

# HUMAN RIGHTS WORKING GROUP



## Post Meeting Papers

### Human Rights Working Group Meeting #1 2026

Wednesday 4 March 2026 | 12pm – 1:30pm AEDT / 2pm – 3:30pm NZDT

#### Contents

- Meeting minutes
- Action Register
- Attendees
- Meeting Slide Deck
- StockWatch Report

#### Minutes

Item	Action Required
<p><b>1. Welcome</b></p> <p><b>Antonia Parkes (Chair   AustralianSuper)</b></p> <ul style="list-style-type: none"><li>• Opening</li><li>• Acknowledgement of Country</li><li>• Minutes from last meeting</li><li>• Purpose and Principles</li><li>• Discussions in working groups may include competitors or potential competitors. In line with competition law, members must not share or discuss competitively sensitive, non-public information such as pricing, sensitive financial data, strategic plans, tender or negotiation details, and voting intentions related to takeovers</li></ul>	<p>Submit any amendments to the Minutes to <a href="#">Tori Huggins (Programs &amp; Policy Officer, RIAA)</a></p>
<p><b>2. Special Presentation and Q&amp;A</b></p> <p><b>Topic: The State of AI and emerging risks and opportunities for investors</b></p> <ul style="list-style-type: none"><li>• <b>Professor Nicholas Davis</b> (Co-Director of the Human Technology Institute (HTI) and Industry Professor of Emerging Technology at the University of Technology Sydney)</li></ul> <p>The current AI landscape is highly hyperbolic, with productivity benefits for business and the wider economy still difficult to quantify. In Australia, public trust in AI remains low despite strong optimism about its potential. More than half of workers are already using AI tools, often through unapproved or</p>	<p>To access the meeting papers and the recording, go on the RIAA website and select:</p> <ol style="list-style-type: none"><li>1. <b>“Portal”</b> (top bar, right-hand side),</li><li>2. <b>“Member login”</b> (<i>sign</i></li></ol>

<p>“shadow AI” channels, creating new organisational risks. At the same time, reliance on AI continues to grow, compounding these challenges.</p> <p><b>Presentation highlights</b></p> <ul style="list-style-type: none"> <li>• Global context: The convergence of technology leaders and political leaders is increasing the geopolitical influence of the tech sector. The US has rejected global AI governance frameworks. Heightened reliance on US-based AI providers creates cross-jurisdictional challenges for investors. This raises important questions for Australia regarding AI sovereignty and human-rights-aligned governance.</li> <li>• Scope of AI: For investors, AI encompasses more than machine learning and includes earlier expert-system technologies that still require strong governance and due-diligence oversight. Newer forms (such as generative AI and agentic AI) build on existing systems rather than replacing them. Investors should seek clarity on each system’s purpose and guardrails, as misunderstanding AI remains a major risk.</li> <li>• AI harm: AI systems have caused harm through system failures, malicious or misleading use, and incorrect deployment.</li> <li>• Accuracy: Although generative AI tools are highly capable, their accuracy, particularly in multi-agent or complex tasks remains inconsistent.</li> <li>• Workforce replacement: Organisations increasingly invest in agentic AI with expectations of workforce replacement. Responsible investors should ask informed questions to ensure AI is deployed strategically to align with business objectives, appropriately, and in alignment with governance and human-rights considerations.</li> <li>• Changing AI use: Organisations need to improve coordination of AI use and reduce reliance on unapproved “shadow AI,” ensuring tools are deployed safely, consistently, and in line with governance expectations.</li> </ul> <p><b>State of AI Governance Report</b></p> <ul style="list-style-type: none"> <li>• Soon to be released by HTI.</li> <li>• The report examines rapid organisational adoption of AI; the advancement of AI capability in a market structurally incentivised to oversell; the rise of increasingly autonomous systems that are more difficult to oversee; and growing scrutiny of AI use and governance.</li> </ul> <p><b>Surveillance Creep Report</b></p> <ul style="list-style-type: none"> <li>• HTI’s Snapshot Report, <a href="#">Surveillance Creep</a>, explores the increasing use of tech-enabled surveillance tools in Australian workplaces. These tools are being used to monitor and assess workers via their computers, phones and other work devices, productivity-tracking applications, and even experimental emotion-recognition technology.</li> </ul>	<p><i>into the member portal),</i></p> <p>3. <b>“Working Groups”</b> (<i>Scroll down to ‘Human Rights Working Group’ and click ‘learn more’</i>)</p> <p>If you require any assistance, please contact <a href="#">Tori Huggins (Programs &amp; Policy Officer, RIAA)</a></p>
<p><b>3. Appointment of new Co-Chair</b></p> <ul style="list-style-type: none"> <li>• The Working Group was advised that Ashley Kopczynski (Director of Sustainable Investment &amp; Stewardship at IFM Investors) had been selected as the preferred Co-Chair candidate through the EOI process.</li> <li>• A motion to appoint Ashley Kopczynski as Co-Chair was raised by Estelle Parker (Co-CEO, RIAA). <ul style="list-style-type: none"> <li>○ Siobhan Toohill (Pure and Applied) seconded the motion.</li> </ul> </li> <li>• Motion approved.</li> </ul>	<p>For questions related to the co-chair appointment process please feel free to reach out to <a href="#">Jess Rowe</a> (Manager of Working Groups, RIAA)</p>

