

Fifteen Years On: The UN Guiding Principles and the Evolution of Business Responsibility

By Shawn MacDonald*

This essay is part of [Shift's series](#) marking the 15th anniversary of the UN Guiding Principles on Business and Human Rights.

Fifteen years after their adoption, the United Nations Guiding Principles on Business and Human Rights (UNGPs) have fundamentally changed the operating logic of the field of supply chain accountability.

The UNGPs have created a common language, a shared framework, and practical architecture through which governments, companies, investors, civil society organizations, and international institutions can better align expectations and actions. That is no small feat in a world where confusion over standards and roles is all too often an excuse for dissembling and inaction.

Earlier this year, while attending an International Labour Organization (ILO) conference on child labor, I was struck by how frequently the UNGPs were referenced by government officials – from labor ministers to labor inspectors – from countries across Africa, Asia, and Latin America. I am used to discussing the UNGPs with company executives and fellow civil society leaders. At [Verité](#), as an independent nonprofit organization, much of our work sits at the intersection of companies, governments, civil society, and workers' organizations. Still, it was noteworthy to hear government officials routinely invoke the UNGPs as they discussed how to achieve change in partnership with companies and workers' organizations, which is at the heart of the ILO's tripartite approach. I do not mean to suggest that discussion at a conference equates to progress for rights holders. I am highlighting that a shift has occurred. Even within the ILO community, with more than a century of institutional tradition, processes, and achievements among the tripartite partners, the UNGPs have influenced a new way of discussing the roles and clarifying the responsibilities of governments and business.

Today, the influence of the UNGPs can be seen throughout the evolving landscape of responsible business conduct. Their principles are embedded in human rights reporting and due diligence laws, procurement frameworks, trade measures, investor expectations, and litigation strategies. Rather than functioning as a standalone solution, the UNGPs have served as connective tissue across a growing ecosystem of standards and institutions. Their power lies not in replacing existing mechanisms but in helping them reinforce one another. They connect international labor and wider human rights standards, Organisation for Economic Co-operation and Development (OECD) guidance, trade law, judicial processes, and national regulation into a more coherent whole.

From compliance-oriented thinking toward systems-based responsibility

One of the most important contributions of the UNGPs has been the shift from compliance-oriented thinking toward systems-based responsibility. Before their adoption, many companies approached labor and human rights largely through corporate social responsibility programs, supplier audits, codes of conduct, and public commitments. The focus often remained on identifying violations after they occurred.

The UNGPs changed that, establishing the expectation that companies should identify risks, prevent and mitigate impacts, and provide or enable remedy when harm occurs. Human rights have become not simply a reputational issue but a governance issue requiring ongoing management and accountability.

This shift has been particularly significant in addressing forced labor. In Verité's work, we see repeatedly that forced labor is rarely caused by a single bad actor or isolated violation. It emerges from systems involving labor recruitment, migration governance, debt, purchasing practices, documentation control, and profound imbalances of power. The UNGPs encouraged companies to move beyond detecting violations and toward understanding and addressing the conditions that create vulnerability and exploitation.

Over time, due diligence expectations and practical approaches have matured from identifying indicators of forced labor to grappling with root causes. Recruitment fees, worker-paid migration costs, document retention, worker voice, grievance mechanisms, and access to remedy are now central to credible company programs. For instance, ten years ago, Verité's work with a few pioneering companies to require repayment of migrant fees was seen as aspirational or even unrealistic for all but the largest companies with unquestioned leverage over suppliers. Now the practice is increasingly adopted by companies of many types and sizes in various countries, especially when they are compelled by regulatory authorities and advocacy groups to own up to their responsibilities. Interestingly, those same companies and their industry groups quickly become more interested in the state duty to protect migrant workers once they are held accountable and must pay the price of both corporate and governmental neglect of their duties.

A common language across global supply chain actors

Perhaps most importantly, the UNGPs introduced a widely accepted recognition that businesses have responsibilities alongside the existing duties of governments. They established a shared framework and language now used by companies, regulators, civil society organizations, investors, and courts. Human rights due diligence has become a standard expectation across supply chains, investment decisions, and increasingly, legal systems. Governments, companies, and civil society actors now speak a common language rooted in concepts that the UNGPs helped consolidate and operationalize.

The progression from soft law to hard law illustrates this influence. The connection is not always linear, and it would be simplistic to claim that every due diligence law derives directly from the UNGPs. Nevertheless, the Guiding Principles clearly established much of the conceptual foundation for today's legal and regulatory architecture. Over the past fifteen years, voluntary expectations have gradually become embedded in mandatory requirements. Governments increasingly reference the UNGPs when designing legislation, procurement standards, customs enforcement mechanisms, and reporting requirements. The evolution demonstrates how soft law norms can reshape expectations long before they become legal obligations.

The relationship between the UNGPs and other institutions is especially important. Their strength comes not from standing alone but from bolstering and complementing broader governance systems. The ILO, labor law, trade law, OECD due diligence guidance, procurement systems, litigation, and customs enforcement all contribute different pieces of a larger architecture. As human rights due diligence becomes more widespread, the challenge is less about creating new frameworks and more about connecting existing ones into coherent systems capable of prevention, accountability, and remedy. The UNGPs provide an overarching framework and a single methodology that can guide governments and companies even as countries adopt different legal approaches and enforcement models.

