

OECD Business and Finance Policy Papers

Mapping of social and environmental due diligence legislation

No. 101



Disclaimers

This work is issued under the responsibility of the Secretary-General of the OECD, and does not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

Photo credits: © narvikk/Getty Images.



Attribution 4.0 International (CC BY 4.0).

This work is made available under the Creative Commons Attribution 4.0 International licence. By using this work, you accept to be bound by the terms of this licence (<https://creativecommons.org/licenses/by/4.0/>).

Attribution – you must cite the work.

Translations – you must cite the original work, identify changes to the original and add the following text: *In the event of any discrepancy between the original work and the translation, only the text of original work should be considered valid.*

Adaptations – you must cite the original work and add the following text: *This is an adaptation of an original work by the OECD. The opinions expressed and arguments employed in this adaptation should not be reported as representing the official views of the OECD or of its Member countries.*

Third-party material – the licence does not apply to third-party material in the work. If using such material, you are responsible for obtaining permission from the third party and for any claims of infringement.

You must not use the OECD logo, visual identity or cover image without express permission or suggest the OECD endorses your use of the work.

Any dispute arising under this licence shall be settled by arbitration in accordance with the Permanent Court of Arbitration (PCA) Arbitration Rules 2012. The seat of arbitration shall be Paris (France). The number of arbitrators shall be one.

Abstract

Governments increasingly expect businesses to carry out human rights, labour and environmental due diligence in their operations and supply chains. Despite differences in scope and approach, policies on due diligence often share broadly similar objectives that are rooted in international standards. However, there are also some important areas of divergence. This paper maps 21 legislative measures related to human rights, labour and environmental due diligence across 11 jurisdictions. It explores the scope and expectations of different measures compared to the six-step due diligence framework from the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct and the OECD Due Diligence Guidance for Responsible Business Conduct. It highlights main areas of convergence and divergence, and discusses the implications for businesses and policymakers. This paper ties into work on the OECD Inclusive Platform on Due Diligence Policy Co-operation.

This paper is part of the series “OECD Business and Finance Policy Papers”, <https://doi.org/10.1787/bf84ff64-en>.

Table of contents

Disclaimers	2
Abstract	3
Executive summary	6
1 Introduction	8
Methodology	9
2 Legislative scope	12
Entity scope	12
Supply chain scope	12
Responsible business conduct issue scope	13
3 Comparative analysis of due diligence requirements	15
Step 1: Embed responsible business conduct into policies and management systems	17
Step 2: Identify and assess actual and potential adverse impacts associated with the enterprise's operations, products or services	17
Step 3: Cease, prevent and mitigate adverse impacts	19
Step 4: Track implementation and results	20
Step 5: Communicate how impacts are addressed	21
Step 6: Provide for or co-operate in remediation	21
Stakeholder engagement	22
Third-party verification, industry schemes and multi-stakeholder initiatives	23
Enforcement and public support	23
4 Key areas of convergence and divergence	25
Key areas of convergence	25
Key areas of divergence	26

5 Conclusion	30
References	31
Annex A. Summary of expectations against six-step framework	33
Annex B. Non-exhaustive overview of guidance documents and accompanying measures	43
Notes	46

FIGURES

Figure 1. Classification of legislative measures in scope of this paper	9
Figure 2. Six-step due diligence framework	10
Figure 3. Supply chain scope	13
Figure 4. Responsible business conduct issue scope	14
Figure 5. Overview of reflection of the six-step due diligence framework	16

TABLES

Table A A.1. Steps 1 - 3	33
Table A A.2. Steps 4 - 6	39
Table A B.1. Guidance documents and accompanying measures (non-exhaustive)	43

Executive summary

Governments increasingly expect businesses to carry out social and environmental due diligence in their operations and along their supply chains. They enforce and encourage this through a wide range of policies, including legislation and non-binding policy measures. Governments have shown interest in exploring opportunities for greater co-operation across mandatory measures to avoid unnecessary costs and complexity for companies, suppliers and enforcement authorities.

The OECD has carried out a mapping and analysis of 21 pieces of legislation that directly require or indirectly encourage social and/or environmental due diligence. Measures analysed include disclosure measures, due diligence conduct measures, and product and market-based measures (see Methodology section).

Findings from the legislative mapping show important areas of convergence, including similar policy objectives and expectations. The measures tend to be rooted in the same international standards, including the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. Many of the measures expect regulated companies to identify and take responsibility for addressing social and/or environmental impacts in and beyond the remit of their own operations. They also expect somewhat similar processes, requiring companies to adopt proportionate measures to prevent and mitigate significant adverse impacts. Most require public disclosures on due diligence. These commonalities provide a reference point for governments in the process of designing new laws and policies on due diligence. They also provide an opportunity for policy co-operation between governments that have existing legislation, particularly in terms of developing guidance or other support on common topics to support compliance and/or enforcement.

Findings from the legislative mapping also show areas of divergence in how companies are expected to identify and prioritise risk. The measures vary, for example, in how far they define the supply chain, the role and relevance of risk, prescribe priority issues or commodities for companies, and set out expectations for a credible prioritisation process. While differences in scope and design naturally reflect domestic policy decisions and legal frameworks, they can also introduce complexity for companies and their business partners – such as where terminology or expectations differ, are ambiguous, or potentially conflict across jurisdictions. Such differences can result in companies being asked to consider a different potential “pool” of risk areas. They can also have implications for how companies and their business partners direct their time and resources, in some cases necessitating distinct parallel tools and methodologies for risk identification and prioritisation. They can potentially result in different outcomes in terms of which impacts are considered salient or significant. As a consequence, it can be challenging to demonstrate coherent and credible decisions to external stakeholders, including enforcement authorities.

There are divergences in approach around how companies are expected to respond to risks they identify. Some product and trade-based measures, for example, require companies to demonstrate no or negligible risk in relation to a specific issue (e.g. forced labour or deforestation), with due diligence a tool to demonstrate or support compliance. Others ask companies to demonstrate appropriate and proportionate prevention, mitigation and remediation processes based on continual progress against targets, rather than meeting a risk threshold. Measures vary in how far they define prevention and mitigation expectations, and

whether and how they address topics such as responsible disengagement. These differences can result in uncertainty for companies and their business partners, including around what an appropriate response looks like in a particular context, and how companies engage with suppliers and when they choose to disengage. It can also risk conflicting expectations for companies responding to the same issue under two different regulatory approaches.

Understanding areas of convergence and divergence across the due diligence legislative landscape can help policymakers promote coherence around due diligence concepts, as well as map and explain differences in approach or terminology. Entry points for this may include where policymakers or supervisory authorities are developing guidance, tools or other accompanying measures, or forming co-ordination networks to promote coherent support measures and/or enforcement. Policy co-operation can promote a common understanding of key concepts, drive consistent and effective practice by companies, and support common approaches to enforcement.

1 Introduction

Governments increasingly expect businesses to carry out social and environmental due diligence in their operations and along their supply chains. They do so through a wide range of policies, including through legislation and non-binding policy measures.¹ This paper focusses on legislative measures due to interest from governments in exploring opportunities for greater co-operation and coherence across mandatory measures to avoid unnecessary costs and complexity for companies, suppliers and enforcement authorities. It builds on earlier work by the OECD exploring opportunities for international co-operation on due diligence policy,² and will form the basis for a future online tool to navigate across both binding and non-binding measures. The paper also builds on a legislative and policy mapping project undertaken by the OECD for Ireland and the European Commission.

These findings also helped to inform discussion during the second meeting of the OECD Inclusive Platform on Due Diligence Policy Co-operation, held on 27-28 October 2025. The Platform brings together policymakers from around the world to discuss effective design, implementation and uptake of social and environmental due diligence policy and accompanying measures. This policy paper builds on the discussions and papers prepared for the first meeting and sets out ideas for reflection and is intended to trigger discussion. It is not intended to be comprehensive nor represent official positions of the OECD. It is published in parallel with the paper (OECD, 2026^[1]).

The paper aims to help governments:

- understand key commonalities and divergences in how existing legislation integrates due diligence, including in relation to international standards.
- identify opportunities for enhancing international policy co-operation to promote coherent and effective due diligence practices and minimise complexity and costs for businesses and regulators.

Mapping key areas of convergence and divergence is important for governments in the process of designing new laws and policies as it provides reference points to build on. How policymakers choose to translate concepts such as “risk-based approach” (see Box 1) or proportionality, or how they define the supply chain, can shape where and how companies focus their efforts. Similarly, policy expectations on responding to risk can determine when and how companies engage with suppliers and other business partners, and whether they take proactive steps to support effective mitigation, prevention and remediation outcomes.

Governments with legislation in place have opportunities to leverage existing convergence and address potential ambiguities and inconsistencies in how companies perceive their due diligence responsibilities. Many of the legislative measures in scope are only recently adopted or not yet fully implemented and enforced. In some cases, national implementing laws, official guidance aimed at clarifying due diligence expectations and other support measures are all forthcoming. While this creates challenges for discussions on policy co-operation, it also creates important opportunities, including to promote effective company practices, pre-empt potential challenges and/or conflicts in implementation, and shape coherent enforcement approaches. Upcoming guidance is also an opportunity to mitigate perceived differences and explain the relationship between different pieces of legislation to support more co-ordinated and coherent approaches across jurisdictions.

Where legislation is based on international standards, these can provide an important common basis for future policy co-operation, understanding that translating voluntary international standards into legal requirements involves a level of discretion and subjectivity as policymakers seek to strike a balance between legal certainty and flexibility.

Methodology

The 21 measures examined in this paper (see Figure 1) were selected on the basis that they integrate, directly or indirectly, expectations that covered entities carry out and/or publicly disclose information on social and environmental due diligence (or elements of due diligence).³ The list is not comprehensive and does not encompass a range of broader legislation on relevant topics that do not have a central due diligence component (such as climate disclosure laws, labour laws or sector-specific legislation). The measures can broadly be categorised as:

1. **Disclosure measures:** require companies (or other regulated entities) to publicly disclose information on their due diligence.
2. **Due diligence conduct measures:** require companies (or other regulated entities) to undertake due diligence on human rights, labour and/or environmental impacts in their operations, supply chains and business relationships.
3. **Product and market-based measures:** prohibit the import, placing on the market, export and/or use of products or commodities associated with certain risks (e.g. deforestation or forced labour), often subject to demonstration of adequate due diligence.

Figure 1. Classification of legislative measures in scope of this paper

Disclosure measures	Due diligence conduct measures	Product and market-based measures
Examples	Examples	Examples
<ul style="list-style-type: none"> ◦ Modern slavery and forced labour reporting laws in UK, Australia, Canada ◦ EU Corporate Sustainability Reporting Directive ◦ US Dodd-Frank Act (Sec.1502) 	<ul style="list-style-type: none"> ◦ National due diligence laws in France, Germany, Norway, Switzerland ◦ EU Corporate Sustainability Due Diligence Directive ◦ EU Batteries Regulation ◦ EU Conflict Minerals Regulation ◦ EU Digital Services Act ◦ EU Artificial Intelligence Act ◦ South Korea Artificial Intelligence Basic Act ◦ UAE Due Diligence Regulations for Responsible Sourcing of Gold 	<ul style="list-style-type: none"> ◦ US Uyghur Forced Labor Prevention Act ◦ US Tariff Act (Sec.307) ◦ EU Deforestation Regulation ◦ EU Forced Labour Regulation ◦ UK Environment Act

Given their different nature, each category of legislation integrates due diligence expectations in different ways and with different levels of specificity. The mapping therefore includes both:

- explicit due diligence conduct requirements (included in conduct-based measures as well as some product and market-based measures), and
- indirect or implicit due diligence expectations stemming from disclosure measures or product and market-based measures and/or where due diligence is a measure to support compliance.

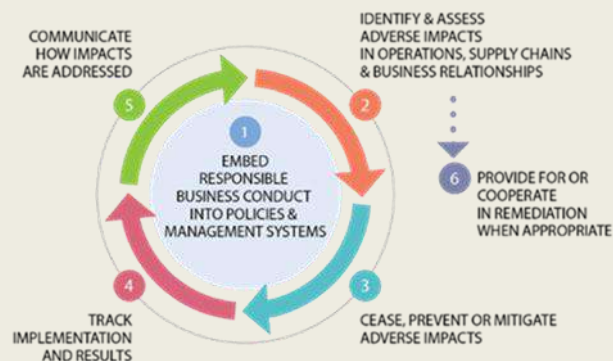
The mapping draws on the text of the legislation, as well as implementation rules (e.g. mandatory reporting standards), available guidelines and enforcement information.

The selected legislative measures have been mapped and compared against the following categories: i) regulatory scope (entity, supply chain and risks or issues addressed); ii) due diligence expectations; and iii) enforcement and public support requirements. Due diligence expectations have been mapped against the six-step framework set out presented in the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (MNE Guidelines) and the accompanying Due Diligence Guidance on RBC (see Box 1).

Box 1. OECD RBC standards and due diligence

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the MNE Guidelines), updated in 2023, are the most comprehensive set of government-backed recommendations to multinational enterprises (MNEs) on what constitutes responsible business conduct. They cover all key areas of business responsibility, including human rights, labour rights, environment, bribery and corruption, consumer interests, disclosure, science and technology, competition, and taxation. They recommend that enterprises undertake risk-based due diligence to identify, prioritise, prevent, mitigate and account for how they address actual and potential adverse impacts associated with their own operations and supply chains. The MNE Guidelines and accompanying Due Diligence Guidance on RBC (RBC Guidance) set out a six-step process for conducting due diligence that applies to all MNEs, irrespective of size, location and industry. They are accompanied by sector-specific due diligence guidance.

Figure 2. Six-step due diligence framework



Source: OECD (2018^[21]) Due Diligence Guidance for Responsible Business Conduct, <https://doi.org/10.1787/15f5f4b3-en>fxfxfx

Due diligence is a continuous, proportionate and risk-based process. It involves demonstrating progressive improvement and outcomes over time against credible targets and meaningful engagement with relevant stakeholders.

The “risk-based approach” under OECD RBC standards means that:

- Enterprises prioritise their most significant adverse impacts on the basis of severity and likelihood of harm and, on that basis, focus their attention and resources on their higher-risk operations and business relationships.
- Due diligence measures are sufficiently tailored to the nature, severity and likelihood of the specific risks and adverse impacts they identify.