#### 4. Subgroup Updates

##### Digital Tech and Human Rights (Janelle Morrison, ESG Analyst | Ausbil)

- Noted that investment into AI and responsible/ethical AI continues to grow, as reflected in the February reporting season.
- Announced an upcoming hybrid roundtable on Wednesday, 29 April, building on feedback from the Working Group; event details to be circulated by Jess. The session will explore: Global trends in AI-related opportunities; Corporate case studies; and Investor actions and responses to emerging AI risks and opportunities.

##### Discussion on the Australian Modern Slavery Act law reform process (Lauren Zanetti, Director Business, Regulation and Law & Claire Falconer, Director, Law & Justice | Australia's Anti-Slavery Commissioner's Office)

- The Australian Anti-Slavery Commissioner's Office (the Office) presented key recommendations from their [initial position paper](#) on Modern Slavery Act Reforms. The key pages for consideration are pp.14-17 and 25-27, which set out the substantive elements of the Office's two recommendations.

###### Recommendation 1: Due diligence obligation

- Reporting alone has not led to consistent or effective action on modern slavery, highlighting the need for a due diligence obligation to provide businesses with clearer expectations and a more level playing field.
- Australia is also falling behind international developments – including mandatory human rights due diligence laws and forced-labour import bans – introduced in other jurisdictions.
- Introducing a due diligence requirement would help businesses more effectively manage modern slavery risks and maintain competitiveness in markets adopting stronger human-rights standards.
- Due diligence obligations offer several benefits for the investment sector, including reducing material risks across portfolios, strengthening stewardship and engagement practices, and ensuring alignment with key international standards and regulatory expectations.
- The key pages for consideration are pp.14-17 in the [initial position paper](#).

###### Recommendation 2: High risk declarations

- This recommendation seeks to address concerns raised in Professor McMillan's Review and by NGOs about businesses failing to identify well know risks in modern slavery statements, despite sourcing from high-risk sectors. This mechanism would:
  - provide a trusted source of information to help guide risk identification, which would in turn support effective, risk-based due diligence
  - improve the quality, focus, and comparability of modern slavery statements in relation to high-risk matters
  - ensure reporting entities cannot ignore well-known and significant risks relevant to their operations and supply chains
  - trigger government guidance and support in relation to complex risks.
- Declarations are intended to complement, not replace, an entity's risk assessment and prioritisation processes.
- The key pages for consideration are pp.25-27 in the [initial position paper](#).

Invitations to the hybrid AI and Human Rights roundtable will be sent out this week. For any questions related to this, please reach out to [Jess Rowe](#) (Manager of Working Groups, RIAA)

For more information regarding the Digital Tech Subgroup, please contact [Janelle Morrison \(Ausbil\)](#)

If you are interested in providing feedback on the initial position paper released by the Anti-Slavery Commissioner's Office this can be done via email:

[contact@antislaverycommissioner.gov.au](mailto:contact@antislaverycommissioner.gov.au)

