

IAIA Webinar

BUSINESS + HUMAN RIGHTS + THE ENVIRONMENT

Presentation by Seán O'Connell
22 March 2024



OUTLINE

- I. Global Context
- II. Global Trends
- III. UNDP's Approaches
- IV. Guidance for Business
- V. HRDD & Impact Assessment



I — GLOBAL CONTEXT

POLLUTION

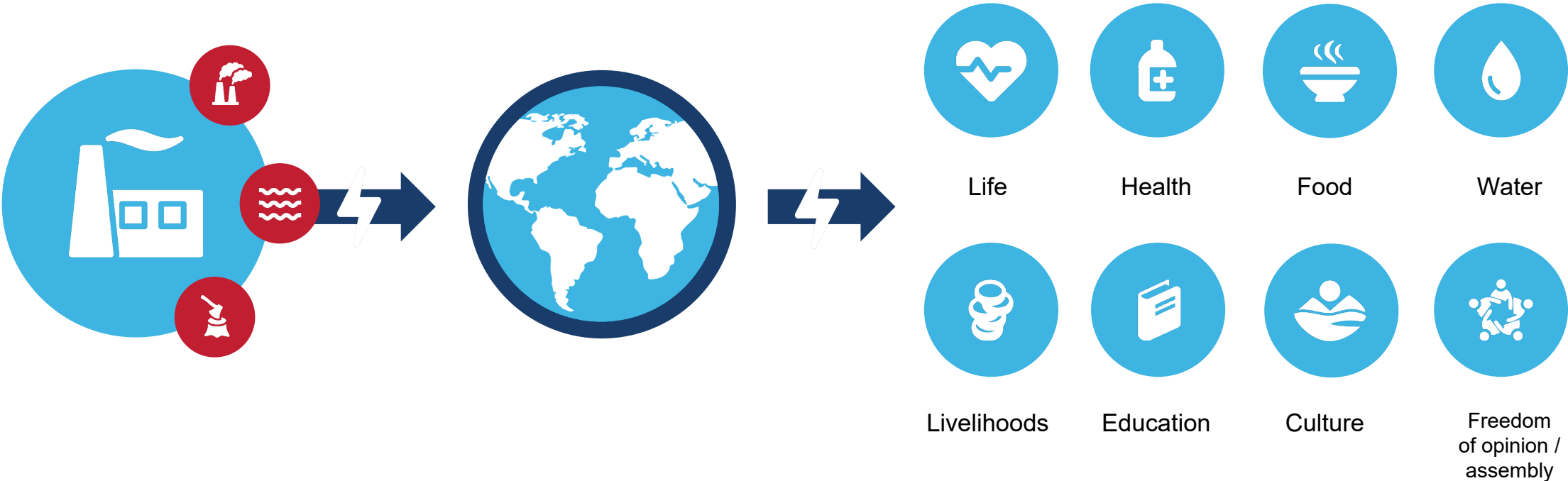


CLIMATE CHANGE

BIODIVERSITY LOSS



BUSINESS IMPACTS ON HUMAN RIGHTS





II — GLOBAL TRENDS

GLOBAL TRENDS



UN Resolutions on R2HE

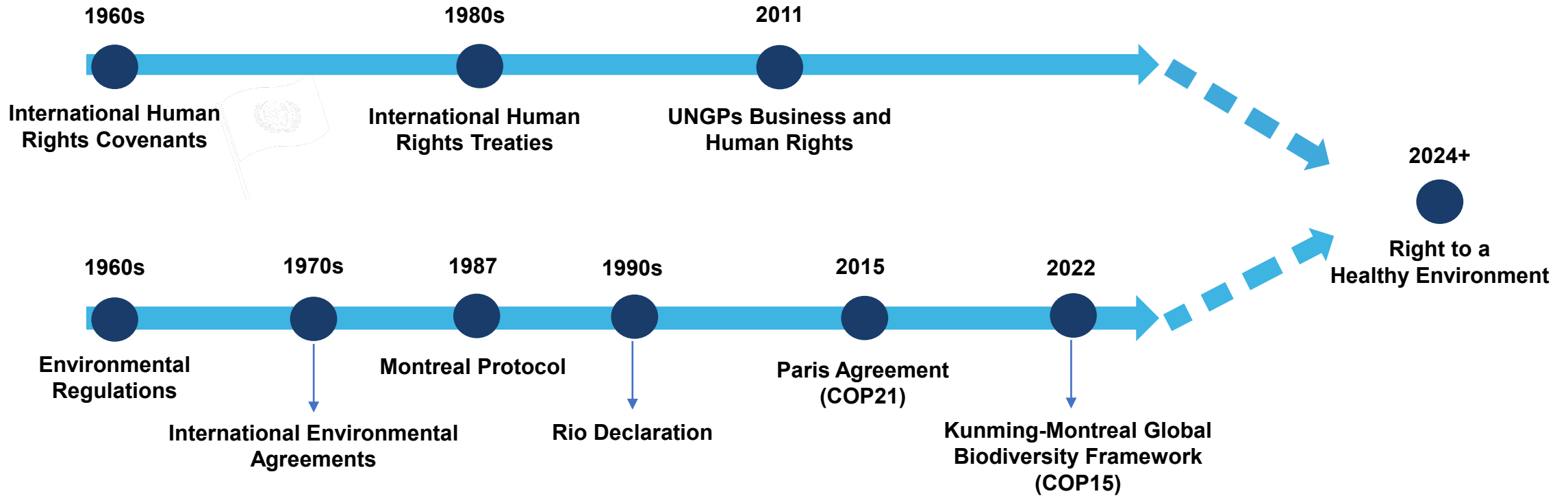


Mandatory HRDD+E



Environmental & climate litigation

1 — TIMELINE: HUMAN RIGHTS & ENVIRONMENT



What is the Right to a Healthy Environment?