- Due diligence is proportionate to the size of the enterprise, its involvement with an adverse impact and the severity of adverse impacts.

Source: OECD (2018^[2]), OECD Due Diligence Guidance for Responsible Business Conduct, <https://doi.org/10.1787/15f5f4b3-en>; OECD (2023^[3]), OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, <https://doi.org/10.1787/81f92357-en>.

Section 2 of this paper describes the legislative scope of the measures; Section 3 sets out a comparative analysis of due diligence requirements (see also Figure 5 below); and Section 4 summarises key areas of convergence and divergence in how due diligence is integrated across the 21 measures. Annex A provides a descriptive overview of how each measure reflects the six-step due diligence framework, and Annex B presents a non-exhaustive overview of guidance documents and accompanying measures.

2 Legislative scope

The 21 legislative measures in scope of this paper differ in the size of entities they apply to (entity scope), the extent of supply chain activities covered (supply chain scope), and the types of risks and issues they address (responsible business conduct (RBC) issue scope).

Entity scope

The scope of entities covered by these measures differ generally based on size or by specific supply chains or defined commodities. In some cases, entity scope is determined by both size and commodity/supply chain.

- **Type and size:** Due diligence conduct measures (6/11 measures) and disclosure measures (4/5 measures) generally apply size thresholds at which obligations apply, while product and market-based measures more often apply to all economic operators (i.e., natural as well as legal persons) importing, exporting or placing on the market, regardless of size.⁴
- **Commodity/supply chain:** Certain measures narrow the scope of entities covered in reference to the supply chain (or aspects of the supply chain) or commodities or products the measure is focussed on (9/21 measures).⁵

The measures generally have extraterritorial effect, applying to any entity operating or importing into the jurisdiction of the measure, although some measures apply size thresholds to entities from outside their market.⁶

Even where not directly in scope of the measure, suppliers and business partners, including small and medium-sized enterprises (SMEs), will be indirectly impacted by the requirements. The measures generally account for their potential impact on SMEs, including by excluding SMEs from direct scope, imposing differential obligations, mandating competent authorities to consider SMEs in support measures, and/or requiring in-scope entities to make provision for the different capacities of SMEs.

Supply chain scope

The measures each set out expectations in relation to an entity's supply chain or value chain; however, they differ in supply chain scope, terminology and whether and how the relevant supply or value chain coverage is defined. In some cases, both downstream and upstream activities are covered; in others, the supply chain is defined only in relation to upstream activities. In all cases, the terms "downstream" and "upstream" are not defined. Generally, all categories of measure address own operations and upstream activities.

Figure 3. Supply chain scope



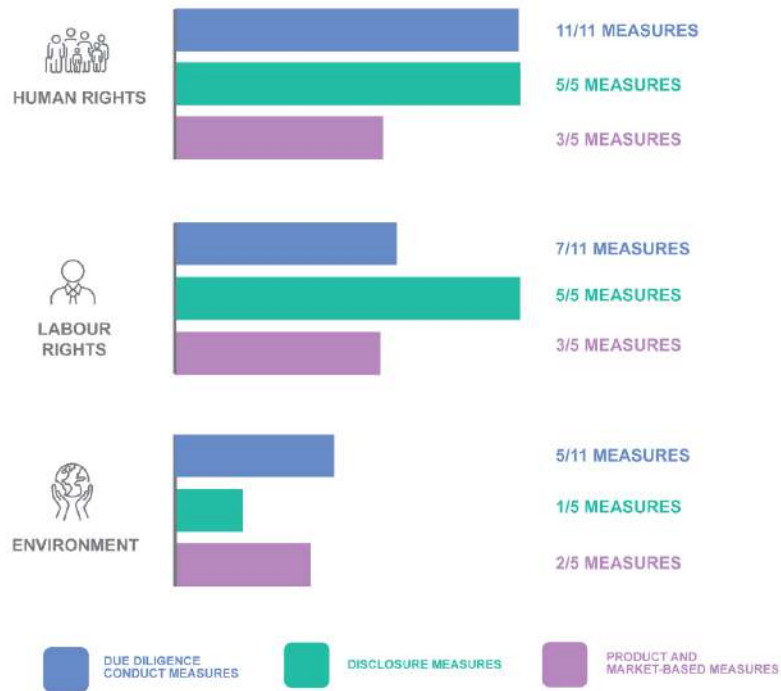
Note: All measures address own operations. Upstream is addressed in all measures, with the exception of EU Digital Services Act (DSA); EU AI Act; South Korean AI Basic Act. Downstream is addressed in EU Corporate Sustainability Reporting Directive (CSRD); EU DSA; EU Batteries Regulation; EU AI Act; EU Corporate Sustainability Due Diligence Directive (CSDDD); and South Korean AI Basic Act.

Responsible business conduct issue scope

The scope of responsible business conduct issues addressed by the due diligence related measures varies, but can broadly be grouped as human rights, labour rights and environmental impacts.

- **Due diligence conduct measures:** These generally take a broad approach to issue scope, with human rights and environmental issues generally defined by reference to international treaties.⁷ However, some measures refer to fundamental rights or severe violations without enumerating specific rights.
- **Product and market-based measures:** These are focussed on specific human rights issues or environmental impacts (deforestation, forced labour).
- **Disclosure measures:** Three out of five are focussed specifically on modern slavery, while the EU CSRD (2023) has a broader issue scope.

Figure 4. Responsible business conduct issue scope



Note: **Human rights**: in scope in all measures, except for UK Environment Act; EU Deforestation Regulation. **Labour Rights**: addressed in UK Modern Slavery Act; Australia Modern Slavery Act; Canada Fighting Forced Labour in Supply Chains Act; EU CSRD; French Duty of Vigilance Law; Norwegian Transparency; German Supply Chain Act; EU CSDDD; EU Batteries Regulation; UAE Due Diligence Regulations for Responsible Sourcing of Gold; US Tariff Act; US UFLPA; EU Forced Labour Regulation. Measures addressing forced labour are listed under human rights and labour rights. **Environment**: addressed in EU CSRD; French Duty of Vigilance Law; German Supply Chain Act; EU CSDDD; EU Batteries Regulation; UAE Due Diligence Regulations for Responsible Sourcing of Gold; UK Environment Act; EU Deforestation Regulation.

3

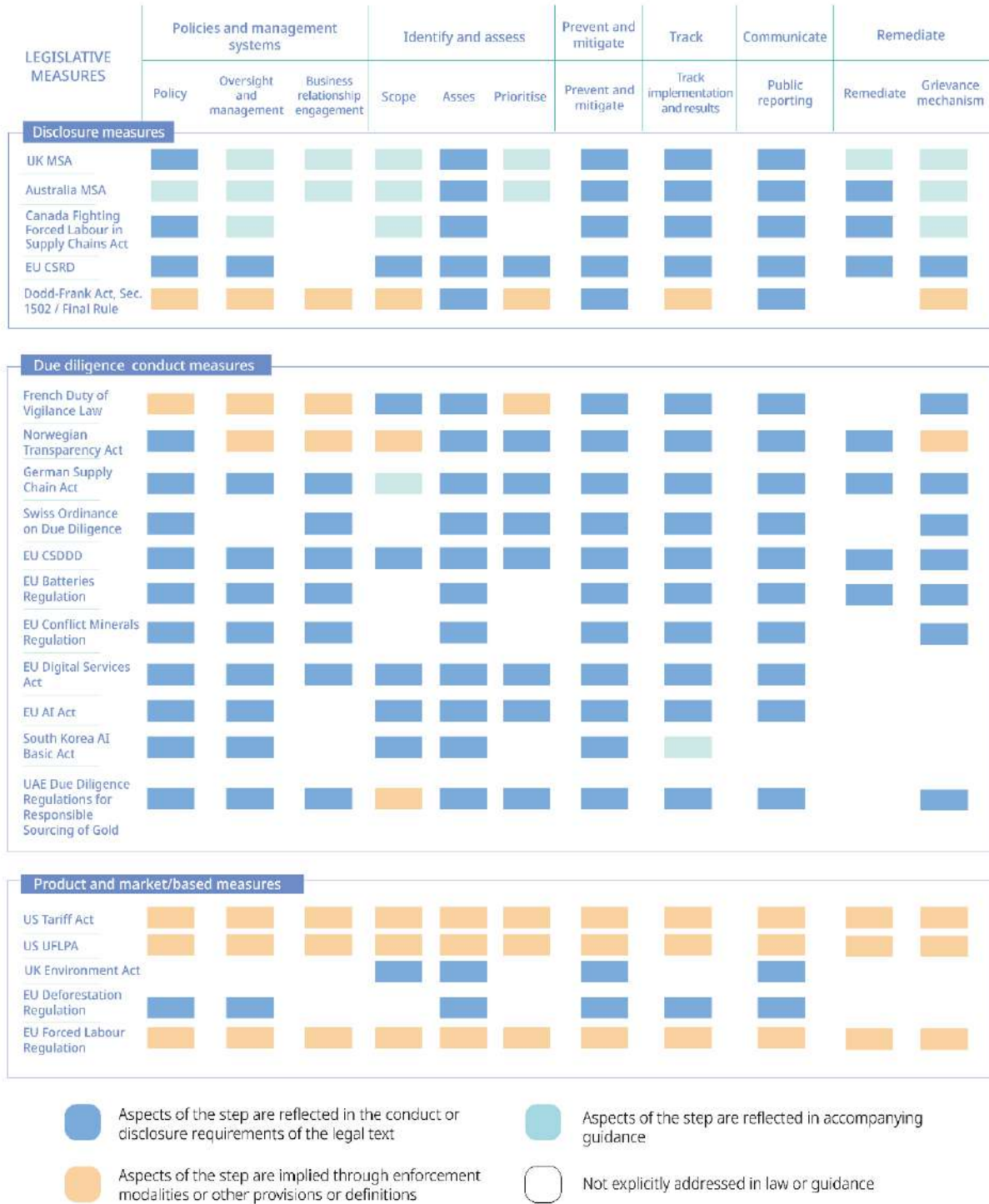
Comparative analysis of due diligence requirements

Due diligence is the process by which business enterprises are expected to identify, prevent, mitigate and account for actual and potential adverse impacts associated with their activities, supply chains and business relationships, consistent with international due diligence instruments: the OECD MNE Guidelines, United Nations Guiding Principles on Business and Human Rights and the International Labour Organization’s Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

The OECD RBC Guidance sets out a six-step process for due diligence. The standards are grounded in a “risk-based approach” and set out core principles or “key characteristics” of due diligence (see Box 1). This section considers the expectations of the 21 measures against the six-step process. Figure 5, below and overleaf, provides a visual summary, whilst Annex A gives a descriptive overview of the extent to which each measure reflects each step.

Due to their different nature and purpose, the three categories of measure integrate due diligence differently. Whilst due diligence conduct measures set specific conduct requirements, disclosure measures indirectly encourage due diligence by requiring disclosure on due diligence topics.⁸ Product and market-based measures generally take two different approaches, with deforestation measures requiring due diligence actions (based on a narrow concept of due diligence) combined with a prohibition on the import, export and/or placing on the market of products associated with deforestation or forest degradation. Product and market-based measures on forced labour do not create conduct obligations, but due diligence is a measure that can support compliance and documentation of due diligence may be requested during investigation or enforcement proceedings (see Methodology section).

Figure 5. Overview of reflection of the six-step due diligence framework



Step 1: Embed responsible business conduct into policies and management systems

The main aim of Step 1 is to ensure that enterprises have the systems in place to implement an effective due diligence process, with appropriate policies, staff, resources, management and oversight systems and operating procedures. Enterprises are expected to assign oversight and responsibility for due diligence to relevant senior management and assign board level responsibilities for RBC more broadly. Due diligence policies are risk-based and dynamic: they should reflect an enterprise's most significant risks across their own operations, suppliers and business relationships, and be adapted as contexts change. Enterprises are also expected to incorporate responsible conduct expectations into their engagement with suppliers and other business relationships.

Among the 21 measures, 13 explicitly require companies to have RBC policy commitments, broadly reflecting Step 1. Expectations on integrating due diligence into oversight and management systems, and incorporating RBC expectations into supplier engagement, are more varied across the measures and sometimes addressed through guidance.

Many of the due diligence conduct measures integrate aspects of Step 1, but differ in which aspects of the step they reflect. For example:

- **Policy requirements:** 8 of 11 measures require companies to put in place a due diligence policy (or policies). Expectations vary from requiring that policies be verified and periodically audited; to expecting policies that include “up to date” information or that simply embed RBC without further specificity.
- **Integration into management and oversight:** 6 of 11 measures explicitly address integrating due diligence into management and oversight systems.
- **Engagement with suppliers or other business relationships:** 6 of 11 measures explicitly require entities to incorporate their policy commitments into contracts or other agreements with suppliers. Others do not address this, but nevertheless expect companies to engage with suppliers as part of the due diligence process (see Steps 2 and 3 below).⁹

Three out of four disclosure measures require disclosure or description of a policy; however, other aspects of Step 1 are less explicitly integrated and/or addressed in more detail in statutory guidance.¹⁰

Step 1 is less explicitly reflected across product and market-based measures, which, as noted above, often do not include conduct requirements. The EU Deforestation Regulation (2023) is the only measure to explicitly require policies and internal management controls,¹¹ whilst the Operational Guidance on the US UFLPA encourages integrating due diligence into supplier relations through engagement and a written code of conduct (CBP, 2022, p. 13_[4]).

Step 2: Identify and assess actual and potential adverse impacts associated with the enterprise's operations, products or services

Step 2 aims to address how enterprises identify, assess and prioritise RBC risks and impacts for action, focussing on the criteria of severity and likelihood.¹² A high-level scoping exercise ensures that businesses first identify general areas of the business, across their operations and business relationships, where risks are most likely and severe, based on “risk factors”. They then carry out iterative and increasingly in-depth risk assessments in prioritised areas to identify and assess specific impacts.

The majority (18/21) of the measures require entities to undertake a risk assessment (or, in the case of the disclosure measures, disclose their assessment). However, they differ in levels of specificity, for example in whether they distinguish between an initial scoping and in-depth assessment per the international standards. They also differ in their approach to prioritisation and traceability.