<p><b>5. Industry Updates</b></p> <p><b>RIAA Policy and Advocacy Update (Tori Huggins   Programs &amp; Policy Officer   RIAA)</b></p> <p><b>Australia</b></p> <ul style="list-style-type: none"> <li>• The Attorney-General's Department (AGD) is currently undertaking targeted consultation on due diligence obligations, and high-risk declarations.</li> <li>• RIAA has been actively involved with Estelle Parker (co-CEO) participating in a workshop with the AGD. RIAA's positions were very much aligned with the Australian Anti-Slavery Commissioners Office and have been centred on: <ul style="list-style-type: none"> <li>○ the importance of mandatory due diligence - using a phased approach</li> <li>○ the importance of an independent authority (not a Government Minister/executive) to determine high risk sectors.</li> </ul> </li> <li>• RIAA's input has already been registered through this process and earlier submissions therefore we won't be making an additional written submission.</li> </ul> <p><b>Aotearoa New Zealand</b></p> <ul style="list-style-type: none"> <li>• On 29 January, a <a href="#">joint National-Labour Modern Slavery Bill</a> was announced co-sponsored by Greg Fleming (National) and Camilla Belich (Labour).</li> <li>• The Bill aims to close a significant gap in NZ law and improve protections for consumers, businesses, and investors; and will bring NZ closer in line with key international partners – including Australia, the UK, and the EU – all of which already have modern slavery legislation.</li> <li>• RIAA led a <a href="#">joint statement</a> supporting the introduction and passage of modern slavery laws. First released last year, the statement now has 30 signatories across finance, investment and the broader business community, accounting for more than NZD 264 billion.</li> <li>• Next steps: We're currently waiting for the Bill to progress to its next stage and once submissions open, RIAA will be engaged in the process.</li> </ul> <p><b>StockWatch Report (Phil Sloane, Associate Director, Head of ESG Client Success APAC   ISS STOXX)</b></p> <ul style="list-style-type: none"> <li>• Please see StockWatch report in the below papers for further details.</li> </ul>	<p>For more information on RIAA's policy and advocacy work, please contact: <a href="#">Tori Huggins (Programs &amp; Policy Officer, RIAA)</a></p> <p>For more information regarding the Stock Watch Report, please contact, <a href="#">Phil Sloane (ISS Stoxx)</a></p>
<p><b>6. Closing remarks</b></p> <ul style="list-style-type: none"> <li>• RIAA Australia Conference: 27 – 28 May in Melbourne - <a href="#">RIAA Conference Australia 2026</a></li> <li>• Next Meeting: Wednesday June 10 12-1.30pm AEST / 2pm-3.30pm NZST</li> </ul>	<p><a href="#">Register here</a></p>

## Action Register

Ref.	Action	Delegation	Status
<i>New</i>			
4/26	Next Meeting: Wednesday June 10 12-1.30pm AEST / 2pm-3.30pm NZST - <a href="#">Register here</a>	All	Ongoing
3/26	If you are interested in providing feedback on the Australian Anti-Slavery Commissioner's Office initial position paper via email: <a href="mailto:contact@antislaverycommissioner.gov.au">contact@antislaverycommissioner.gov.au</a>	All	Ongoing
2/26	Invitations to the hybrid AI and Human Rights roundtable on 29 April will be sent out this week. For any questions related to this, please reach out to <a href="#">Jess Rowe</a> (Manager of Working Groups, RIAA)	Jess Rowe	Complete
1/26	Submit any amendments to the minutes to <a href="#">Tori Huggins</a> (Programs & Policy Officer).	All	Ongoing

## Attendance (61)

	First Name	Last Name	Company
1	Johannah	Dods	ACC
2	Alex	Safran	Alvarium/Pathfinder
3	Emmanuel	Gbe	AMP Limited
4	Laura	McManus	Australian Anti-Slavery Commissioner's Office
5	Lauren	Zanetti	Australian Anti-Slavery Commissioner's Office
6	Claire	Falconer	Australian Anti-Slavery Commissioner's Office
7	Grace	Ritchie	ANZ
8	Janelle	Morrison	Ausbil Investment Management
9	Abigail	Van Vliet	Ausbil Investment Management
10	Melissa	Stewart	Australian Retirement Trust
11	Antonia	Parkes	AustralianSuper
12	Vera	Dai	Aware Super
13	Kutlu	Karayol	CBUS
14	Amber	Sun	CBUS
15	Amelia	Dwyer	CEFC
16	Caroline	Paterson	CFS
17	Carmela	Blanco	Challenger
18	Annabel	Hart	ERM Australia
19	Suelyn	Stubbs	Fidelity International
20	Rachel	Tinkler	Fisher Funds
21	Caitlyn	Prince	Foundation North
22	Tarren	Summers	Franklin Templeton
23	Jackie	Radisich	Future Group
24	Sue	Walker	Harbour Asset Management

