we urge ministers to urgently publish both reviews in full so that Parliament and stakeholders can scrutinise the evidence, analysis and recommendations upon which its proposals are based.

Until the UK has comprehensive mHREDD legislation, workers, families and communities will continue to be harmed and left without justice in connection to goods and services consumed in the UK. In addition to the morally unjustifiable human cost, the Fabian Society also found that, using conservative estimates, the annual economic cost of corporate harm to the UK sits at £4.4 billion.

Finally, the undersigned organisations wish to remind the Government of the "Commercial Organisations and Public Authorities Duty (Human Rights and Environment) Bill" (COPAD), a Private Members Bill proposed by Baroness Lola Young of Hornsey which currently sits before the Lords. This proposal is rooted in model victim-centred preventative mHREDD legislation, and lays out clear provisions for the capacities and responsibilities of a regulator, access to justice and effective enforcement.

Signatories

- ABColombia
- Action for Southern Africa (ACTSA)
- ActionAid UK
- Amnesty International UK
- Anti-Slavery International
- Business Human Rights Centre (BHRC)
- Corporate Justice Coalition
- CAFOD
- Earthsight
- EIRIS Foundation
- Environmental Justice Foundation (EJF)
- Fairtrade Foundation
- Forest Peoples Programme
- Freedom United
- Friends of the Earth
- Global Witness
- Labour Behind the Label
- London Mining Network
- Peace Brigades International UK
- Rights and Accountability in Development (RAID)
- Scottish Fair Trade
- The Circle
- Trade Justice Movement
- Transform Trade
- Trócaire
- Water Witness International