Risk scoping vs. assessment

While all due diligence conduct measures require entities to assess defined risks and impacts, only a few distinguish between an initial high-level scoping and subsequent assessment.

Under the product and market-based measures, the approaches differ between deforestation measures, which include a narrow concept of due diligence involving analysis and assessment of information,¹³ and the forced labour measures, which do not include conduct obligations.¹⁴

The disclosure measures each require disclosure on assessment of risk but differ in the level of detail. The three disclosure measures addressing modern slavery require a description of the steps an entity has taken to assess risk,¹⁵ while the EU CSRD (2024) focusses on the concept of “materiality”, requiring covered entities to report on the basis of double materiality assessments that encompass “impact materiality” and “financial materiality” to identify “material” impacts, risks and opportunities in the value chain¹⁶ (OECD, 2026_[1]).

Prioritisation

The expectations around how companies should prioritise across their environmental and social risks and impacts differs between measures that target specific risks (generally product and market-based measures) and horizontal measures that address a range of RBC issues (generally due diligence conduct measures) and those targeting specific risks (generally product and market-based measures).

Measures that target specific issues: commodity and issue specific measures, such as the EU Conflict Minerals, Forced Labour and Deforestation Regulations, or the US UFLPA, effectively prioritise the issues and/or commodities that entities are expected to focus on, and do not expect companies to prioritise beyond this (see Figure 4).

Measures with broad issue scope: Certain measures explicitly require entities to prioritise risks and impacts based on severity and likelihood across a range of human rights and/or environmental impacts (see the section on Responsible business conduct issue scope above). Furthermore, some measures introduce additional criteria not found in international standards (such as the degree of influence a company has over a business partner).

Some legislation also integrates further regulatory parameters for risk prioritisation. For example, the EU Deforestation Regulation (2023) foresees the benchmarking of countries according to risk categories, with simplified or enhanced due diligence obligations;¹⁷ the EU AI Act (2024) categorises uses of artificial intelligence (AI) into different risk levels;¹⁸ whilst the EU Digital Services Act (2022) highlights, non-exhaustively, categories of systemic risks that require focus.¹⁹

Traceability

Four of the measures integrate explicit traceability requirements: the EU Deforestation Regulation (2023), the EU Batteries Regulation (2023), the EU Conflict Minerals Regulation (2017), and the Swiss Ordinance on Due Diligence and Transparency in relation to Minerals and Metals from Conflict-Affected Areas and Child Labour (2023). Traceability is also indirectly required under some product and market-based measures as a means to demonstrate that products are compliant with the measure. In contrast, due

diligence conduct measures tend to be less explicit about the role of traceability in due diligence (see Box 2).

Box 2. Traceability and due diligence

The term “traceability” is generally understood as the capacity to determine with a certain degree of confidence four elements: (1) origin – where a particular product originates (2) geographical path – where it has travelled (3) chain of custody – who has handled it, and (4) the product’s physical evolution – what modifications it has undergone. Traceability can also be used to pass on certain information on a product’s sustainability performance.

Traceability is however not equivalent to due diligence. Even with advanced technologies, traceability on its own cannot guarantee responsible production and trade. A product may be completely traceable while still having been produced in problematic circumstances. Instead, traceability is one approach towards achieving a level of transparency needed in order to identify, track and address actual and potential adverse impacts in their own operations, supply chains and other business relationships.

Source: OECD/IEA (2025^[5]), The role of traceability in critical mineral supply chains, <https://doi.org/10.1787/edb0a451-en>.

Step 3: Cease, prevent and mitigate adverse impacts

The focus of Step 3 is on how enterprises respond to the risks and impacts that they have identified. Responsibilities differ according to the enterprise’s level of involvement with the risk or impact, with heightened responsibilities where an enterprise causes or contributes to (or may cause or contribute to) an adverse impact through its own activities, compared to where it is “directly linked” (i.e. a business partner causes the impact) (see Step 6 on remediation).

Many of the measures broadly expect companies to take appropriate, suitable and/or proportionate steps to prevent and mitigate identified risks and impacts. As with other steps, the conduct-based due diligence measures are most explicit.

Due diligence conduct measures all require entities to carry out measures to prevent and mitigate risks and impacts; however, they differ in levels of specificity and in emphasis. This includes the extent to which they integrate the “involvement framework” under the international standards,²⁰ whether or not they require a prevention and mitigation plan, the level of detail they provide on specific prevention and mitigation actions, and the extent to which they address responsible disengagement. For example:

- **Prevention and mitigation requirements:** Some measures detail mandatory and optional prevention and mitigation measures, while others rely on more general requirements to use proportionate and/or appropriate measures to prevent and mitigate impacts, giving more discretion to companies to judge what is an appropriate measure in a specific context.²¹
- **Provisions on disengagement:** Measures vary on whether and how they address disengagement. Four measures explicitly address disengagement, with variance in level of detail including whether disengagement is presented as a measure of last resort, the situations where disengagement may or will be appropriate, and whether provisions are in place to ensure a responsible exit process (see Box 3).²²

- **Product and market-based measures** are focussed on ensuring that covered goods or commodities are free from stated risks or impacts or meet specific risk thresholds (e.g. free of deforestation or forced labour). Prevention and mitigation is indirectly encouraged for compliance; however, there is variance in whether and how this is integrated into the measures themselves. Unlike conduct-based measures, these measures do not explicitly address suspension or disengagement. Authorities prohibit the import/export of non-compliant goods, with possible consequences for suspension or termination of contracts where goods are found non-compliant following investigation and review processes.
- **Disclosure measures** all require disclosure of prevention and mitigation actions in the primary text, but vary in whether they explicitly address other Step 3 concepts such as involvement, disengagement and leverage.²³ Supplementary guidance addresses some of these concepts for certain measures.

Box 3. Responsible disengagement

The OECD RBC standards make clear that disengagement is generally a measure of last resort. However, they acknowledge that business enterprises may sometimes need to temporarily suspend a supplier relationship or disengage when **prevention and mitigation attempts have failed, where mitigation is not feasible or due to the severity of the impact**. They emphasise that the potential adverse social and economic impacts of disengagement should be taken into consideration. They also recognise that disengagement may not be legally or practically feasible or an appropriate response in certain contexts. Where a decision to disengage is made, it should be done responsibly, in accordance with the standards.

Sources: OECD (2023^[3]), OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, <https://doi.org/10.1787/81f92357-en>; OECD (2018^[2]), OECD Due Diligence Guidance for Responsible Business Conduct, <https://doi.org/10.1787/15f5f4b3-en>.

Step 4: Track implementation and results

Step 4 aims to ensure that enterprises have systems in place to track and evaluate progress against the targets and indicators it set under Step 3, and to assess effectiveness of their due diligence. It is a central part of promoting meaningful efforts towards continual improvement over time. Monitoring activities should be tailored to the nature and severity of the impacts and relevant stakeholders should be involved in target setting and monitoring. Lessons learned should be used to improve future due diligence efforts and outcomes.

The requirement to monitor and track due diligence activities is included in 14 of 21 measures. However, there is variance in levels of specificity, including around the requirement to assess the *effectiveness* of measures taken.

- **Due diligence conduct measures:** 8 of 11 conduct measures expect some form of tracking or monitoring (variously framed as ongoing tracking and monitoring of performance,²⁴ or periodic review). For example, the German Supply Chain Act expects an annual review of remedial action, or more regular review where a significant change in risk is expected.²⁵ Five measures address effectiveness specifically.²⁶

- **Product and market-based measures:** Tracking and assessing effectiveness is generally not explicitly required. However, the EU Deforestation Regulation (2023), while not referring to tracking or effectiveness, does require review and update of the due diligence system.²⁷
- **Disclosure measures:** 4 of 5 disclosure measures require some form of disclosure related to effectiveness, with the modern slavery measures requiring description of how the entity assesses effectiveness. The EU CSRD (2023) has a disclosure requirement related to tracking effectiveness.²⁸

Step 5: Communicate how impacts are addressed

Step 5 expects enterprises to publicly communicate relevant information on due diligence policies, processes, activities and outcomes, including on prioritised risks and impacts, actions to prevent and mitigate them (including where possible estimated timelines and benchmarks for improvement and their outcomes), and any remediation. The practical actions advise, with respect to human rights impacts, that entities communicate with actually or potentially impacted rightsholders information that is relevant to them.

The majority of measures (16/21) introduce requirements to publicly disclose information on due diligence, but there are significant variations in the scope and level of detail for disclosing impacts and risk-related data.

- **Disclosure measures:** By their nature, these measures have detailed reporting requirements and supplementary guidance. They differ in their subject matter focus (as addressed in the Responsible business conduct issue scope section), with the EU CSRD (2023) addressing a range of RBC risks and impacts, while the other measures focus specifically on forced labour. The EU CSRD also asks companies to identify and disclose impacts which are financially material to a company through the concept of “double materiality”.
- **Due diligence conduct measures:** These generally require an annual report on an entity’s due diligence actions. The measures are less detailed in their specific requirements than the disclosure measures, but generally require reporting to address actions taken to meet the due diligence requirements set out in the measure.
- **Product and market-based measures:** These are more mixed on disclosure requirements. The EU Deforestation Regulation (2023) and the UK Environment Act (2021) include reporting requirements. The other measures do not set direct conduct or reporting requirements.

For more information, see the OECD’s policy brief, *Reporting requirements in social and environmental due diligence legislation* (OECD, 2026^[11]).

Step 6: Provide for or co-operate in remediation

Step 6 aims to ensure that enterprises provide or contribute to remediation where they have *caused or contributed* to actual adverse impacts. It also expects that enterprises provide for or co-operate in effective grievance mechanisms, through which impacted stakeholders can raise complaints and obtain remedy (where relevant).

Under OECD RBC standards, remediation should seek to restore affected persons to the situation they would be in had the adverse impact not occurred; the type or combination of remedies needed will

depend on the nature and extent of the adverse impact. Grievance mechanisms should be consistent with the effectiveness criteria for non-judicial grievance mechanisms set out in the United Nations Guiding Principles for Business and Human Rights (UNGPs).

Only 7 of the 21 measures include an explicit conduct or disclosure requirement related to remediation, with differences in levels of detail.

- **Due diligence conduct measures:** 4 of the 11 conduct measures include language on remediation, but the remaining 7 do not, making this the least integrated step of the framework. Those that include remediation differ in how detailed the requirement is, and whether they distinguish remediation expectations according to the company's involvement with the harm (see Step 3 on the involvement framework).
- **Disclosure measures:** Disclosure on remediation is required under the primary text of 3 of the 4 disclosure measures and expanded upon in guidance.²⁹

None of the product and market-based measures explicitly require remediation, although evidence of remediation may assist entities in enforcement actions, demonstrating they have sufficiently addressed incidents of forced labour. Remediation is addressed in guidance in some cases. As noted earlier, the deforestation measures use a narrow concept of due diligence, with no requirement for remediation.

Seven of the 21 measures put in place requirements for some form of grievance or complaints mechanism.³⁰ Some provide that entities can facilitate this through collaboration with other initiatives or recourse to an external body. Some of the measures frame the mechanism as an early warning or alert mechanism, with an emphasis on the quick identification of risks,³¹ whilst others frame the mechanism more as a means to receive complaints.³² Three measures make reference to the effectiveness of non-judicial grievance mechanisms, with two referring to the effectiveness criteria.³³

Stakeholder engagement

Meaningful stakeholder engagement is a key component of the due diligence process, and in some cases, may also be a right in and of itself.³⁴ OECD RBC standards recommend engaging with relevant stakeholders throughout the due diligence process. They also explain the concept of meaningful stakeholder engagement, characterised by two-way engagement and good faith, responsive and ongoing communication.³⁵ Relevant stakeholders may include impacted and potentially impacted rightsholders, worker representatives, trade unions, community organisations, human rights defenders and civil society groups.

Due diligence conduct measures (7/11 measures) generally foresee stakeholder engagement and consultation as part of the due diligence obligation; however, they differ in specificity over when stakeholder engagement should take place, which stakeholders should be captured and what the process should look like.³⁶ For example, some measures specify stakeholder engagement for specific steps only, and others include a narrower framing of consultation with experts and civil society for information purposes, rather than a broader concept of two-way engagement.

Stakeholder engagement is less explicitly integrated into product and market-based measures and disclosure measures. Under product and market-based measures, only the EU Deforestation Regulation (2023) addresses it explicitly as a feature of risk assessment and reporting;³⁷ although the US UFLPA Operational Guidance does recommend stakeholder engagement, but does not detail when, how or with whom such engagement should take place. Among disclosure measures, only the CSRD (2023) explicitly

requires reporting on stakeholder engagement.³⁸ The UK and the Australian Modern Slavery Acts address stakeholder engagement through statutory guidance.

Third-party verification, industry schemes and multi-stakeholder initiatives

OECD RBC standards address the role of collaboration, including through industry schemes and multi-stakeholder initiatives, and third-party verification, to support companies' due diligence. Collaboration can be beneficial in pooling knowledge on sector risks and solutions, increasing leverage with shared business relationships, and promoting efficient approaches, for example through common reporting templates or risk assessment frameworks. Cost sharing and savings can also be an important benefit, particularly for SMEs.

However, the standards also make clear that enterprises retain ultimate responsibility for their due diligence; participation in an initiative or use of third-party verification does not shift responsibility from the enterprise to the initiative or other verification provider. Where enterprises participate in initiatives or use third-party information or tools, they should assess their scope, quality and credibility.

Third-party verification, industry schemes and multi-stakeholder initiatives are referenced in several of the due diligence conduct measures but are generally not an explicit feature of disclosure or product and market-based measures. Out of 11 due diligence conduct measures, six refer variously to third-party verification, certification, industry initiatives and/or multi-stakeholder initiatives, with differences in approach and levels of specificity to their role in supporting compliance.³⁹ Approaches range from authority-led oversight and recognition of initiatives considered to align with policy objectives to more flexible approaches that task companies with understanding the relevance and credibility or “fitness” of the third party initiatives they use.