Information Note

1 — UN RESOLUTIONS ON R2HE

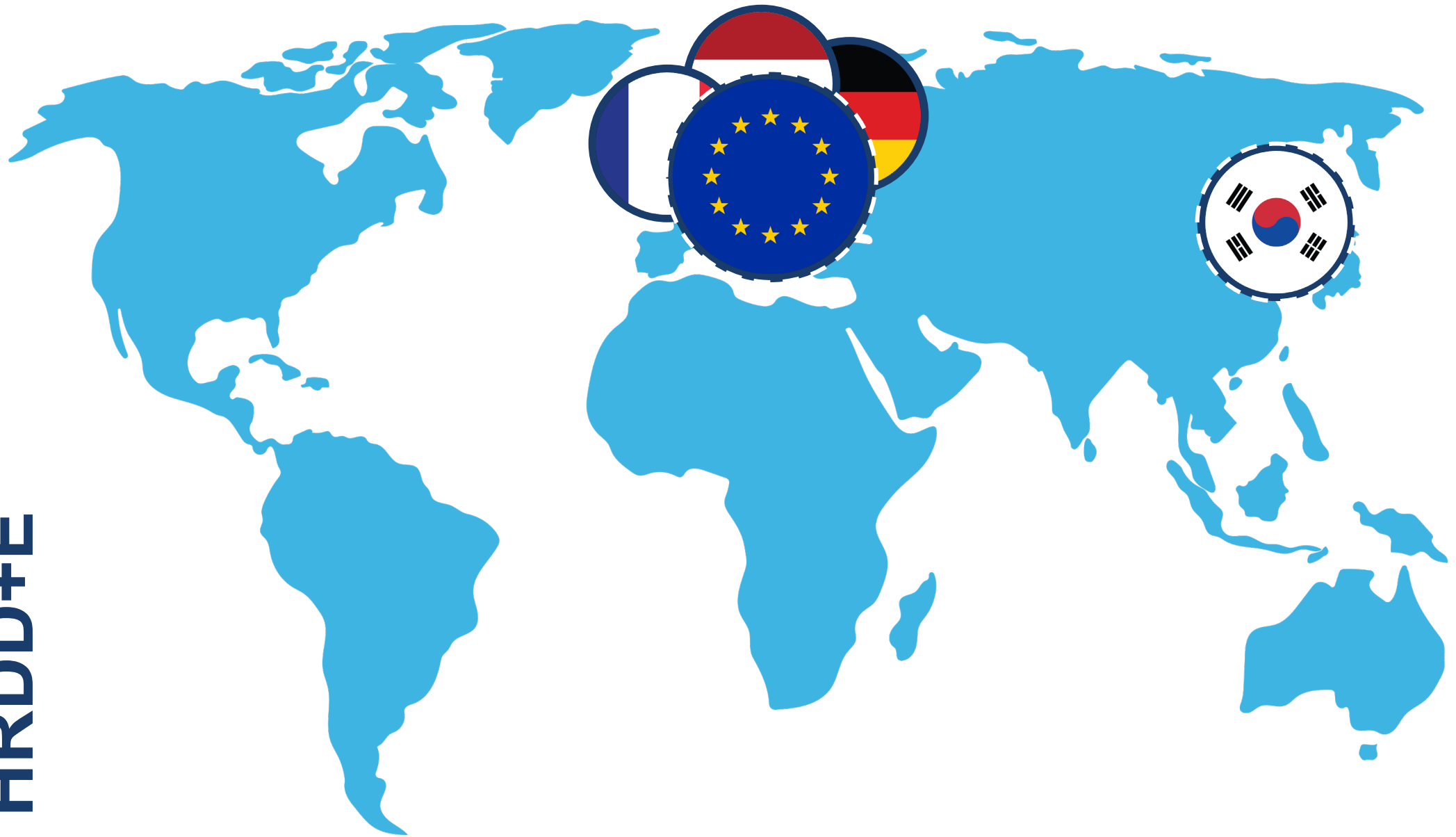
Substantive Rights

- Safe climate
- Clean air
- Biodiversity
- Safe & sufficient water
- Healthy food
- Non-toxic environment

Procedural Rights

- Access to information
- Public participation
- Access to justice

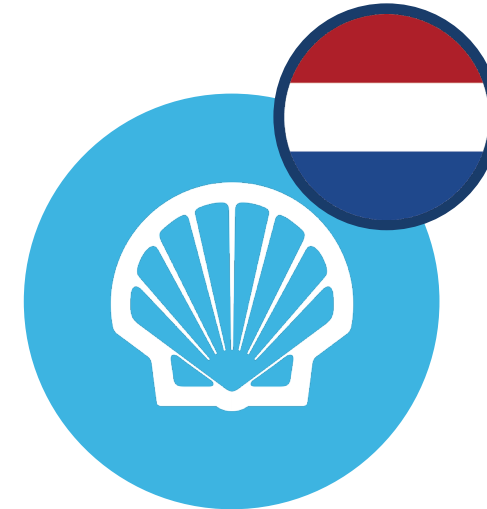
2 — MANDATORY HRDD+E



3 — ENVIRONMENTAL & CLIMATE LITIGATION



2021: Sued by a coalition of NGOs over its sale of beef linked to illegal deforestation in the Amazon & abuses of the rights of Indigenous Peoples



2021: Sued by a coalition of NGOs over its active contribution to climate change & human rights abuses

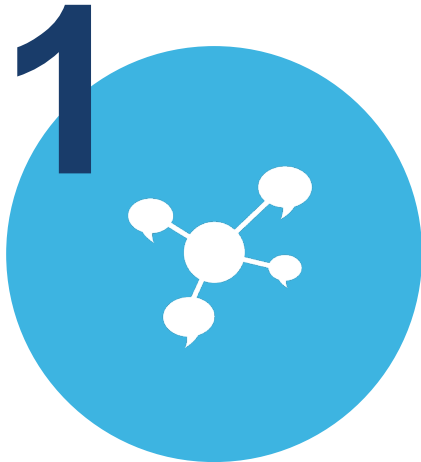


B+HR 
BUSINESS AND HUMAN RIGHTS



III — UNDP's APPROACHES

UNDP'S APPROACHES



**Multistakeholder
platforms**



Governments
NAPs on B+HR+E



Businesses
HRDD+E

1 — MULTISTAKEHOLDER PLATFORMS

UNDP facilitates awareness-raising & peer learning on B+HR+E for a wide range of stakeholders