25	Sarah	Hill	HESTA
26	Ashley	Kopczynski	IFM Investors
27	Caitlin	Medley	Individual supporter
28	Jane	Wu	Individual supporter
29	Phil	Sloane	ISS STOXX
30	Anupam	Parashar	Macquarie Asset Management
31	Tamara	Shadbolt	Magellan Group
32	Amy	Krizanovic	Magellan Group
33	Ayesha	Azeem	Maple-Brown Abbott Limited
34	Diana	Santibanez	Mercer Australia
35	Kate	Vennell	Mindful Money
36	Ummul	Ruthbah	Monash Business School, Monash University
37	Nga	Pham, CFA.	Monash Centre for Financial Studies
38	Rodger	Spiller	Money Matters (NZ) Ltd
39	Marcel	Scougall	MSCI
40	Shanti	Stratton	MSCI
41	Rosemary	Bissett	National Australia Bank Limited
42	Bridgette	McDonald	Pamoda Consult
43	Aoife	Mccarthy	Perennial
44	Lauren	Solomon-Walters	Perpetual Group
45	Ella	Thompson	Pinnacle Investment Management Limited
46	Abi	Curtis	PRI
47	Kar Mei	Tang	PRI
48	Siobhan	Toohill	Pure and Applied
49	Bastien	Mignonneau	QBE Insurance Group
50	Sonia	Auld	QIC
51	Lucy	Long	Quadrant Private Equity
52	Morgan	Ellis	Resolution Capital
53	Jess	Rowe	Responsible Investment Association Australasia
54	Briony	Doyle Galovic	Responsible Investment Association Australasia
55	Tori	Huggins	Responsible Investment Association Australasia
56	Estelle	Parker	Responsible Investment Association Australasia
57	Conlan	Mackenzie	Rest
58	Natalia	Tsurkova	Solaris Investment Management Limited
59	Lisa	Domagala	Solaris Investment Management Limited
60	Ines	Ivankovic	UniSuper
61	Nicholas	Davis	HTI University of Technology Sydney

## Recent human rights controversies – Update

### Ansell Limited

MediCeram, a former supplier to Australian glove-maker Ansell, fired and deported Bangladeshi migrant workers after they reported wage theft, forced labour, and passport confiscation at its Malaysian factory. The company escalated the dispute by sacking 180 workers in late October 2025, some of whom were subsequently deported, following a strike over unpaid recruitment-fee reimbursements and lapsed visas. In response, Ansell suspended its partnership with MediCeram in November 2025, amid renewed shareholder concerns about persistent labour-rights issues in its supply chain. MediCeram denies all allegations, claiming it is the target of an unfair activist-led campaign. [[ABC News, 23/11/2025](#)] [[Business & Human Rights Resource Centre, 17/11/2025](#)] [[ABC News, 17/02/2026](#)]

### BHP Group Limited

In November 2025, the High Court of England and Wales found BHP liable for the November 2015 Mariana (Fundão) dam collapse in Brazil, which killed 19 people and caused extensive environmental damage along the Doce River. The High Court determined the failure was foreseeable and avoidable, and in January 2026 refused BHP permission to appeal, prompting the company to take its case directly to the Court of Appeal. A damages trial is set for October 2026, with a decision expected in mid-2027, though compensation remains complex due to time-barred claims, prior settlements, and total claims estimated at up to £36 billion. Victims welcomed the ruling, while BHP emphasises the reparations already provided and continues to argue that Brazil is the appropriate jurisdiction for long-term remediation. [[ABC News, 15/11/2025](#)] [[Reuters, 19/11/2026](#)]

### Rio Tinto Limited

Rio Tinto's decision in November 2025 to pause its \$3.7 billion Jadar Valley lithium mine has brought little relief to Serbian communities who argue the project threatens their environmental rights and long-term access to clean land and water. For years, residents and activists have protested, claiming the mine risks violating their rights to health, livelihood, and participation in decisions affecting their land. Despite the suspension, Rio Tinto intends to retain its land rights, raising fears that local people will continue to face uncertainty and pressure from powerful political and corporate interests. Opponents say the struggle highlights a broader human rights issue: whether communities can genuinely protect their environment and way of life against strategic, government-backed resource extraction projects. [[IntelliNews, 13/11/2025](#)] [[ABC News, 18/11/2025](#)]

### Wesfarmers Limited (Bunnings)

In February 2026, the Administrative Review Tribunal ruled that Bunnings can use facial recognition technology in its stores to help prevent crime and protect staff and customers. The decision overturns a 2024 finding that Bunnings breached privacy laws, though the tribunal said the company did not adequately notify customers that their faces were being scanned. Evidence presented to the tribunal described frequent threats, abuse and repeat offending in stores, and the technology was

found to be targeted, limited in scope and manually checked to avoid false positives. Bunnings welcomed the ruling and said safety is its priority, while the privacy regulator is considering whether to appeal. [[The Guardian, 04/02/2026](#)]

### **Wesfarmers Limited (Kmart)**

Kmart faced a Federal Court action in February 2026 brought by the Australian Uyghur Tangritagh Women's Association (AUTWA), which sought documents to determine whether the retailer misled the public about potential links between its suppliers and Uyghur forced labour in China. AUTWA argues that Kmart repeatedly refused throughout 2025–2026 to provide information about two suppliers allegedly connected to the Xinjiang region, where state-sponsored abuses are well documented. The case comes as the Australian Government undertakes consultations in February 2026 on strengthening modern slavery laws, with AUTWA and its legal representatives saying the proceedings are necessary to test whether Kmart has genuinely upheld its ethical sourcing commitments. Kmart denies wrongdoing, but the challenge aims to force greater transparency and accountability over the company's due-diligence practices. [[Human Rights Law Centre, 10/02/2026](#)]

Prepared for RIAA HRWG, not for distribution

# Human Rights Working Group Meeting #1, 2026

Wednesday 4 March



Responsible Investment  
Association Australasia



# Human Rights Working Group Meeting #1, 2026



**Antonia Parkes**, Senior Director, ESG & Stewardship – Workforce Integration, and Co-Chair of RIAA's HRWG

# Acknowledgement of Country

We would like to begin by acknowledging the Traditional Owners and Custodians of the land on which we are calling in from today. We would also like to pay our respects to Elders past and present.