Oversight approaches, for example under the EU Conflict Minerals and Batteries Regulations, enable the Commission to recognise due diligence schemes as equivalent to the due diligence requirements of the regulation.⁴⁰ More flexible approaches position industry and multi-stakeholder initiatives as a supportive tool for due diligence – a source of information or means of increasing leverage, rather than as a mandatory or compliance oriented function. The consequences of participation in an industry scheme or multi-stakeholder initiative for compliance and enforcement is often not set out in the legislation but instead in accompanying guidance aimed at clarifying their role in due diligence.⁴¹

Enforcement and public support

Across the 21 measures there are a range of enforcement approaches and modalities, which this paper only briefly summarises. The majority of measures require administrative enforcement, except for the French Duty of Vigilance Law, which uses judicial enforcement.

A range of different authorities are involved in enforcement. Product and market-based measures are often enforced by customs authorities. For example, the US Customs and Border Protection (CBP) agency enforces the forced labour import prohibition under section 307 of the Tariff Act. Across due diligence conduct and disclosure measures, relevant enforcement authorities involve consumer authorities, home affairs, public safety authorities and attorneys' general offices. The enforcement of issue-specific measures, for instance modern slavery acts, are often housed within specialised units of the relevant enforcement body. In some cases, enforcement responsibilities are split between two bodies, often one leading in promoting compliance and the other in monitoring and sanctioning non-compliance. For example, both the UK and the Australian Modern Slavery Acts' enforcement processes are shared

between the Attorney General's department and Home Office on the one hand, and the Department of Business and Trade and the independent commissioner on the other.

Several of the measures encourage co-operation and exchange of information between authorities, between different states, and between states and the European Commission. For example, the EU Forced Labour Regulation (2024) mandates the creation of networks of representatives of competent authorities across the member states, and the US UFLPA (2021) sets out a role for the Forced Labor Enforcement Task Force – an interagency task force – in developing an enforcement strategy.⁴²

The measures embed a range of enforcement modalities, with some requiring supervisory authorities to undertake preventative actions through monitoring and checks to avoid non-compliance.⁴³ Others contain specific reactive requirements for member states to undertake investigations where there are concerns of non-compliance, with investigations taken both on the authority's own initiative or when a concern has been raised by a third party. For example, the EU CSDDD (2024) and EU Forced Labour Regulation (2024) each provide for authorities to receive and assess "substantiated concerns" from third parties. The US measures do not explicitly specify a role for authorities in receiving complaints and allegations; however, under CBP regulations, any person may submit allegations of suspected forced labour via the CBP's portal.⁴⁴

Many of the measures include a system of administrative penalties. The product and market-based measures also contain enforcement actions such as withdrawal and confiscation of products. Under the US forced labour measures, CBP has the authority to detain, seize or exclude goods produced with forced labour; while under the EU Forced Labour Regulation (2024), authorities may prohibit, withdraw, dispose of and restrict access to products.⁴⁵

Finally, many of the measures provide for accompanying measures and guidance to support compliance. This includes providing guidance, developing information portals, help desks, providing training and facilitating business feedback. 5Annex B provides selected examples of guidance across some of the measures. In some cases, measures provide for guidance to support enforcement authorities (for example, EU Forced Labour Regulation (2024)).

4 Key areas of convergence and divergence

This section builds on the findings set out in Sections 2 and 3, exploring key areas of convergence and divergence in how due diligence is integrated across the three categories of measure.

Key areas of convergence

While the legislative measures differ in scope, design and levels of specificity, they share as their objective the mitigation and prevention of adverse social and/or environmental impacts. They also ask companies to look beyond their own operations to adverse impacts associated with their supply chains or other business relationships. The measures also generally expect companies to put in place similar systems and processes for identifying and assessing risk. Very often they refer to the same underlying international standards, with broad coverage of key due diligence elements and characteristics, such as the concept of proportionality and an emphasis on significant risks.⁴⁶ Many of the measures give companies an important degree of discretion to decide what measure is appropriate or proportionate in a given context, reflecting the international standards as well as risk-based due diligence legislation in other policy areas.

The findings above highlight a number of specific commonalities in how the measures address due diligence requirements. For example, the majority of measures expect companies to, in varying levels of detail:

- Put in place a due diligence policy.
- Identify and assess significant labour, human rights and/or environmental risks and impacts.
- Use adequate and/or proportionate prevention and mitigation measures.
- Carry out stakeholder engagement.
- Publicly disclose information on their due diligence.

Considerations for governments

These commonalities provide an important reference point for governments in the process of designing new legislation and when supporting companies to comply with existing legislation. Leveraging convergence through policy co-operation can help to promote more consistent and effective implementation practices, as well as co-ordinated and consistent enforcement approaches.

Governments can, for example, co-ordinate in developing clear and consistent understanding of core concepts, terms and processes through publishing joint interpretative materials (including around previously aligned minimum requirements and/or common terminology). They can also identify and signpost to equivalent concepts in related measures through guidance for business and enforcement agencies, as well as through capacity-building initiatives. Where appropriate, more formal interoperability or recognition models can also be considered (OECD, 2025^[6]).

Common references to international standards can provide an important reference point to promote coherent and effective business practices and enforcement where policy aims and expectations broadly converge (for example in developing a common understanding of the risk-based approach, credible prioritisation processes, or common best-practice examples of effective mitigation and prevention activities; see also the OECD's *Reporting requirements in social and environmental due diligence legislation* (OECD, 2026^[1])).

Key areas of divergence

Divergences are discussed across six topics of relevance to the design of new laws and policies, and as entry points for future policy co-operation to promote effective and coherent due diligence practices, address implementation challenges and support coherent enforcement.

1) Identifying and prioritising risks and impacts

While many of the measures explicitly or implicitly expect companies to identify and prioritise significant areas of risk, they often vary in approach and scope. These differences can create implementation challenges and complexity for companies operating across different jurisdictions. For example:

- **Supply chain definitions and coverage:** Differences can impact where companies are required to focus their due diligence across business partners and segments of the supply chain (e.g. upstream, downstream, full value chain or “chain of activities”) (see Figure 3).
- **Prioritisation criteria and the “risk-based approach”:** Measures vary in how far they prescribe priority issues, supply chains or commodities, or define prioritisation criteria and a credible prioritisation process. Some measures introduce criteria that diverge from international standards rather than focussing on where potential or actual impacts are most severe and likely.
- **Traceability and/or supply chain mapping requirements:** Some measures apply strict traceability requirements or expect entities to gather and disclose to authorities a range of product- and entity-level sustainability and due diligence information. Traceability is also indirectly required under product and market-based measures as a means to demonstrate that products are compliant. Horizontal measures do not include the same level of prescription on traceability or product disclosures (see Box 2).

Considerations for governments

Differences in how companies are expected to identify and prioritise salient or significant impacts can create particular challenges for businesses operating across different measures and jurisdictions. For example:

- Companies may be asked to consider a different potential “pool” of risk areas, leading to different final outcomes (i.e. different lists of salient or significant impacts). Companies may prioritise issues under one measure that would not be considered “high risk” under other measures or when applying the risk-based approach under international standards. As a result, companies may have to establish parallel tools and methodologies for risk identification and prioritisation. This can also complicate disclosures – see the OECD's *Reporting requirements in social and environmental due diligence legislation* (OECD, 2026^[1]).
- It can be challenging for companies to demonstrate credible, comparable and integrated prioritisation decisions to external stakeholders, such as supervisory authorities, investors and civil society organisations, if definitions of saliency or materiality, as well as risk prioritisation criteria and methodologies, are inconsistent.

- Conflicting approaches and/or differences in detail can also create complexity and uncertainty for suppliers and other business relationships, who risk being subject to multiple and conflicting information requests depending on how individual buyers or other regulated entities prioritise specific topics.
- Where measures introduce strict traceability requirements or product disclosure rules they expect greater resource investment in risk management of a specific issue (or a specific supply chain). Companies may need to divert significant resources towards tracing specific products or supply chains, potentially at the expense of other risks that may be considered salient under other legislation in another jurisdiction.

2) Responding to risks and impacts

The measures similarly differ in some important respects when it comes to responding to identified significant risks or impacts:

- Risk thresholds vs. demonstrated progress on prevention and mitigation outcomes: Some product and market-based measures require companies to demonstrate *no or negligible risk* in relation to a designated issue (e.g. deforestation or forced labour); in these cases, due diligence is presented as a tool to demonstrate compliance with that threshold. Due diligence conduct and disclosure measures ask companies to demonstrate *appropriate and proportionate mitigation, prevention and remediation processes and/or outcomes* based on progress over time against targets, not to meet an overall risk threshold.
- Remediation: A relatively small proportion of the measures include an explicit conduct or disclosure requirement related to remediation, making this the least integrated due diligence aspect. Those that include remediation differ in level of detail, including how they define remediation and the situations in which remediation is required.
- Responsible disengagement: While some conduct measures explicitly address the topic, they vary in how they do so and in levels of prescription and specificity. Product and market-based measures do not introduce conduct requirements, but use a prohibition on import/export or placing on the market (with possible consequences for the suspension or termination of contracts).
- Levels of specificity: Some measures include lists of prevention and mitigation measures (voluntary or mandatory) and foresee guidance about what constitutes appropriate practice; others set out broad requirements on prevention and mitigation and give companies more discretion to judge what is an appropriate or effective response in a particular context – sometimes accompanied by guidance. Measures also emphasise different types of prevention and mitigation actions, such as requirements to consider and adapt purchasing practices and business models; the use of contracts, codes of conduct and contractual assurances; independent verification and/or industry and multi-stakeholder initiatives; using and building leverage over business partners; and financial and non-financial support to suppliers, in particular SMEs.

Considerations for governments

These differences can have important implications for regulated entities and their business partners. They can result in a lack of clarity for companies and business partners on what is “good enough”: when they should be pursuing due diligence efforts, when they can determine that mitigation has “failed” or when disengaging from a supplier is appropriate, and what their responsibilities are around prevention, mitigation and remediation. In these cases further clarity on effective prevention and mitigation activities can be provided in guidance, as already envisaged under some conduct-based measures. Other differences can lead to companies facing inherently conflicting obligations for the same issue, with implications for whether and how they choose to support and engage with suppliers, particularly on more complex issues that may

require longer time frames and more collaborative approaches. For example, companies may choose to disengage from a supplier to comply with one piece of legislation, whereas another piece of legislation may expect ongoing engagement to ensure prevention, mitigation and/or remediation. This can in turn lead to companies making diverging or conflicting demands on suppliers even where the impact in question is the same.

3) Disclosure, reporting and data collection

While there is broad convergence across the measures and steps of the due diligence process companies have to disclose across the legislation, there are variations in terms of scope, assessment approaches and level of detail for disclosing impacts and risk-related data. The appropriate level of specificity in reporting is often not clear nor well understood by businesses in the context of disclosing actions to prevent and mitigate salient risks and impacts, as well as the effectiveness or outcomes of those actions. Finally, even where information needs are aligned across legislation and related reporting frameworks, differences in how data is shared can hinder streamlined reporting and create duplicative reporting and data requests. These challenges can cascade down to business relationships of regulated entities, particularly those with limited capacity and resources to respond to multiple and sophisticated data requests. For considerations for governments, see *Reporting requirements in social and environmental due diligence legislation* (OECD, 2026^[1]).

4) Stakeholder engagement

Many of the measures explicitly foresee stakeholder engagement and consultation as part of due diligence obligations but differ in specificity, including when stakeholder engagement should take place in the process, what meaningful engagement entails, and in almost all cases do not define “stakeholders”.

Considerations for governments

Broad convergence around the importance of stakeholder engagement provides an important reference point for governments designing new legislation. It also provides governments with an opportunity to clarify key concepts and terms, including through guidance. Many of the measures give companies a degree of discretion to judge which stakeholders are most relevant in a particular context. Different stakeholders will be relevant for different aspects of due diligence (e.g. risk assessments vs. remediation) and will vary according to a company’s sector, position in the supply chain and the nature of its business relationships. However, a lack clarity and/or differences around who companies should engage with and when adds complexity for companies implementing measures across jurisdictions, as well as uncertainty for stakeholders. It also risks inconsistent approaches by enforcement authorities.

5) Industry schemes, multi-stakeholder initiatives and third-party verification

A number of conduct-based measures reference industry schemes, multi-stakeholder initiatives and/or third-party verification in the context of due diligence. Approaches broadly range from government-led oversight and recognition of industry initiatives to more flexible approaches that task companies with evaluating the relevance and credibility (or “fitness”) of the initiatives and/or third-party verification providers that they use. More flexible approaches tend to position industry and multi-stakeholder initiatives as a tool that entities may use in their due diligence – a source of information or means of increasing leverage – rather than as a mandatory or compliance-oriented function. Some measures explicitly state that entities retain ultimate responsibility for their own due diligence obligations. Policymakers have sought to clarify the role that certifications and other types of initiative play in supporting compliance through guidance, including to clarify that certification or participation in an industry scheme does not guarantee compliance. This can be seen, for example, in guidance developed by Germany’s Federal Office of

Economics and Export Control (BAFA) under the German Supply Chain Act (2023) and by the European Commission under the EU Deforestation Regulation (2023).

Considerations for governments

Multi-stakeholder initiatives, industry schemes and third-party verification can in practice play an important role in supporting companies and their suppliers to comply with due diligence measures, even where they are not explicitly referenced. However, significant differences in the scope, design and quality of these initiatives can be complex to navigate and present challenges both for businesses using them and for authorities overseeing compliance. It is notable that many measures and accompanying guidance do not address how enforcement authorities should evaluate companies' participation in different initiatives, nor set out guidance or criteria to evaluate their credibility. The OECD has explored the role of sustainability initiatives in the context of mandatory due diligence in other papers (OECD, 2026^[7]).

6) Enforcement and support measures

The regulatory mapping findings show important areas of divergence in relation to enforcement mechanisms. This topic requires further research and goes beyond the main scope of this paper. Nevertheless, co-operation around how due diligence is enforced, and how enforcement authorities understand key due diligence terms and concepts, will play a significant role in determining effective implementation and, ultimately, the uptake and impact of the different pieces of legislation. This topic will be the focus of an upcoming policy paper by the OECD.

