

Media release

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UK multinationals must respect human rights globally, UK Supreme Court is told

- NGOs argue that mining giant Vedanta has a duty of care to villagers affected by its Zambian subsidiary's copper mining activities

The UK Supreme Court is to hear an appeal on 15 and 16 January from mining giant Vedanta Resources, in a case brought by 2,000 Zambian villagers who claim that their water and land have been poisoned by the firm's operations.

The Court will consider evidence from human rights NGO the International Commission of Jurists (ICJ) and corporate accountability group CORE, that under existing law and international standards, Vedanta owes a legal duty of care to the Zambian villagers. Acceptance of this principle would make the merits of the case arguable before UK Courts and allow for their jurisdiction to hear the case in future proceedings.

Vedanta is seeking to overturn a Court of Appeal ruling from last year, which upheld the High Court's view that UK Courts would have jurisdiction to hear the case in significant part on the basis that a UK parent company may owe a duty of care to third parties affected by its subsidiaries' activities.

The CORE and the ICJ submission to the Court argues that the Court of Appeal's conclusion is supported by international standards on companies' human rights and environmental responsibilities; UK government publications aimed at implementing those standards, including its Business & Human Rights Action Plan; and comparative law jurisprudence.

Vedanta has stated that its "sustainable development agenda" has been developed in line with the international standards to which the submission refers. These standards are therefore relevant to the factual question of whether Vedanta controlled and/or had assumed responsibility for the activities of its Zambian subsidiary, Konkola.

The case is a pivotal test for the development in the UK, and across common law and possibly other jurisdictions of parent company liability for human rights and environmental harm. Victims of corporate human rights abuses face multiple barriers in holding companies to account and securing access to justice. A clear statement from the UK Supreme Court affirming the duty of care principle would assist communities who have been harmed by corporate activities, and would provide an important affirmation of the scope of parent companies' obligations.

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For more information contact:

Carlos Lopez: Carlos.lopez@icj.org, t. +41 22 979 3816

Louise Eldridge: louise@corporate-responsibility.org t. +44 203 752 5712

Notes to editors: The International Commission of Jurists is an international organisation created to advance human rights through the rule of law. The CORE Coalition is a network of NGOs working to protect human rights by improving corporate accountability.