# Purpose

The HRWG is a forum for members to:

- exchange information and resources
- update on members' activity
- collaborate on policy and research, implementation and advocacy opportunities on matters relating to human rights relevant to investors, researchers and advisers.

All this is aimed at building members' understanding and capabilities for assessing and respecting human rights, mitigating risks in investment and strengthening the companies in which funds are invested.

# RIAA Working Group – Principles

- Confidentiality
- No self-promotion
- Declaration of conflicts of interest
- Representation
- Collaboration between members
- Positive change in practice / policy
- Not engage in or discuss competitively sensitive information
  - Discussions in working groups may include competitors or potential competitors. In line with competition law, members must not share or discuss competitively sensitive, non-public information such as pricing, sensitive financial data, strategic plans, tender or negotiation details, and voting intentions related to takeovers, **anti-competitive agreements (strictly prohibited)**
- Apolitical

# Special Presentation & Q&A - the State of AI and emerging risks and opportunities for investors



**Professor Nicholas Davis**, Co-Director of the Human Technology Institute (HTI) and Industry Professor of Emerging Technology at the University of Technology Sydney

# Appointment of new Co-Chair

- **Motion to approve Co-Chair Ashley Kopczynski Director of Sustainable Investment & Stewardship at IFM Investors**  
(Estelle Parker, RIAA)

# Subgroup updates

- **Digital Tech and Human Rights**  
(Janelle Morrison, Ausbil)

# Discussion on the Australian Modern Slavery Act law reform process

- **Australia's Anti-Slavery Commissioner's Office**



Australian Government

Office of  
the Australian  
Anti-Slavery  
Commissioner

# Discussion with RIAA: Modern Slavery Act reforms (Chatham House)

Wednesday, 4 March 2026

Lauren Zanetti and Claire Falconer

Everyone deserves to live and work in freedom and dignity

# Agenda

- The Office's Initial Position Paper
- Recommendation 1: Due diligence obligation
- Recommendation 2: High risk declarations



# Key context – who is who?



## GOVERNMENT

The Attorney-General's Department (**AGD**), has **responsibility for the Modern Slavery Act and its reform**