5 Conclusion

Governments are increasingly introducing binding and non-binding policy measures to promote responsible due diligence practices. Many of these share the core principle that businesses should look beyond the remit of what they can control, to social and/or environmental impacts connected to their supply chains and business relationships. This comparative mapping of 21 legislative measures demonstrates that, despite differences in scope, legal form and enforcement models, most instruments draw on a common conceptual foundation that is grounded in international standards and anchored around a core process of identifying, preventing and mitigating adverse impacts. These convergences provide a common architecture or framework that can be jointly refined and built on as governments develop interpretative guidance and support measures, and build capacity, including among supervisory authorities.

At the same time, the mapping highlights material divergences that can carry important implications for regulatory effectiveness and compliance. Differences in scope, due diligence expectations, liability regimes and enforcement mechanisms create a somewhat fragmented landscape that poses challenges both for public authorities tasked with oversight and companies operating across jurisdictions and business partners, particularly SMEs.

Many divergences are not merely technical but reflect distinct legal traditions, political compromises and regulatory philosophies. Even where legislative texts differ, however, building a common understanding around shared due diligence concepts and terminology (such as the risk-based approach, stakeholder engagement, and effective prevention and mitigation practices) can significantly reduce fragmentation. Governments can co-ordinate on joint interpretative materials, practical guidance, tools and capacity-building initiatives for business and enforcement authorities. Identifying and building on synergies can also enhance opportunities for co-ordination and peer learning around other support measures (such as common tools and standards for data exchange and collection along supply chains and/or data interoperability or centralised hubs for risk information). This is explored further in the accompanying paper: *Reporting requirements in social and environmental due diligence legislation* (OECD, 2026^[11]).

As jurisdictions move from legislative adoption to implementation and enforcement, policy co-operation and dialogue will be a critical part of increasing legal certainty, reducing complexity, and promoting effective and streamlined uptake and enforcement. Against this backdrop, the OECD Inclusive Platform on Due Diligence Policy Co-operation offers an important space for dialogue and exchange. While this paper focusses on legislation, policy co-operation around synergies and differences will also be important to consider across non-binding policy measures. A forthcoming online policy mapping visual and further discussions as part of the Platform will build on these findings and address opportunities for co-operation and/or interoperability across both non-binding and binding measures.

References

- Attorney-General's Department (2023), *Commonwealth Modern Slavery Act 2018: Guidance for Reporting Entities*, Australian Government, <https://www.modernslavery.gov.au/guidance-training-resources/resources/official-modern-slavery-act-guidance>. [10]
- BAFA (2025), *FAQ on the risk-based approach*, Germany Federal Office of Economics and Export Control, https://www.bafa.de/EN/Supply_Chain_Act/Guidances/guidances_node.html (accessed on 11 March 2026). [13]
- BAFA (n.d), *Identifying, weighting and prioritizing risks*, German Federal Office of Economics and Export Control, https://www.bafa.de/EN/Supply_Chain_Act/Guidances/guidances_node.html. [12]
- CBP (2025), *Withhold Release Order (WRO) and Finding Modifications Guide*, US Customs and Border Protection, https://www.cbp.gov/sites/default/files/2025-2005/FLD_Withhold_Release_Order_and_Finding_Modifications_Guide.pdf. [8]
- CBP (2022), *UFLPA Operational Guidance for Importers*, US Customs and Border Protection, <https://www.cbp.gov/document/guidance/uflpa-operational-guidance-importers>. [4]
- Home Office (2025), *Transparency in Supply Chains (TISC) Statutory Guidance*, UK Government, https://assets.publishing.service.gov.uk/media/68873308cec9ccd515ae09b0/Transparency_in_supply_chains_a_practical_guide.pdf. [11]
- OECD (2026), *Reporting requirements in social and environmental due diligence legislation*, OECD Publishing, Paris, <https://doi.org/10.1787/52f15766-en>. [1]
- OECD (2026), *Sustainability initiatives for responsible business conduct*, <https://www.oecd.org/en/topics/sub-issues/due-diligence-guidance-for-responsible-business-conduct/sustainability-initiatives-for-responsible-business-conduct.html> (accessed on 30 March 2026). [7]
- OECD (2025), *Considerations for approaches to due diligence policy co-operation*, OECD Publishing, Paris, <https://doi.org/10.1787/25573c71-en>. [6]
- OECD (2024), *Review of G7 Government-led Voluntary and Mandatory Due Diligence Measures for Sustainable Agri-food Supply Chains*, OECD Publishing, Paris, <https://doi.org/10.1787/f05af4a1-en>. [14]
- OECD (2023), *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*, OECD Publishing, Paris, <https://doi.org/10.1787/81f92357-en>. [3]
- OECD (2022), *Translating a risk-based due diligence approach into law: Background note on Regulatory Developments concerning Due Diligence for Responsible Business Conduct*, OECD Publishing, Paris, <https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/due-diligence-guidance-for-responsible-business-conduct/translating-a-risk-based-due-diligence-approach-into-law.pdf>. [15]

- OECD (2018), *OECD Due Diligence Guidance for Responsible Business Conduct*, OECD Publishing, Paris, <https://doi.org/10.1787/15f5f4b3-en>. [2]
- OECD/IEA (2025), *The role of traceability in critical mineral supply chains*, OECD Publishing, Paris, <https://doi.org/10.1787/edb0a451-en>. [5]
- Public Safety Canada (2025), *Guidance for entities*, <https://www.publicsafety.gc.ca/cnt/cntrng-crm/frcd-lbr-cndn-spply-chns/prpr-rprt-en.aspx> (accessed on 11 March 2026). [9]

Annex A. Summary of expectations against six-step framework

This annex provides a high-level summary of how due diligence expectations set out in legislative measures interact across the OECD six-step framework, to identify main areas of commonality and divergence. It also draws on official guidance for the UK, Australian and Canadian modern slavery measures, Germany Supply Chain Act, US Tariff Act and Uyghur Forced Labour Prevention Act (CBP, 2022^[4]; 2025^[8]; Public Safety Canada, 2025^[9]; Attorney-General’s Department, 2023^[10]; Home Office, 2025^[11]; BAFA, n.d^[12]; BAFA, 2025^[13]). The analysis is not intended to be comprehensive of all legal requirements or provisions set out in these measures.

Table A A.1. Steps 1 – 3

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
Disclosure			
UK Modern Slavery Act (2015)	<ul style="list-style-type: none"> • Policies: disclose policies and due diligence processes in relation to modern slavery (Sec.54(5)) • Management systems: referenced in guidance • Business relationships: referenced in guidance 	<ul style="list-style-type: none"> • Scope: guidance refers to high-level risk assessment and then assessing identified risks (4.2) • Assess: disclose due diligence processes and steps taken to assess risk (Sec.54(5)) • Prioritise: guidance refers to prioritisation on basis of severity and likelihood (4.2) 	<ul style="list-style-type: none"> • Prevent/mitigate: disclose due diligence processes and steps taken to manage risk (Sec.54(5)(c, d)) • Involvement framework: not addressed
Australia Modern Slavery Act (2018)	<ul style="list-style-type: none"> • Policies: referenced in guidance • Management systems: referenced in guidance • Business relationships: referenced in guidance 	<ul style="list-style-type: none"> • Scope: guidance references initial scoping (mandatory criterion 3) • Assess: disclose risks of modern slavery practices in the operations and supply chains; and actions to assess risk (Part 2, 16(c-d)) • Prioritise: guidance references prioritisation (mandatory criterion 4) 	<ul style="list-style-type: none"> • Prevent/mitigate: describe actions taken to address risk (Part 2, 16(d)) • Involvement framework: guidance explains that risks of modern slavery practices means potential for entity to cause, contribute or be directly linked to modern slavery
Canada Fighting Forced Labour in	<ul style="list-style-type: none"> • Policies: disclose policies and due diligence processes in relation to forced labour (Sec.11(3)) 	<ul style="list-style-type: none"> • Scope: not specified • Assess: disclose parts of its business and supply 	<ul style="list-style-type: none"> • Prevent/mitigate: disclose steps taken to manage risk (Sec.11(3)(c))

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
Supply Chains Act (2023)	<ul style="list-style-type: none"> • Management systems: referenced in guidance • Business relationships: not addressed 	<p>chains that carry a risk of forced labour or child labour and steps taken to assess risk (Sec.11(3)(c))</p> <ul style="list-style-type: none"> • Prioritise: not specified 	<ul style="list-style-type: none"> • Involvement framework: not addressed
EU Corporate Sustainability Reporting Directive (2023)	<ul style="list-style-type: none"> • Policies: explicit: disclosure of policy (European Sustainability Reporting Standards (ESRS) 2) • Management systems: disclosure of how management and supervisory bodies are informed about material risks and impacts (ESRS 2) • Business relationships: not addressed 	<ul style="list-style-type: none"> • Scope: undertake and disclose materiality assessment based on a “double materiality” lens across the full list of sustainability matters, taking a full value chain perspective (ESRS 1) • Assess: disclose risk assessment; methodologies and assumptions employed (ESRS 2) • Prioritise: for impact materiality, disclose how entity prioritised based on severity and likelihood (ESRS 2), criteria used, decision making process. High severity negative impacts are automatically material. 	<ul style="list-style-type: none"> • Prevent/mitigate: disclose actions (including action plans) to prevent and mitigate (ESRS 2); disclose information related to payment practices (ESRS G1) • Involvement framework: reporting to consider impacts entity is involved with through own operations or as a result of its business relationships
Dodd-Frank Act (2010) – Section 1502 / SEC Final Rule (2012)	<ul style="list-style-type: none"> • Policies: adoption of a Conflict Minerals Policy; disclosure of Annual Conflict Minerals Report (CMR) to the SEC. • Management systems: review of management systems and processes as part of the audit of the CMR (p.211). 	<ul style="list-style-type: none"> • Scope: not specified • Assess: disclose measures taken to exercise due diligence and chain of custody; products manufactured or contracted to be manufactured that are not DRC conflict free; entity that conducted audit; facilities used to process conflict minerals; country of origin (p. 838) • Prioritise: not specified but focus on OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas Annex II risks, in relation to DRC and adjoining countries (covered countries) 	<ul style="list-style-type: none"> • Prevent/mitigate: disclosure of measures taken to exercise due diligence and chain of custody (p.838) in the “Covered Countries” • Involvement framework: not addressed
Due diligence conduct			
French Duty of Vigilance Law (2017)	<ul style="list-style-type: none"> • Policies: not addressed, implicitly expected through requirement to publish and implement a vigilance plan • Management systems: as above • Business relationships: as above 	<ul style="list-style-type: none"> • Scope: risk mapping that identifies, analyses and ranks risks in scope (Art.1(4)(1)) • Assess: procedures to regularly assess, in accordance with risk mapping, the situation of subsidiaries, subcontractors and suppliers with whom the company maintains an established commercial relationship (Art.1(4)(2)) • Prioritise: limited by severity or seriousness 	<ul style="list-style-type: none"> • Prevent/mitigate: appropriate action to mitigate risks or prevent serious violations (Art.1(4)(3)) • Involvement framework: refers to risks resulting directly or indirectly from the operations of the company and the companies it controls, as well as operations of subcontractors or suppliers where there is an established business relationship (Art.1(3))
Norwegian Transparency Act (2021)	<ul style="list-style-type: none"> • Policies: embed responsible business conduct into policies (Sec.4(a)) • Management systems: not explicitly required but 	<ul style="list-style-type: none"> • Scope: not specified • Assess: identify and assess actual and potential adverse impacts on fundamental human rights and 	<ul style="list-style-type: none"> • Prevent/mitigate: implement suitable measures to cease, prevent or mitigate adverse impacts based on the prioritisations and assessments (Sec.4(c))

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
	<p>implicitly required through definition of due diligence</p> <ul style="list-style-type: none"> • Business relationships: not explicitly required but implicitly required through definition of due diligence 	<p>decent working conditions (Sec.4(b))</p> <ul style="list-style-type: none"> • Prioritise: implement suitable measures to cease, prevent or mitigate adverse impacts based on the enterprise's prioritisation and assessments (Sec.4(c)) 	<ul style="list-style-type: none"> • Involvement framework: identify and assess risks that entity has either caused, contributed or is directly linked to (Sec.4(b))
German Supply Chain Act (2023)	<ul style="list-style-type: none"> • Policies: issue a policy statement on human rights strategy (Sec.6(2)) • Management systems: requires risk management system, determination of person responsible for monitoring system, that senior management seek information about this regularly and that results be communicated to board (Sec.4, 5, 6) • Business relationships: contractual assurances from direct suppliers (Sec.6) 	<ul style="list-style-type: none"> • Scope: guidance refers to gathering an overview of business area, business relationships in supply chain prior to commencing assessment (4.1; Q2) • Assess: appropriate and regular risk analysis (at least yearly) to identify human rights and environmental related risks in own business area and direct suppliers (Sec.5(1)); where there is substantiated knowledge of possible human rights or environmental violation at level of indirect supplier, carry out risk analysis in accordance with Sec.5(1), (Sec.9(3)(1)); ad hoc risk analysis covering both own area of business and direct/indirect suppliers where there are significant changes in business activity or where enterprises must expect a significantly changed or significantly expanded risk situation in the supply chain (Sec.5(4)) • Prioritise: identified human rights and environment-related risks must be weighted (separately for own business area and direct suppliers) and prioritised appropriately (Sec.5(2); 9(3)); for appropriateness criteria see Sec.3(2)) 	<ul style="list-style-type: none"> • Prevent/mitigate: take appropriate preventative measures and remedial action to prevent, end or minimise extent of violation; if violation at direct supplier level cannot be ended in foreseeable future, draw up and implement a concept with a concrete timetable for ending or minimising violation without undue delay (Sec.6(3), 7(1-2)); adapt risk management system and put in place appropriate preventive measures and implement a cessation concept, where there entity has substantiated knowledge of a violation of a human rights or environment related obligation at level of indirect supplier (Sec.9(2-3)) • Involvement framework: appropriate actions depend on nature of causal contribution of the entity to the risk (Sec.3(2)(4)) • Disengagement: temporary suspension while mitigating risk; termination only required for "very serious" violations, where remedy has failed or where entity has no other less severe option and increasing influence has no prospect of success (Sec.7(2-3))
Swiss Ordinance on Due Diligence (2022)	<ul style="list-style-type: none"> • Policies: required (Art.10, 11) • Management systems: not addressed • Business relationships: include supply chain policy in contracts and agreements with suppliers (Art.10, 11) 	<ul style="list-style-type: none"> • Scope: not specified • Assess: identify risks in the supply chain and assess them in their risk management plan (Art.15(1)) • Prioritise: assess risks according to the likelihood of occurrence and severity of adverse impacts (Art.15(1)) 	<ul style="list-style-type: none"> • Prevent/mitigate: identified risks in the supply chain shall be eliminated, prevented or minimised according to their likelihood of occurrence and the severity of the adverse impacts (Art.15(2)) • Involvement framework: not addressed
EU CSDDD (2024)	<ul style="list-style-type: none"> • Policies: integrate due diligence into policies and have in place a due diligence policy (Art.7) • Management systems: integrate due diligence into risk management systems (Art.7(1)); level of responsibility not specified in CSDDD (but at board/directors' level according to general corporate governance rules) • Business relationships: due diligence policy to 	<ul style="list-style-type: none"> • Scope: scope operations, those of subsidiaries and, where related to chains of activities, those of business partners, to identify general areas where adverse impacts may occur, based on reasonably available information (Art.8(2)(a)) • Assess: based on the results of the scoping, carry out in-depth assessments in areas where adverse impacts are identified to be most likely and severe (Art.8(2)(b)) 	<ul style="list-style-type: none"> • Prevent/mitigate: take appropriate measures to prevent and mitigate potential adverse impacts, bring actual adverse impacts to an end, and minimise extent of impact that cannot be brought to end (Art. 10, 11); includes list of mandatory prevention and mitigation measures, where relevant • Involvement framework: addresses impacts caused only by company, caused jointly or caused only by