The challenge of delivering meaningful remedy

Yet the story of the UNGPs is also one of uneven progress. The corporate responsibility to respect human rights is now widely accepted conceptually, but progress on the state duty to protect and on access to remedy has lagged. Large, well-known companies have invested in due diligence systems, policies, risk assessments, and reporting structures, yet active implementation of core government functions like enforcing labor and human rights standards remains very uneven. This means that most companies still do not feel the need to improve practices because they aren't compelled to do so by their own governments.

Remedy remains one of the least mature aspects of implementation. This matters because remedy is where human rights commitments become real for workers and others who are impacted by companies' operations and value chains. People experience the value of human rights protections not through policies or reports but through meaningful mechanisms that address harm when it occurs.

In the labor rights sphere, recruitment fee repayment offers an instructive example. Over the past decade, some companies have reimbursed workers for unlawful recruitment fees, transforming remedy from an abstract principle into an operational reality. These efforts have also highlighted an important lesson: companies often understand the value of prevention most clearly after experiencing the cost and complexity of remediation. In this sense, remedy is not simply an end point. It can reveal where systems have failed and where companies need to strengthen their practices, and engage in wider collaboration, to prevent the same harm from recurring.

At the same time, we need a broader understanding of remedy. Fee repayment for migrants suffering from debt bondage is an obvious form of remedy, but having money returned is usually only one aspect of remedying the harm they have experienced. Workers deserve other forms of justice and compensation when they have been affected by discrimination, restrictions on freedom of association, suppression of worker voice, or failures of broader labor migration systems. Remedy needs to contribute not only to correcting past harm but also to preventing future abuse, including through grievance mechanisms that are genuinely accessible to and trusted by workers. These issues are increasingly important as due diligence systems mature.

Shifting from risk documentation to action, prevention, and impact

Looking ahead, one of the biggest challenges is moving beyond a predominantly risk-focused paradigm. Even with the UNGP emphasis on remedy, many companies and governments remain focused on identifying risks, including risks that are already well known. The future of due diligence should focus less on documenting risk and more on demonstrating action, prevention and mitigation, and measurable impact. Success should increasingly be defined not by the quality of risk assessments but by evidence that workers' lives are improving. This shift will require governments, companies, investors, and practitioners to rethink how due diligence is conceptualized, measured, and enforced to better meet the intent of the UNGPs.

Governments will be especially important in this next phase. The era of mandatory due diligence and trade-related enforcement has arrived. But laws alone are insufficient. Regulators, customs officials, labor inspectors, and courts need the capacity and resources to implement these systems effectively. When enforcement agencies demand stronger evidence of impact and better results from companies, they send powerful signals to markets. Such signaling is essential if due diligence is to become a genuine mechanism for change rather than another compliance exercise.

The legal profession also has a critical role to play. Lawyers retain considerable influence over how companies approach due diligence. Too often, advice remains centered on defensiveness and liability avoidance. Company compliance officials have told me of lawyers advising them to avoid looking for problems to perpetuate “plausible deniability.” That risks being legal malpractice. The next phase of UNGPs implementation requires legal professionals to become stronger advocates for proactive prevention, meaningful stakeholder engagement, and effective remediation. Human rights due diligence should not be viewed simply as a risk management exercise by companies; it should be understood as a framework for producing better outcomes for rights holders.

The future also demands broader integration across issues. Human rights and environmental harms frequently share root causes, similar governance challenges, and affect the same communities. It’s rare to see integrated due diligence policies and practices – let alone creative sustainability future planning – that flow from coordinated action from the social and environment “silos” within large multinational companies. The systems emerging from the UNGPs must increasingly find ways to integrate labor rights, broader human rights concerns, and environmental protection. Likewise, implementation must move beyond the labor issues that attract the most public attention, such as forced labor and child labor, and focus more seriously on rights that strengthen worker agency, particularly freedom of association and non-discrimination.

Another challenge concerns worker voice and civil society participation. The UNGPs have helped clarify the responsibilities of governments and businesses, but workers themselves are still too often treated by companies as occasional stakeholders rather than as actors with power and expertise whose participation should be mandatory, if not welcomed. Credible due diligence depends on trusted worker organizations, trade unions, civil society groups, and research institutions. Yet many of these organizations face declining resources at precisely the moment their expertise is most needed. This mismatch must be addressed if due diligence systems are to continue to evolve into credible and effective mechanisms of impact rather than performative exercises that bolster the status quo.

This challenge may become more acute as artificial intelligence enters the due diligence field. AI may help companies analyze data, map risks, and process information more efficiently. Yet there is a real danger that technology becomes a substitute for direct engagement with workers and local experts, and that biased and insufficient data fuel AI outputs that misdirect attention. Regulators and practitioners will need to ask a critical question: does technology advance worker interests, or simply make compliance cheaper and faster? Due diligence cannot become detached from the people it is meant to protect.

Shared Principles for an Increasingly Fragmented World

Finally, the future of the UNGPs will be shaped by a changing geopolitical environment. Rising authoritarianism, geoeconomic competition, trade wars, and fragmented markets create new uncertainties for global governance. Yet these developments may make the UNGPs even more valuable. In a world of diverging political systems and competing regulatory approaches, shared frameworks become even more important. The Guiding Principles continue to offer such a framework, providing common reference points for governments, companies, workers, and civil society navigating an increasingly complex world.

Fifteen years after their adoption, the UNGPs have changed how business and human rights are understood. They have helped move the field from compliance to systems, from detection to prevention, and increasingly toward meaningful remedy. The next phase must focus on impact, stronger state institutions, empowered workers, more effective remedies, and deeper cooperation among governments, businesses, civil society, and labor organizations. If the first

fifteen years were about establishing responsibility, the next fifteen must be about proving that responsibility can deliver real and lasting change for people.

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