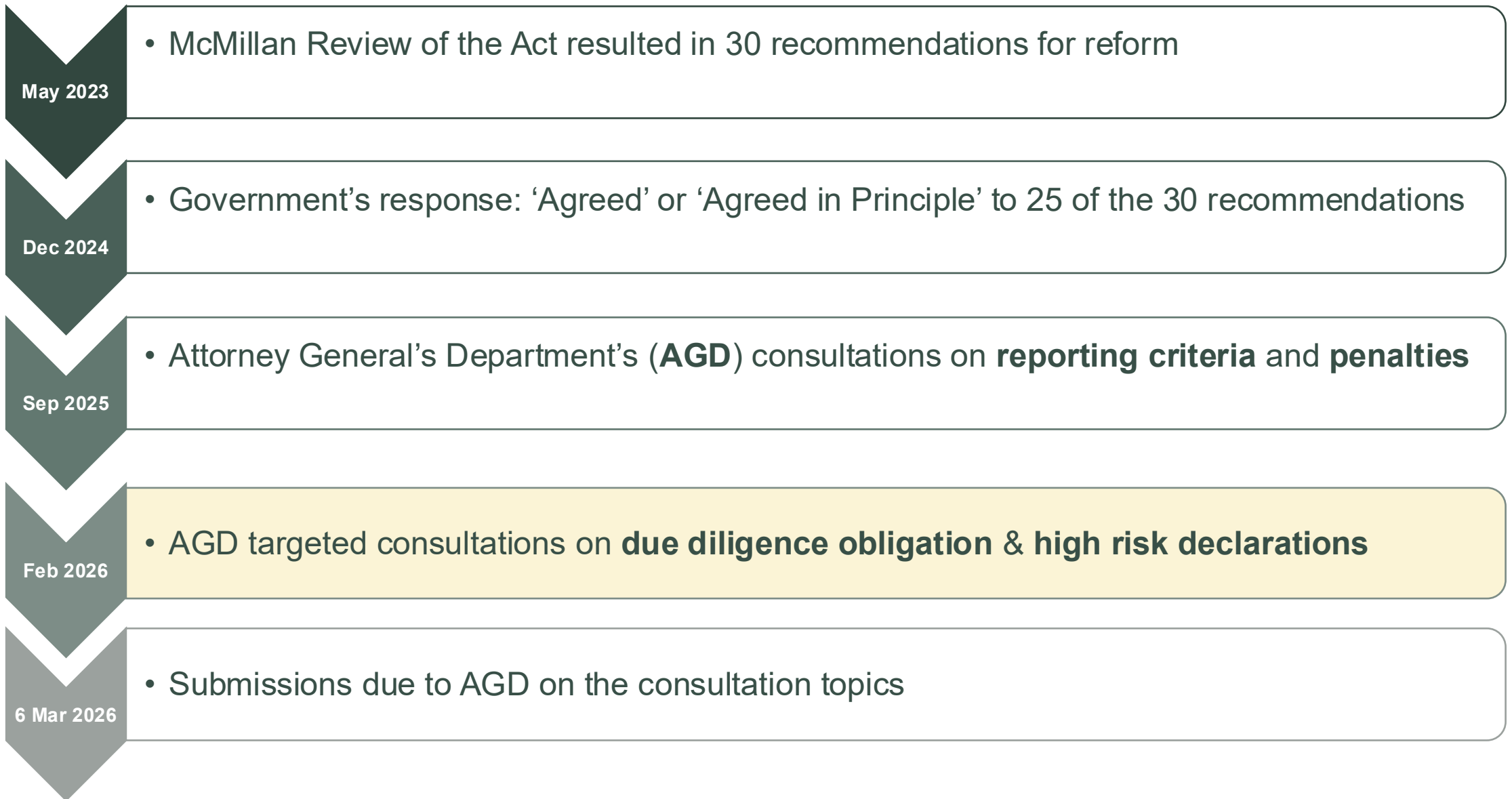
Carrying out **consultations** on a due diligence obligation and high-risk declarations.

AGD is seeking written feedback by 6 March:  
[Slavery.Reform@ag.gov.au](mailto:Slavery.Reform@ag.gov.au).

## COMMISSIONER (INDEPENDENT)

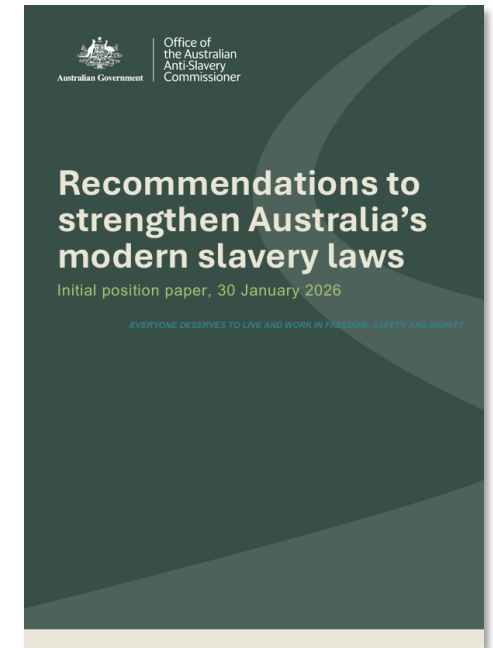
The Australian Anti-Slavery Commissioner is an **independent** statutory officer.

The Commissioner has published an initial position paper with recommended reforms to the Modern Slavery Act .



# Initial position paper

- Published 30 January 2026 to help inform discussions and Government consultations
- Seeking feedback to inform final recommendations to Government



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## RECOMMENDATIONS

Amend the Act to introduce:

1. A mandatory, risk-based, modern slavery due diligence obligation for reporting entities.
  2. A mechanism for the Australian Anti-Slavery Commissioner to declare that a product, service, or industry carries a high risk of modern slavery, and require entities to have regard to declarations in their due diligence and reporting obligations under the Act.
-



Australian Government

Office of  
the Australian  
Anti-Slavery  
Commissioner

# Recommendation 1: Due diligence obligation

*It's time to move from requiring transparency, to requiring action*

# Rationale for due diligence obligation

- **Reporting alone** has **not driven consistent or effective action**
- Businesses require a **level playing field**, and **clear expectations** from Government
- **Similar due diligence obligations in other Australian laws** on responsible business topics
- Australia is falling behind **international efforts**:
  - mandatory human rights due diligence laws for large businesses
  - forced labour import bans
- Will help business **effectively manage risk** of modern slavery and **maintain competitiveness** in markets that are adopting more robust human standards