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
	include code of conduct applicable to direct and indirect business partners (Art.7(2)); appropriate measures include, where relevant, seeking contractual assurances; terms for SMEs to be “fair, reasonable and non-discriminatory” (Art.10(2)(b), 10(4), 10(5); Art.11(3)(c)), 11(5), 11(6)	<ul style="list-style-type: none"> • Prioritise: prioritise adverse impacts based on severity and likelihood (Art.9) 	business partner (Art.10, 11) <ul style="list-style-type: none"> • Disengagement: where impacts could not be prevented or mitigated, requirements to suspend business relationship, unless negative effects of suspension exceed those of adverse impacts to be addressed, and take steps to prevent, bring to an end the impacts of suspension and provide reasonable notice to business partner (Arts.10, 11)
EU Batteries Regulation (2023)	<ul style="list-style-type: none"> • Policies: required (Art.48) • Management systems: requirement to assign oversight responsibilities to top management (Art.49(1)) • Business relationships: incorporate policy, risk measures into contracts and agreements (Art.49) 	<ul style="list-style-type: none"> • Scope: no distinct requirement • Assess: identify and assess risk of adverse impacts in supply chain, with reference to risks listed in annex (Art.50(1)) • Prioritise: no distinct requirement 	<ul style="list-style-type: none"> • Prevent/mitigate: design and implement strategy, including risk management plan, to prevent or mitigate or otherwise address adverse impacts (Art.50(1)); assess probability of adverse impacts in risk categories listed in Annex of regulation (Art.50(3)) • Involvement framework: situations where entities are “directly linked” are not explicitly addressed but may be inferred through definition of due diligence as including risks by suppliers in the supply chain and references to induced, indirect and cumulative environmental and human rights effects (Art.3(1)(42); Annex X) • Disengagement: provides for temporary suspension or for discontinuation after failed attempts at mitigation (Art.50(2)(b)(iii))
EU Conflict Minerals Regulation (2017)	<ul style="list-style-type: none"> • Policies: adopt and communicate policy (Art.4(a, b)) • Management systems: structure internal management systems to support supply chain due diligence (Art.4(c)) • Business relationships: incorporate policy into contracts and agreements with suppliers (Art.4(d)) 	<ul style="list-style-type: none"> • Scope: no distinct requirement • Assess: identify and assess the risks of adverse impacts in mineral supply chain, consistent with Annex II of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (Art.5) • Prioritise: not specified, but focus on minerals originating from Conflict-Affected and High-Risk Areas 	<ul style="list-style-type: none"> • Prevent/mitigate: implement a strategy to respond to the identified risks to prevent and mitigate adverse impacts (Art.5) • Involvement framework: not addressed • Disengagement: provides for temporary suspension during mitigation efforts; disengagement after failed attempts at mitigation (Art.5(1)(b)(ii-iii))
EU Digital Services Act (2022)	<ul style="list-style-type: none"> • Policies: terms and conditions of intermediary service providers shall include information on restrictions in relation to use of information including policies, procedures, measures and tools used for the purpose of content moderation • Management systems: establish compliance function with authority, stature, resources and access to the 	<ul style="list-style-type: none"> • Scope: not specified • Assess: providers of very large online platforms and search engines shall identify, analyse and assess systemic risks (Art.34) • Prioritise: focus is on systemic risks, taking into consideration severity and probability (Art.34) 	<ul style="list-style-type: none"> • Prevent/mitigate: providers of very large online platforms and search engines put in place reasonable, proportionate and effective mitigation measures that are tailored to the specific systemic risks (Art.35) • Involvement framework: not addressed

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
	<p>management body of the provider (Art.41)</p> <ul style="list-style-type: none"> • Business relationships: providers of very large online platforms and search engines shall provide recipients with concise summary of terms and conditions (Art.14) 		
EU AI Act (2024)	<ul style="list-style-type: none"> • Policies: strategy for regulatory compliance as part of quality management system (Art.17(1)(a)) • Management systems: for high-risk AI systems, establish and implement a risk management system (Art.9(1-3)); put in place quality management system (Art.17(1)) • Business relationships: not addressed 	<ul style="list-style-type: none"> • Scope: for high-risk AI systems, identification and analysis of reasonably foreseeable risks (Art.9) • Assess: for high-risk AI systems, estimation and evaluation of risks that may emerge during use and reasonably foreseeable misuse; evaluation of other risks possibly arising (Art.9(2)(a-c)); for general-purpose AI with systemic risk, identify and mitigate systemic risks (Art.55) • Prioritise: for high-risk AI systems, focus on reasonably foreseeable risks (Art.9(2)) 	<ul style="list-style-type: none"> • Prevent/mitigate: for high-risk AI systems, adoption of appropriate and targeted risk management measures (Art.9(2)(d), 4); measures such that residual risk is judged to be acceptable (Art.9(5)(a-c)); for general-purpose AI with systemic risk, mitigate systemic risk (Art.55); take corrective action following reporting of serious incident (Art.73(6)) • Involvement framework: not addressed
South Korea AI Basic Act (2025)	<ul style="list-style-type: none"> • Policies: indirectly required through risk management plan (Art.34) • Management systems: build monitoring and risk management system (Art.32); ensure human supervision and oversight (Art.34) • Business relationships: not addressed 	<ul style="list-style-type: none"> • Scope: conduct preliminary assessment to determine whether AI systems qualify as high-impact AI (Art. 33) • Assess: implement measures to identify and assess risks at each stage of the AI life cycle (Art. 32); assess in advance impact on human rights for high-impact AI (Art.35) • Prioritise: focus is on high-impact or high-risk AI (not defined) 	<ul style="list-style-type: none"> • Prevent/mitigate: for AI business operators, where the AI system meets a specified threshold of computing capacity, implement measures to identify, assess and mitigate risks at each stage of the AI lifecycle (Art.32); for high-risk AI, develop and implement a risk management plan and user protection plan (Art. 34) • Involvement framework: not addressed
UAE Due Diligence Regulations for Responsible Sourcing of Gold (2022)	<ul style="list-style-type: none"> • Policies: adopt a gold supply chain policy (1.1) • Management systems: establish internal governance system to implement due diligence (1.2) • Business relationships: integrate policy into contracts and agreements, and strengthen company engagement (1.4) 	<ul style="list-style-type: none"> • Scope: not specified • Assess: identify and assess risks (2.1) • Prioritise: identify potential red flags and conduct enhanced due diligence for high-risk elements (2.2; 2.3) 	<ul style="list-style-type: none"> • Prevent/mitigate: evaluate and respond to identified risks through risk management strategy and risk control plan (3.1; 3.2) • Involvement framework: not addressed • Disengagement: disengage for at least three months where suppliers do not comply with mitigating measures; disengage entirely if controls are not feasible or acceptable (3.2)
Product and market-based measures			
US Tariff Act, Section 307 (1930)	<ul style="list-style-type: none"> • Prohibits the import of goods, wares, articles and merchandise mined, produced or manufactured wholly or in part by forced labour; provides for regulations to be made enforcing this provision • No direct obligation to conduct due diligence • Documentation on due diligence may be considered in enforcement proceedings • CBP's (2025^[8]) Withhold Release Order (WRO) and Finding Modification Guide sets out an identify, correct and prevent approach to address forced labour 		

Legislative measures	Step 1: Policies and management systems	Step 2: Identify and assess impacts	Step 3: Cease, prevent, mitigate
US Uyghur Forced Labor Prevention Act (2021)	<ul style="list-style-type: none"> Establishes a rebuttable presumption that the import of goods related to the Xinjiang Uyghur Autonomous Region (XUAR) are prohibited under section 307 of the US Tariff Act (Sec.3(a)) Presumption can be overcome through compliance with official guidance, responding to information requests and through evidence that goods were not produced by forced labour (Sec.3(b)) No direct obligations to conduct due diligence, but due diligence is referred to as part of guidance to be established (Sec.2(d)(6)) Documentation on due diligence may be considered in enforcement proceedings Operational Guidance recommends mapping supply chain, assessing forced labour risk and putting in place internal controls to prevent or mitigate forced labour and remediating forced labour 		
UK Environment Act (2021)		<ul style="list-style-type: none"> Scope: identify and obtain information about forest risk commodities (Sch.17, Part 1.3(2)) Assess: assess risk that relevant local laws were not complied with (Sch.17, Part 1.3(2)) Prioritise: not specified 	<ul style="list-style-type: none"> Prevent/mitigate: mitigate risks in relation to forest risk commodities (Sch.17, Part 1, 3(2)) Involvement framework: not addressed
EU Deforestation Regulation (2023)	<ul style="list-style-type: none"> Policies: have in place adequate policies (Art.11(2)) Management systems: requirement for entities to have in place adequate controls and procedures to manage risks; appointment of compliance officer at management level of non-SME operators (Art.11(2)) Business relationships: not addressed 	<ul style="list-style-type: none"> Scope: not specified Assess: carry out risk assessment on basis of information and documentation (Art.10(1)); option to exercise simplified due diligence in certain instances (Art.13) Prioritise: not specified 	<ul style="list-style-type: none"> Prevent/mitigate: have proportionate policies, controls and procedures in place to mitigate (Art.11); no distinct prevention requirement Involvement framework: not addressed, emphasis is on products being free from deforestation risk rather than on linkage between entity and risk
EU Prohibits Forced Labour Regulation (2024)	<ul style="list-style-type: none"> Prohibits economic operators from placing and making available on the Union market or exporting from the Union market products made with forced labour (Art.1(1)) No direct obligation to conduct due diligence Documentation of due diligence may be considered during preliminary investigation phase when forced labour is suspected (Art.17). Due diligence in relation to forced labour is defined as incorporating “practices to identify, prevent, mitigate or bring to an end the use of forced labour” (Art.2(3)) Guidance on due diligence and best practice on bringing to an end and remediation forced labour planned (Art.11) 		

Note 1: Revisions to the European Sustainability Reporting Standards (ESRS) (delegated regulation 2023/2 772 setting out the reporting requirements of the CSRD) are currently ongoing, and this report therefore refers only to reporting provisions covered in both the delegated regulation and the simplified draft submitted to the European Commission in 2025.

Note 2: The term “business relationships” in the first column is used to refer to provisions that expect covered business enterprises to incorporate RBC expectations and policies into their engagement with suppliers and other business relationships (e.g. through contracts, pre-qualification processes). See Step 1.3 of the RBC Guidance, OECD (2018)^[2], OECD Due Diligence Guidance for Responsible Business Conduct, <https://doi.org/10.1787/15f5f4b3-en>.