- Corporate Sustainability & Environmental Rights in Asia Conference
- Session on HRDD+E at the Seminar by the Special Rapporteur
- Session on HRDD+E at the UN Global Forum on B+HR

CORPORATE SUSTAINABILITY AND ENVIRONMENTAL RIGHTS IN ASIA

4-5 October 2023
Bangkok, Thailand



2 — GOVERNMENTS

UNDP supports governments in integrating the environment into NAPs



1st NAP
(2021-2026)



2nd NAP
(2023-2027)

HUMAN RIGHTS DUE DILIGENCE AND THE ENVIRONMENT

A Guide for Business

3 — BUSINESSES

UNDP supports businesses in integrating the environment into HRDD

Guidance & B+HR Academy training



Nothing new: environmental dimensions of HRDD per the UNGPs



Audience: corporate human rights & environmental functions



To help meet growing HRDD+E requirements

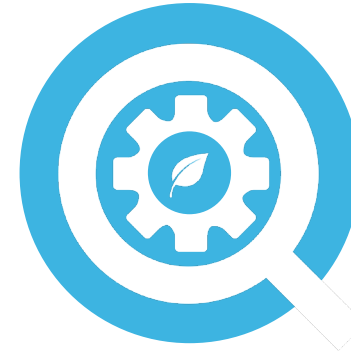


IV — GUIDANCE FOR BUSINESS

HRDD=HRDD+E



Objective: identify, prevent, mitigate, & account for how they address potential & actual adverse human rights impacts



Objective: identify, prevent, mitigate, & account for how they address potential & actual adverse human rights impacts resulting from environmental harms, incl. on R2HE

ENVIRONMENTAL HARMES



POLLUTION

Land
Water
Air



CLIMATE CHANGE

Physical
Maladaptation
Transition



BIODIVERSITY LOSS

Physical
Biopiracy

STRUCTURE

1

IDENTIFY & ASSESS adverse human rights impacts

Human rights impacts resulting from environmental harms, incl. R2HE

2

ACT to prevent & mitigate adverse human rights impacts

By applying environmental conservation & mitigation hierarchies

3

TRACK the effectiveness of actions taken

By combining scientific & lived experience data

4

COMMUNICATE how the adverse human rights impacts have been addressed

Accessible formats data



1 — IDENTIFY



Value chain



Geographical locations



Affected rights-holders



Draft impacts



Final impacts



2 — ACT



Impact prioritization for response



Involvement in & response to each impact



Action Plan



Leverage



Continuing or ending relationships



3 — TRACK



Effectiveness indicators



Effectiveness of the value chain actors



Effectiveness verification



4 — COMMUNICATE



Information compilation



Communications with affected rights-holders



Formal reporting

V — HRDD & IMPACT ASSESSMENT



1 — WHAT IS NEW?

1. Focus on risks to human rights, not to businesses
2. Recognition of environmental harms as human rights risks
3. Much greater emphasis on participation of rights holders
4. Linking assessment to procedural and substantive human rights principles and standards
5. Building environment management and due diligence processes onto human rights due diligence

2 — CONCLUSIONS

1. Human rights and environment on collision course
2. Human rights due diligence becoming business as usual
3. Impact assessors critical skills for new era of corporate responsibility

THANK YOU!



Seán O'Connell

Rule of Law, Security and Human Rights Specialist
United Nations Development Programme

Email: sean.oconnell@undp.org

Twitter: @seantloc



THANK YOU!



Olga Nilova

Business & Human Rights Specialist
United Nations Development Programme

Email: olga.nilova@undp.org

Twitter: @o_nilova

