

# Business and human rights

Our market-leading global Business and Human Rights (“BHR”) practice supports businesses to help them prevent, address and mitigate potential adverse human rights impacts and the associated legal risks, wherever they operate. We assist clients engaging with governments and international bodies to help develop new and effective BHR legal frameworks.

## The issue

BHR as a field is about ensuring companies are able to prevent, address and remedy human rights abuses committed in business operations. The guiding force in this field is the UN’s Guiding Principles on Business and Human Rights (the “UNGPs”), which were adopted unanimously and endorsed by the UN Human Rights Council in 2011. The UNGPs framework consists of three pillars:

- The States’ duty to protect against human rights abuses
- Corporate responsibility to respect human rights
- Effective remedies for victims of business-related abuses

In recent years, the legal landscape has begun to shift. Soft law, such as the UNGPs, is crystallizing into hard law. Courts around the world are extending their jurisdiction to human rights impacts that occur extraterritorially and throughout a business’s value chain. Companies have much to gain in terms of managing sustainability-related risks, but they also face new areas of potential liability.

## What we do

We help clients to engage with governments and international bodies, ensuring businesses’ voices are heard in the development of new legal frameworks.

We have acted in some of the leading disputes in this field, wherever, and however, they were brought: in the U.S. under the Alien Tort Claims Act, in English parent company liability cases, and in other courts exercising universal jurisdiction over alleged complicity in international crimes.

We understand the legal risks associated with adverse human rights impacts. Our integrated practice group builds on this foundation to provide the full spectrum of BHR advice, including

- Preventing and reporting on modern slavery
- Supply chain transparency
- Human rights due diligence
- Risk assessment and deal approvals
- Human rights investigations and crisis management
- Managing the remediation of harm, including operational-level grievance mechanisms
- Defending human rights-related claims, wherever, and however, they are brought

As a member of the UN Global Compact, we are also firmly committed to ensuring respect for international human rights is embedded throughout our own practice, business and supply chain. Our BHR practice works closely with the firm’s Human Rights Working Group, which monitors Hogan Lovells’ compliance with human rights obligations. As a firm, we actively promote efforts to support human rights, including through our pro bono practice. We advise NGOs and individuals on diverse human rights matters, and have acted in important human rights cases heard before superior courts. Through our Rule of Law 2030 initiative, we are actively collaborating with businesses to strengthen the rule of law.

## Our impact

We have worked with clients across a wide range of industry sectors. Examples of our work include:

- Advising Vodafone, Telenor, and the Telecommunications Industry Dialogue (TID) on pioneering multijurisdictional reports
- Advising an Oil Major in defending claims brought in the English courts in relation to two operational oil spills in West Africa
- Representing a multinational oil and gas company in U.S. proceedings under the ATCA arising from claims of alleged complicity in war crimes in Sudan
- Delivering training for Ugandan business leaders on how to reduce human rights risk in collaboration with the UN Global Compact
- Canvassing clients’ views on a proposed EU-level mandatory human rights due diligence duty and engaging with the European Commission to put clients’ views across
- Advising the anti-torture charity REDRESS on its submission to the UK government’s Independent Review of the Human Rights Act
- Advising a technology company on a criminal investigation into human rights impacts arising from the use of its equipment in a conflict
- Advising global corporations from a range of industries on compliance with the UK Modern Slavery Act 2015, the French Duty of Vigilance Law, the California Transparency in Supply Chains Act of 2010, and Australian Modern Slavery Act 2018

## Useful links

- [Our Business and Human Rights practice](#)
- [Our Business Integrity practice](#)
- [The UN’s Guiding Principles on Business and Human Rights](#)
- [Our Business and Human Rights blog](#)

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