Table A A.2. Steps 4 – 6

Legislative measures	Step 4: Track implementation and results	Step 5: Communicate	Step 6: Remediate
Disclosure			
UK Modern Slavery Act (2015)	<ul style="list-style-type: none"> Disclose effectiveness of ensuring slavery and human trafficking is not taking place, measured against performance indicators (Sec.54(5)(f)) 	<ul style="list-style-type: none"> Publish modern slavery and human trafficking statement on website; if organisation does not have a website, provide copy of statement to anyone who makes a written request for one (Sec.54(6-7)) 	<ul style="list-style-type: none"> Remediate: guidance refers to disclosure of remediation policies and processes (4.4) Grievance mechanism: guidance refers to disclosure of grievance mechanisms (4.4)
Australia Modern Slavery Act (2018)	<ul style="list-style-type: none"> Disclose how reporting entity assesses effectiveness (Part 2, 16(e)) 	<ul style="list-style-type: none"> Submit annual report, approved by governing body, to government public registry (Sec.12, 18) 	<ul style="list-style-type: none"> Remediate: describe actions taken, including remediation process (Part 2, 16(d)) Grievance mechanism: guidance references grievance mechanisms (mandatory criterion 4)
Canada Fighting Forced Labour in Supply Chains Act (2023)	<ul style="list-style-type: none"> Disclose how entity assesses effectiveness (Sec.11(3)(g)) 	<ul style="list-style-type: none"> Publish annual report, approved by governing body, on website and submit to government registry (Sec.11, 13, 22) 	<ul style="list-style-type: none"> Remediate: disclose measures to remediate forced or child labour; measures to remediate loss of income resulting from measures to eliminate forced or child labour (Sec.11(3)(d-e)) Grievance mechanism: guidance references tracking of grievance mechanism cases (Mandatory Information, Requirement G)
EU Corporate Sustainability Reporting Directive (2023)	<ul style="list-style-type: none"> Disclosure of changes to the material impacts, risks and opportunities compared to previous reporting period (ESRS 2) Disclosure of metrics and tracking of effectiveness (ESRS 2) 	<ul style="list-style-type: none"> Submit sustainability information as part of management report to member state's Officially Appointed Mechanism and publish on website (Art.29g(1)) 	<ul style="list-style-type: none"> Remediate: requirement to describe policies and actions taken to remediate adverse impacts (ESRS 2) Grievance mechanism: requirement to disclose whether it has grievance mechanisms for own workforce, value chain workers, affected communities, consumers and end users (ESRS S1-S4)
Dodd-Frank Act (2010) – Section 1502 / SEC Final Rule (2012)		<ul style="list-style-type: none"> Submit Annual Conflict Minerals Report (CMR) to the Security Exchanges Commission (SEC) (p. 838) 	
Due diligence conduct			
French Duty of Vigilance Law (2017)	<ul style="list-style-type: none"> Monitoring scheme to follow measures implemented and assess efficiency (Art.1(4)(5)) 	<ul style="list-style-type: none"> Vigilance plan and implementation report to be publicly disclosed (Art.1(5)) 	<ul style="list-style-type: none"> Remediate: not specified, however judicial enforcement could lead to provision of remedy Grievance mechanism: alert mechanism that collects reporting of existing or actual risks (Art.1(4)(4))

Norwegian Transparency Act (2021)	<ul style="list-style-type: none"> Track the implementation and results of measures (Sec.4(d)) 	<ul style="list-style-type: none"> Publish an account of due diligence (Sec.5) 	<ul style="list-style-type: none"> Remediate: provide for or co-operate in remediation and compensation where required (Sec.4(f)) Grievance mechanism: any person has the right to information from an enterprise regarding how the enterprise addresses actual and potential adverse impacts; information shall be provided in reasonable time (Sec.6, 7)
German Supply Chain Act (2023)	<ul style="list-style-type: none"> Effectiveness of remedial action must be reviewed once a year, or on an ad hoc basis if there are a significant changes (Sec.7(4)) 	<ul style="list-style-type: none"> Annual report on due diligence made publicly available for free on website (Sec.10(2)) 	<ul style="list-style-type: none"> Remediate: if violation has occurred or is imminent, take appropriate remedial action to prevent, end or minimise its extent of this violation (Sec.7(1)) Grievance mechanism: ensure appropriate internal complaints procedure is in place (Sec.8(1), 9(1))
Swiss Ordinance on Due Diligence (2022)	<ul style="list-style-type: none"> Evaluate results of measures; regularly review effectiveness (Art.10(1)(d); 11(1)(d); 14(2)) 	<ul style="list-style-type: none"> Prepare a consolidated report for those entities preparing consolidated financial statements (Art.17) 	<ul style="list-style-type: none"> Remediate: not specified Grievance mechanism: establish early-warning mechanism for risk identification; reporting procedure that allows all interested parties to raise reasonable concerns (Art.14)
EU CSDDD (2024)	<ul style="list-style-type: none"> Periodic assessments of implementation, adequacy and effectiveness of measures to identify and address adverse impacts at least every 5 years Ad hoc assessments if a significant change occurs and whenever there are reasonable grounds to believe that the measures are no longer adequate or effective, or that new risks of the occurrence of impacts have arisen or may arise (Art. 15) 	<ul style="list-style-type: none"> Publish annual statement on website; entities in scope of the CSRD are exempted from this reporting requirement (Art.16) For companies not in scope of CSRD: reporting guidance foreseen to align with ESRS as appropriate (Art.16) 	<ul style="list-style-type: none"> Remediate: required where company has caused or jointly caused an adverse impact; company may provide voluntary remediation where adverse impact caused by business partner (Art.12). Grievance mechanism: requires entities to establish procedure for listed persons and entities to submit complaints where they have "legitimate concerns" (Art.14(1))
EU Batteries Regulation (2023)	<ul style="list-style-type: none"> Requirement to monitor and track performance of risk-mitigation efforts (Art.50(1)(b)(iii)) 	<ul style="list-style-type: none"> Publish an annual report on due diligence policy that identifies the batteries concerned, the data and information on steps taken to comply with the due diligence requirements of the regulation, summary of verification report, and other information set out in article where relevant (Art.52(3)) 	<ul style="list-style-type: none"> Remediate: requirement for grievance mechanism (including remediation) to be provided for either through direct provision, collaboration with other operators or facilitation of recourse to external body (Art.49(1)(f)) Grievance mechanism: requirement for grievance mechanism as above, includes early-warning risk-awareness system
EU Conflict Minerals Regulation (2017)	<ul style="list-style-type: none"> Monitor and track performance of risk-mitigation efforts; report back to senior management (Art.5(b)(iii)) 	<ul style="list-style-type: none"> Publicly report on supply chain due diligence policies and practices for responsible sourcing (Art.7(3)) 	<ul style="list-style-type: none"> Remediate: not specified Grievance mechanism: establish a grievance mechanism as an early-warning risk-awareness system or provide such mechanism through collaborative arrangements; recourse to external body (Art.4(e))
EU Digital Services Act (2022)	<ul style="list-style-type: none"> Very Large Online Platforms required to undertake independent audit of risk assessment and mitigation 	<ul style="list-style-type: none"> Providers shall make publicly available at least annually a comprehensible report on any content moderation that 	

	<p>measures (Art.37)</p> <ul style="list-style-type: none"> • Compliance function will monitor compliance and ensure risks are identified and reported on, and that effective risk-mitigation measures are taken (Art.41) 	they engaged in (Art.15; 42)	
EU AI Act (2024)	<ul style="list-style-type: none"> • Keep track of, document and report relevant information to AI Office as appropriate (Art.55(1)(c)) • Testing of high-risk AI Systems to identify most appropriate and targeted risk management (Art.9(6-7), 60) • Establish and document a post-market monitoring system (Art.72) 	<ul style="list-style-type: none"> • Requirements for transparency and provision of information to deployers (Art.13) • Draw up and keep up-to-date the technical documentation of the model; report relevant information to AI Office (Art.53(1)(a); 55(1)(c)) 	
South Korea AI Basic Act (2025)	<ul style="list-style-type: none"> • Build a monitoring and risk management system (Art.32) 		
UAE Due Diligence Regulations for Responsible Sourcing of Gold (2022)	<ul style="list-style-type: none"> • Review results of mitigation measures on regular basis; carry out ongoing risk monitoring; assess if further measures are required (3.2; 3.3) 	<ul style="list-style-type: none"> • Submit Comprehensive Management Report, including disclosure of information on management systems, risk identification and assessment, and risk management (5) 	<ul style="list-style-type: none"> • Remediate: not specified • Grievance mechanism: implement a grievance mechanism (1.5)
Product and market-based measures			
US Tariff Act, Section 307 (1930)	<ul style="list-style-type: none"> • Prohibits the import of goods, wares, articles and merchandise mined, produced, or manufactured wholly or in part by forced labour; provides for regulations to be made enforcing this provision • No direct obligation to conduct due diligence • CBP's (2025^[8]) WRO and Finding Modification Guide sets out an identify, correct and prevent approach to address forced labour 		
US Uyghur Forced Labor Prevention Act (2021)	<ul style="list-style-type: none"> • Establishes a rebuttable presumption that the import of goods related to the XUAR are prohibited under section 307 of the US Tariff Act (Sec.3(a)) • Presumption can be overcome through compliance with official guidance, responding to information requests and through evidence that goods were not produced by forced labour (Sec.3(b)) • No direct obligation to conduct due diligence, but due diligence is referred to as part of guidance to be established (Sec.2(d)(6)) • Operational Guidance recommends mapping supply chain, assessing forced labour risk and putting in place internal controls to prevent or mitigate forced labour and remediating forced labour 		
UK Environment Act (2021)		<ul style="list-style-type: none"> • Prepare an annual report on actions taken to implement due diligence system (Sch.17. Part 1, 4) 	
EU Deforestation Regulation (2023)	<ul style="list-style-type: none"> • Requirement to review risk assessments and risk mitigation, and due diligence system annually; update in response to new developments (Art.10(4); Art.11(3); Art.12(2)) 	<ul style="list-style-type: none"> • Annual public reporting of due diligence system (Art.12(3)) 	
EU Forced Labour Regulation (2024)	<ul style="list-style-type: none"> • Prohibits economic operators from placing and making available on the Union market or exporting from the Union market products made with forced labour (Art.1(1)) • No direct obligation to conduct due diligence 		

-
- Due diligence in relation to forced labour is defined as incorporating “practices to identify, prevent, mitigate or bring to an end the use of forced labour” (Art.2(3))
 - Documentation of due diligence may be considered during preliminary investigation phase when forced labour is suspected (Art.17)
-

Note: Revisions to the European Sustainability Reporting Standards (ESRS) (delegated regulation 2023/2 772 setting out the reporting requirements of the CSRD) are currently ongoing and this report therefore refers only to reporting provisions covered in both the delegated regulation and the simplified draft submitted to the European Commission in 2025.

Annex B. Non-exhaustive overview of guidance documents and accompanying measures

Table A B.1. Guidance documents and accompanying measures (non-exhaustive)

Law	Guidelines and support (examples)
Disclosure measures	
UK Modern Slavery Act (2015)	<ul style="list-style-type: none"> • Statutory Guidance: Transparency in supply chains (2025) • Consolidated International Reporting Template (The United Kingdom, Australia, Canada)
Australian Modern Slavery Act (2018)	<ul style="list-style-type: none"> • Guidance for reporting entities (2023) • Consolidated International Reporting Template (The United Kingdom, Australia, Canada)
Canadian Fighting Forced Labour in Supply Chains Act (2023)	<ul style="list-style-type: none"> • Guidance for reporting entities (2024) • Consolidated International Reporting Template (The United Kingdom, Australia, Canada)
EU Corporate Sustainability Reporting Directive (2023)	<ul style="list-style-type: none"> • EFRAG ESRS Q&A Platform • EFRAG Voluntary reporting standard for SMEs • EFRAG IG 1: Materiality Assessment Implementation Guidance • EFRAG IG 2: Value Chain Implementation Guidance
Due diligence conduct measures	
German Supply Chain Act	<ul style="list-style-type: none"> • Guidance and FAQs on a range of topics including: risk analysis and weighing, identifying and prioritising risk, collaboration in supply chain, risk-based approach; and the use of standards, audits and certifications
EU Corporate Sustainability Due Diligence Directive (2024)	<ul style="list-style-type: none"> • Guidance and best practice on how to conduct due diligence • Sector-specific guidance • Guidance on the assessment of risk factors • References to data and information sources, and to digital tools and technologies that could facilitate and support compliance • Information on how to share resources and information among companies and other legal entities • Information for stakeholder and their representatives on how to engage throughout the due diligence process • Guidance setting out fitness criteria and a methodology for companies to assess the fitness of industry and multi-stakeholder initiatives

Law	Guidelines and support (examples)
	<ul style="list-style-type: none"> • Guidance setting out fitness criteria and a methodology for companies to assess the fitness of third-party verifiers and to monitor verification • Guidance about voluntary model contractual clauses • Single helpdesk (Art. 21)
EU Batteries Regulation (2023)	<ul style="list-style-type: none"> • Guidelines covering the application of the due diligence requirements (Art. 48)
EU Conflict Minerals Regulation	<ul style="list-style-type: none"> • Due diligence ready! website • Guidelines for the identification of conflict-affected and high-risk areas, and other supply chain risks (Commission Recommendation (EU) 2018/1 149 of 10 August 2018) • Indicative, non-exhaustive list of conflict-affected and high-risk areas
EU Digital Services Act	<ul style="list-style-type: none"> • Questions and answers on the Digital Services Act
EU AI Act	<ul style="list-style-type: none"> • Guidelines on prohibited artificial intelligence practices established by regulation • Guidelines on the scope of obligations for providers of general-purpose AI models under the AI Act
South Korea AI Basic Act	<ul style="list-style-type: none"> • Guidance planned under the act
Product and market-based measures	
EU Forced Labour Regulation (2024)	<ul style="list-style-type: none"> • Guidance for economic operators on due diligence in relation to forced labour; separate guidance on due diligence in relation to forced labour imposed by state authorities • Guidance for economic operators on best practices for bringing to an end and remediating different types of forced labour • Guidance for competent authorities on the practical implementation of the regulation, in particular for risk-based assessments for investigations and on the applicable standard of evidence • Guidance for customs authorities on the practical implementation of certain provisions • Information on the risk indicators of forced labour • Guidance for economic operators and product suppliers on how to engage in dialogue with competent authorities in relation to investigations (Chapter III) • Guidance on use of Single information submission point for alleged violations (Art. 9) • Guidance for member states on the method for calculating financial penalties and applicable thresholds • Further information to facilitate competent authorities' implementation of and the economic operator's compliance with the regulation
EU Deforestation Regulation (2023)	<ul style="list-style-type: none"> • Guidance Document for Regulation (EU) 2023/1 115 on Deforestation-Free Products • Country classification list • FAQs and other information on implementation • EU observatory on deforestation and forest degradation
US Uyghur Forced Labour Prevention Act (UFLPA) (2021)	<ul style="list-style-type: none"> • UFLPA Strategy and its updates • UFLPA US Customs and Border Protection Operational Guidance for Importers • List of entities in the XUAR that mine, produce or manufacture wholly or in part any goods, wares, articles and merchandise with forced labour (Sec.2(d)(2)(b)(i)) • List of entities working with the government of the XUAR to recruit, transport, transfer, harbour or receive forced labour or Uyghurs, Kazakhs, Kyrgyz or members of other persecuted groups out of the XUAR (Sec.2(d)(2)(b)(ii)) • List of products mined, produced or manufactured wholly or in part by entities on the list required by clause (i) or (ii) (Sec.2(d)(2)(b)(iii)) • List of entities that exported products described in clause (iii) from the People's Republic of China into the United States (Sec.2(d)(2)(b)(iv))

Law	Guidelines and support (examples)
	<ul style="list-style-type: none"> • List of facilities and entities that source material from XUAR or from persons working with the government of the XUAR or the Xinjiang Production and Construction Corps for purposes of the “poverty alleviation” programme or the “pairing-assistance” programme or any other government labour scheme that uses forced labour (Sec.2(d)(2)(b)(v)) • List of high-priority sectors for enforcement (Sec.2(d)(2)(b)(viii)) • List of due diligence resources on the CBP website • List of due diligence resources and business advisories (towards end) • ILAB, SourceRight tool • ILAB, List of Goods Produced by Child Labor or Forced Labor
US Tariff Act (1930), Section 307	<ul style="list-style-type: none"> • Withhold Release Order (WRO) and Finding Modifications Guide • List of due diligence resources and business advisories • ILAB, SourceRight tool • ILAB, List of Goods Produced by Child Labor or Forced Labor
UK Environment Act (2021)	<ul style="list-style-type: none"> • Public consultation on implementation of due diligence provisions conducted

Note: This table lists both planned and available guidance and support.