# Principles for a due diligence obligation (p.13)

## 1. Aligned with international standards

UN Guiding Principles on Business and Human Rights (**UNGPs**) and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (**OECD Guidelines**)

## 2. Pragmatic, risk-based and interoperable where possible with similar laws overseas

## 3. Focus on outcomes not just process

## 4. Proportionate and addresses potential impacts on SMEs

# Due diligence obligations: Benefits for investment sector

- **Reduce material risks in portfolio**
  - Mandates reporting entities to undertake proactive risk identification / action on modern slavery, prioritising the most severe risks for action
  - Incentivises business to move beyond a ‘tick box’ approach
- **Support stewardship and engagement**
  - Clearer direction from Government on modern slavery risk management expectations
  - Supports clearer understanding of company risks and actions being taken + more comparable data
- **Align with key international standards / regulatory expectations elsewhere**
  - Interoperability with regulations / expectations in other markets

# Summary DD elements pp.14 – 17

Element	Explanation
<b>Application</b>	<ul style="list-style-type: none"> <li>• <b>2-year phase-in period</b> for all reporting entities under the Act, including the Government.</li> </ul>
<b>Due diligence obligation</b>	<ul style="list-style-type: none"> <li>• Entities <b>must carry out due diligence</b> to identify, prevent, and address modern slavery in their operations and supply chains.</li> </ul> <p>This means taking <b>reasonable measures</b> i.e. the due diligence and remediation expectations in the UNGPs / OECD Guidelines. (See also Government’s guidance on MSA)</p>
<b>Supporting Guidance inc what is “reasonable”</b>	<ol style="list-style-type: none"> <li><b>1. Reasonable measures</b> (i.e. due diligence steps): explain <b>controls, processes and actions</b></li> <li><b>2. factors and indicators relevant to reasonableness</b>, e.g.: entity size, severity and likelihood of risk, proximity to risk, what the entity knew or should have reasonably known, and cost and practicability of mitigating measures and other relevant factors.</li> </ol> <p><b>Illustrative case studies</b> and tailored guidance for certain sectors</p>

# Summary DD elements pp.14 – 17 (cont'd)

Element	Explanation
Demonstrate compliance	<ul style="list-style-type: none"> <li>• <b>Report on measures taken</b>, and keep records</li> </ul>
Options to target non-compliance	<ul style="list-style-type: none"> <li>• <b>A regulator to monitor and investigate</b> compliance: on reporting and implementing due diligence             Regulator should <b>promote an initial ‘learning phase’</b> and take a <b>responsive regulatory approach</b> (softer responses escalating to more punitive, and <b>recognise good faith efforts</b>)   <b>Focus should be serious or repeated breaches.</b></li> </ul>
Remedy	<ul style="list-style-type: none"> <li>• <b>Establish avenues for victims to access remedy</b> where modern slavery has occurred in connection with an entity’s failure to take reasonable measures</li> </ul>

# Questions – due diligence obligation



Australian Government

Office of  
the Australian  
Anti-Slavery  
Commissioner

# Recommendation 2: High risk declarations

Support business to identify risk

# Rationale

- Concerns raised in McMillan Review and by NGOs about failure to identify well known risks in modern slavery statements, despite sourcing from high-risk sectors
- This mechanism would:
  - provide a **trusted source of information** to help guide risk identification, which would in turn support effective, risk-based due diligence
  - **improve the quality, focus, and comparability** of high-risk matters in modern slavery statements
  - ensure reporting entities **cannot ignore well-known and significant risks** relevant to their operations and supply chains.
  - Trigger government **guidance and support** in relation to complex risks.
- Declarations are intended to **complement, not replace**, an entity's risk assessment and prioritisation processes.

# Initial position paper

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## RECOMMENDATION 2

Amend the Act to introduce a mechanism for the Australian Anti-Slavery Commissioner to declare that a product, service or industry carries a high risk of modern slavery, and require entities to have regard to declarations in their due diligence and reporting obligations under the Act.

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# Summary HRD elements pp.25 - 27

Element	Explanation
<b>Application</b>	<ul style="list-style-type: none"> <li>The declaration mechanism will:               <ul style="list-style-type: none"> <li>identify <b>products, industries or services</b> (but not individual suppliers) that are high-risk for modern slavery... <b>regardless of their country of origin</b></li> </ul> </li> <li>...prioritise highlighting risks that are <b>most severe and relevant</b> to businesses operating in Australia.</li> </ul>
<b>Assessment</b>	<ul style="list-style-type: none"> <li>By Commissioner after <b>complaint or on own motion</b></li> <li>Considers relevant information &amp; consults with stakeholders.</li> <li>Criteria for “high-risk” may include the <b>severity of harm</b> ... and the prevalence of forced labour indicators.</li> </ul>
<b>Declaration</b>	<ul style="list-style-type: none"> <li><b>Public register</b> with brief summary of basis for assessment</li> <li>May include <b>general recommendations for reasonable steps</b> to address risk, and for targeted guidance</li> <li><b>Reviewed</b> at least every two years</li> </ul>