Notes

¹ For example, Japan's Guidelines on Respecting Human Rights in Responsible Supply Chains: <https://www.meti.go.jp/policy/economy/business-jinken/guidelines/provisionalenglishtranslation.pdf>.

² See for example OECD (2024^[14]) and OECD (2025^[6]).

³ The 21 legislative measures are: Australian Modern Slavery Act 2018; Canadian Fighting Against Forced Labour and Child Labour in Supply Chains Act 2023; EU Conflict Minerals Regulation 2017/821; EU Corporate Sustainability Reporting Directive 2022/2 464 as amended by Directive 2026/470; EU Digital Services Regulation 2022/65; EU Batteries Regulation 2023/1 542; EU Deforestation Regulation 2023/1 115; EU Artificial Intelligence Regulation 2024/1 689; EU Corporate Sustainability Due Diligence Directive 2024/1 760 as amended by Directive 2026/470; EU Forced Labour Regulation 2024/3 015; French Duty of Vigilance Law, 2017-399; German Act on Corporate Due Diligence Obligations in Supply Chains of 16 July 2021, entering into force 2023; Norwegian Transparency Act 2021; South Korean AI Basic Act 2025; Swiss 221.433 Ordinance on Due Diligence and Transparency; UAE Due Diligence Regulations for Responsible Sourcing of Gold, 2022; UK Modern Slavery Act 2015 (Sec. 54); UK Environment Act 2021 (Sch. 17); US Tariff Act 1930 (Sec. 307); US Uyghur Forced Labor Prevention Act, Public Law 117-78, 2021; US Dodd-Frank Act 111-203 (2010) – (Sec. 1 502).

⁴ Due diligence conduct measures with size thresholds: EU Digital Services Regulation 2022/65; EU Batteries Regulation 2023/1 542; EU Corporate Sustainability Due Diligence Directive 2024/1 760; French Duty of Vigilance Law, 2017-399; German Act on Corporate Due Diligence Obligations in Supply Chains; and Norwegian Transparency Act 2021. Disclosure measures with size thresholds: UK Modern Slavery Act 2015; Australian Modern Slavery Act; EU Corporate Sustainability Reporting Directive 2022/2 464; and Canadian Fighting Against Forced Labour and Child Labour in Supply Chains Act 2023. Size thresholds are based on revenue and employee numbers, with the exception of the EU Digital Services Regulation, which is based on average monthly active recipients.

⁵ EU Conflict Minerals Regulation 2017/821; EU Digital Services Regulation 2022/65; EU Batteries Regulation 2023/1 542; EU Deforestation Regulation 2023/1 115; EU Artificial Intelligence Regulation 2024/1 689; South Korean AI Basic Act; UAE Due Diligence Regulations for Responsible Sourcing of Gold 2023; and UK Environment Act 2021.

⁶ For example, the EU CSRD (2023) and the EU CSDDD (2024) each set turnover thresholds at which their requirements apply to non-EU entities.

⁷ An exception to this is the French Duty of Vigilance Law (2017), which refers to severe violations and environmental damage without defining them.

⁸ Revisions to the European Sustainability Reporting Standards (ESRS) (delegated regulation 2023/2 772 setting out the reporting requirements of the CSRD) are currently ongoing, and this report therefore refers only to reporting provisions covered in both the delegated regulation and the simplified draft submitted to the European Commission in 2025 (see: <https://www.efrag.org/en/draft-simplified-esrs>).

⁹ For example, the French Duty of Vigilance Law, 2017-399 requires that entities' vigilance plans address risks relating to suppliers and subcontractor, but does not prescribe a form for this, whereas the Swiss Ordinance (2021) and the EU Batteries Regulation (2023) require entities to incorporate their policy into contracts with direct suppliers. Likewise, the UAE Due Diligence Regulations for the Responsible Sourcing of Gold require entities to strengthen company engagement with gold supplying counterparties. See French Duty of Vigilance Law, 2017-399, Article 1; Swiss 221.433 Ordinance on Due Diligence and Transparency in relation to Minerals and Metals from Conflict-Affected Areas and Child Labour (2021): Articles 10(1)(b), 11(1)(b); EU Batteries Regulation 2023/1 542: Article (49)(1)(e); UAE Due Diligence Regulation: Step 1.3.

¹⁰ For example, the UK Modern Slavery Act (2015) requires in the primary text that entities disclose their structure, business and supply chains, and policy; however, the statutory guidance provides further detail on oversight, management and supplier engagement (Home Office, 2025^[11]).

¹¹ EU Deforestation Regulation 2023/1 115: Article 11, <https://eur-lex.europa.eu/eli/reg/2023/1115/oj/eng>.

¹² "Severity of impacts will be judged by their scale, scope and irremediable character. Scale refers to the gravity of the adverse impact. Scope concerns the reach of the impact, for example the number of individuals that are or will be affected or the extent of environmental damage. Irremediable character means any limits on the ability to restore the individuals or environment affected to a situation equivalent to their situation before the adverse impact." (OECD, 2018, p. 42^[2]).

¹³ EU Deforestation Regulation 2023/1 115: Article 10; UK Environment Act (2021): Sch.17(1)(3)(2)(a).

¹⁴ For example, under section 3 of the US UFLPA (2021), evidence of an entity's efforts to identify and assess forced labour risks can be used to rebut presumptions of forced labour.

¹⁵ UK Modern Slavery Act (2015): Sec.54(5)(d); Australian Modern Slavery Act (2018) Sec.16(1)(d); Canadian Fighting Against Forced Labour in Supply Chains Act Bill S211: Sec.11(3)(c).

¹⁶ Double materiality assessment addresses both impact materiality (sustainability matters) and financial materiality. Sustainability matters are material when they pertain to actual or potential positive or negative impacts on people and environment (see ESRS 1, Section 3).

¹⁷ EU Deforestation Regulation 2023/1 115: Article 29 and see https://green-forum.ec.europa.eu/nature-and-biodiversity/deforestation-regulation-implementation/eudr-cooperation-and-partnerships_en. The Commission has also published a staff working document outlining the benchmarking methodology.

¹⁸ EU AI Act 2024/1 689; Article 6 and Annex III.

¹⁹ EU Digital Services Regulation 2022/65: Article 34.

²⁰ The "involvement framework" differentiates between the due diligence expectations for companies depending on how they are involved with a specific risk or impact – whether they caused, contributed or are directly linked, consistent with the international standards. Where companies cause or contribute to

harm, they have a responsibility to stop these activities and provide for or contribute to remedy. In situations where companies are “directly linked” there is more flexibility and RBC standards expect companies to seek to prevent or mitigate adverse impacts by using a range of potential measures as well as to use their leverage to encourage the entity causing the impact to remedy it (OECD, 2022^[15]).

²¹ EU Corporate Sustainability Due Diligence Directive 2024/1 760: Articles 10, 11.

²² UAE Due Diligence Regulations for Responsible Sourcing of Gold: Step 3.2. (f). German Act on Corporate Due Diligence Obligations in Supply Chains: Section 7(2-3); EU Conflict Minerals Regulation 2017/821: Article 5(1)(b)(ii-iii).

²³ Only the EU CSRD (via Delegated regulation 2023/2 772 setting out the European Sustainability Reporting Standards) addresses prevention and mitigation, involvement and leverage.

²⁴ For example, EU Conflict Minerals Regulation 2017/821: Article 5(1)(iii), EU Batteries Regulation 2023/1 542: Article 50(1)(b)(iii); EU Corporate Sustainability Due Diligence Directive 2024/1 760: Article 15.

²⁵ German Act on Corporate Due Diligence Obligations in Supply Chains: Section 7(4).

²⁶ EU Corporate Sustainability Due Diligence Directive 2024/1 760, French Duty of Vigilance Law, 2017-399, German Act on Corporate Due Diligence Obligations in Supply Chains, Norwegian Transparency Act 2021, Swiss 221.433 Ordinance on Due Diligence and Transparency.

²⁷ EU Deforestation Regulation 2023/1 115: Article 12(2).

²⁸ European Sustainability Reporting Standard 2.

²⁹ Australian Modern Slavery Act (2018); EU Corporate Sustainability Reporting Directive 2022/2 464; Canadian Fighting Against Forced Labour and Child Labour in Supply Chains Act 2023.

³⁰ EU Corporate Sustainability Due Diligence Directive 2024/1 760; EU Batteries Regulation 2023/1 542; EU Conflict Minerals Regulation 2017/821; German Act on Corporate Due Diligence Obligations in Supply Chains; Norwegian Transparency Act 2021; French Duty of Vigilance Law, 2017-399; Swiss Ordinance on Due Diligence and Transparency in relation to Minerals and Metals from Conflict-Affected Areas and Child Labour.

³¹ EU Conflict Minerals Regulation 2017/821; French Duty of Vigilance Law, 2017-399.

³² For example, the German Supply Chain Act states (translation from German) “enterprise must set up the complaints procedure pursuant to section 8 in such a way that it also enables persons to report risks to human rights or environment-related risks as well as violations of human rights-related or environment-related obligations that have arisen due to the economic actions of an indirect supplier”.

³³ Legitimate, accessible, predictable, equitable, transparent, rights-compatible, source of continuous learning. Principle 31, UN Guiding Principles on Business and Human Rights.

³⁴ OECD MNE Guidelines on RBC, Commentary on chapter II, para 28 (OECD, 2023^[3]).

³⁵ According to the OECD MNE Guidelines on RBC: “Meaningful stakeholder engagement refers to ongoing engagement with stakeholders that is two-way, conducted in good faith by the participants on both

sides and responsive to stakeholders' views. To ensure stakeholder engagement is meaningful and effective, it is important to ensure that it is timely, accessible, appropriate and safe for stakeholders, and to identify and remove potential barriers to engaging with stakeholders in positions of vulnerability or marginalisation". See Commentary on chapter II, para 28 (OECD, 2023^[3]).

³⁶ EU Conflict Minerals Regulation 2017/821; EU Batteries Regulation 2023/1 542; EU Corporate Sustainability Due Diligence Directive 2024/1 760; French Duty of Vigilance Law, 2017-399; German Act on Corporate Due Diligence Obligations in Supply Chains of 16 July 2021; Norwegian Transparency Act 2021; Swiss 221.433 Ordinance on Due Diligence and Transparency.

³⁷ EU Deforestation Regulation 2023/1 115: Articles 10(2)(d), 12(4)(c).

³⁸ Under the ESRS (delegated regulation 2023/2 772 and simplified draft released in 2025), entities are expected to disclose information such as a description of their stakeholder engagement and their understanding of the interests and views of stakeholders as they relate to its business model and how interests of stakeholders were considered in setting policy, in relation to social topics.

³⁹ EU Conflict Minerals Regulation 2017/821; French Duty of Vigilance Law, 2017-399; German Act on Corporate Due Diligence Obligations in Supply Chains of 16 July 2021; Swiss 221.433 Ordinance on Due Diligence and Transparency in relation to Minerals and Metals from Conflict-Affected Areas and Child Labour (2021); EU Batteries Regulation 2023/1 542; EU Corporate Sustainability Due Diligence Directive 2024/1 760.

⁴⁰ EU Batteries Regulation 2023/1 542: Article 53; EU Conflict Minerals Regulation 2017/821: Article 8.

⁴¹ The EU CSDDD (2024) proposes guidance setting out fitness criteria and a methodology for companies to assess the fitness of industry and multi-stakeholder initiatives (Article 20(4)). Similarly, to complement the German Supply Chain Act (2023), the Federal Office for Economic Affairs and Export Control (BAFA) has put in place guidance on standards, audits and certifications (BAFA, 2025^[13]).

⁴² EU Forced Labour Regulation 2024/3 015: Article 6; US Uyghur Forced Labor Prevention Act, Public Law 117-78, 2021: Section 2.

⁴³ For example, under the EU Deforestation Regulation (2023), authorities are required to carry out checks on a specified percentage of operators and traders, depending on the risk category of the country of origin of the commodity (Article 16(9)).

⁴⁴ See submission guidance: https://www.cbp.gov/sites/default/files/2025-06/how_to_submit_allegations_on_the_forced_labor_allegation_portal_qrg.pdf.

⁴⁵ EU Forced Labour Regulation 2024/3 015: Articles 23-25.

⁴⁶ The OECD MNE Guidelines, Commentary on chapter II, General Policies state that: "The nature and extent of due diligence, such as the specific steps to be taken, appropriate to a particular situation will be affected by factors such as the context of an enterprise's operations, the specific recommendations in the Guidelines, and should be proportionate to the size of the enterprise, its involvement with an adverse impact and the severity of adverse impacts. In this respect, the measures that an enterprise takes to conduct due diligence should be risk-based, commensurate to the severity and likelihood of the adverse impact and appropriate and proportionate to its context. Where it is not feasible to address all identified impacts at once, an enterprise should prioritise the order in which it takes action based on the severity and likelihood of the adverse impact" (paragraph 19) (OECD, 2023^[3]).

Mapping of social and environmental due diligence legislation

No. 101

Governments increasingly expect businesses to carry out human rights, labour and environmental due diligence in their operations and supply chains. Despite differences in scope and approach, policies on due diligence often share broadly similar objectives, rooted in shared international standards. However, there are also some important areas of divergence. This paper maps 21 legislative measures related to human rights, labour and environmental due diligence across 11 jurisdictions. The mapping explores the scope and expectations of different measures compared to the six-step due diligence framework from the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct and the OECD Due Diligence Guidance for Responsible Business Conduct. It highlights main areas of convergence and divergence, and discusses the implications for businesses and policymakers. This paper ties into work on the OECD Inclusive Platform on Due Diligence Policy Co-operation.