# Summary HRD elements (cont'd)

Element	Explanation
<b>Obligation 'to have regard' in due diligence</b>	<ul style="list-style-type: none"> <li>Reporting entities should be required <b>to have regard to each declaration as part of carrying out their due diligence</b>, including when identifying, assessing and prioritising their risks</li> </ul> <p><b>Note:</b> Entities are still expected to conduct a comprehensive modern slavery risk assessment. They may make their <b>own assessment</b> about which risks are salient (i.e. most severe and likely) and should be prioritised.</p>
<b>Reporting obligation</b>	<ul style="list-style-type: none"> <li>Reporting entities should be required to report on <b>how they have had regard to the declarations as part of their due diligence process</b> in their modern slavery statements, including describing:             <ul style="list-style-type: none"> <li><b>which declared risks are and are not salient</b> to the entity</li> <li><b>how the declared risks were taken into account</b> in the risk assessment and prioritisation process</li> <li><b>any steps taken to address salient declared risks</b>.</li> </ul> </li> </ul>
<b>Enforcement</b>	<ul style="list-style-type: none"> <li><b>Failure to report or failure to have regard</b> to the high-risk declaration as part of the due diligence process would be subject to the Act's penalty framework.</li> </ul>

# Questions

1. Would the high-risk declaration model proposed be useful to investors in guiding due diligence? How would it be used and what would make it more useful?
2. What implementation challenges do you foresee, and what support would be most useful from Government or the Commissioner's office?

# Discussion on the Australian Modern Slavery Act law reform process

- **Australia's Anti-Slavery Commissioner's Office**

# Industry Updates

- **RIAA Policy and Advocacy Update**  
(Tori Huggins, RIAA)
- **StockWatch Report**  
(Phil Sloane, ISS Stoxx)



## StockWatch – RIAA HRWG

4 March 2026

ISS-STOXX.COM

- **Ansell Limited:** Ansell cut ties with supplier MediCeram after reports it fired and deported migrant workers who alleged wage theft and forced-labour abuses.
- **BHP Group Limited:** A UK court found BHP liable for the 2015 Mariana dam collapse and denied its appeal, sending the case to an October 2026 damages trial.
- **Rio Tinto Limited:** Rio Tinto's pause of its Jadar Valley lithium project has not eased community concerns over environmental and human-rights risks.
- **Wesfarmers Limited (Bunnings):** A tribunal ruled Bunnings can use facial-recognition technology for safety despite earlier privacy concerns.
- **Wesfarmers Limited (Kmart):** AUTWA filed a court action seeking documents on whether Kmart misled the public about possible links to Uyghur forced labour.



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# RIAA Conference Australia 2026

*From principles to  
practice*

Melbourne  
27-28  
May

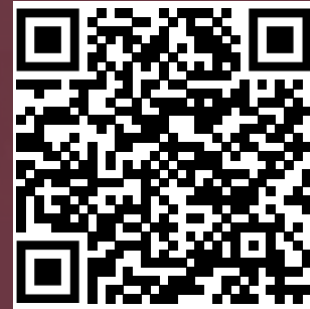


# RIAA Conference Australia 2026 - Early bird sale

Melbourne  
27-28  
May

- Capital at risk: **Human rights** and **high-risk sectors**
- **Investing in defence:** Ethics, fiduciary duty and hard choices
- **AI for responsible investors:** Use cases, risks and readiness
- Workshop: Integrating **Indigenous cultural heritage protection** into investment decision-making
- **Operationalising nature:** Case studies and strategies for investors and boards

View program  
snapshot:



# Working Group Member Portal

All Working Group meeting minutes and recordings are uploaded to the RIAA Member Portal. Access the portal using your [Glue Up credentials here](#):



## Upcoming Working Group Meetings

### **Nature Working Group #1,**

Thursday 12 March 12pm - 1pm AEDT / 2pm - 3pm NZDT

### **Aotearoa Collaborative Working Group #1,**

Thursday 1 April 2pm – 3:30pm NZDT / 12pm – 1:30pm AEDT

### **First Nations Peoples' Rights Working Group #2,**

Thursday 7 May – 9am–11:30am AEDT / 11am–1:30pm NZST

### **Human Rights Working Group #2,**

Wednesday 10 June- 12pm–1:30pm AEDT / 2pm–3:30pm NZST

View full list of [RIAA's events here](#).



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