

# Business, Human Rights, and the Environment: Overcoming the Plastics Challenge

## A Checklist for Responsible Business Plastic Action

*This Checklist for Responsible Business Plastic Action illustrates practical steps that business enterprises can take to implement a human rights-based approach to the plastics pollution challenge.*

### Module 1: The Human Rights Dimensions of the Plastic Crisis

- Identify how your business activities contribute to each **stage** of the **plastics lifecycle**:
  - Extraction
  - Production
  - Transportation
  - Use (Consumption and Waste Generation)
  - Waste Management (including Recycling)
  - Disposal
- Evaluate opportunities to harmonize your business' commitments to address **climate change** with plastics action;
- Evaluate opportunities to adopt and implement a **circular economy** model and align it with **human rights aware** plastics action:
  - Reduce or eliminate unnecessary plastic packaging
  - Reduce or eliminate reliance on single-use plastics
  - Seek non-toxic and plastic alternatives
  - Seek ways to up-cycle (recover and regenerate) plastic-based products that are at the end of their service life to prevent disposal
- Understand what it means for your business to be a human rights "**duty bearer**";
- Identify "**rights holders**" that your business may impact throughout the plastics lifecycle.

### Module 2: Plastics, Human Rights & the Environment

- Evaluate how the contribution of your business to the plastics lifecycle **impacts substantive** components of the right to a clean, healthy and sustainable environment, including the right to:
  - clean air;
  - safe climate;
  - clean water;
  - healthy ecosystems and biodiversity;

- healthy food; and
  - non-toxic places.
- Identify steps to ensure that your business is supporting the exercise of **procedural** components of the right to a clean, healthy and sustainable environment, including by:
- Identifying your business' commitment to the **prior assessment and prevention** of environmental impacts caused by plastics or substitutes. Ensure that this process takes proper consideration of impacts on human rights;
  - Ensuring that the public has **access to information** regarding your business' contribution to the plastics lifecycle, or substitutes, including the use of any hazardous substances or toxic chemicals;
  - Supporting and ensuring that rights holders that may be impacted by your business' contribution to the plastics lifecycle or substitutes have an opportunity to **participate** in such assessments, and, where appropriate, that their consent is sought;
  - Supporting **access to remedy** for any impact that your business' contribution to the plastics lifecycle may have had on human rights. Ensure a robust commitment to effective remedy.
- Identify **rights holders** who may be disproportionately impacted by your business' contribution to the plastics lifecycle, including: Indigenous peoples, tribal & traditional peoples; rural & coastal communities; women & gender diverse persons; ethnic, racial & other minorities; persons living in poverty; the disabled; formal & informal workers; children & future generations.
- Identify how, and when, your business interacts with **environmental human rights defenders**. Make a commitment to protect, support and collaborate with them to enable human rights responsible plastics action.

### Module 3: Business and Human Rights Frameworks

- Undertake to implement the business responsibility to respect human rights in accordance with the **United Nations Guiding Principles on Business and Human Rights** (UNGPs), including through:

- The creation of a **policy commitment** to respect human rights, which includes a commitment to identify, prevent, mitigate and account for the human rights impacts of your business' contribution to the plastic lifecycle;
  - Undertaking **human rights due diligence** by (1) assessing the actual and potential human rights impacts created by the business' contribution to the plastics lifecycle, (2) integrating and acting upon these findings, (3) tracking the effectiveness of the response, and (4) communicating how the impacts are addressed;
  - Taking appropriate steps to ensure that rights holders have **access to remedy** for any plastics-related adverse human rights impacts caused by your business, and taking steps to **cease or prevent** potential impacts;
  - Ensuring a **gender responsive** approach to fulfilling these responsibilities, while treating **human rights defenders** and community leaders as essential allies and experts for human rights due diligence.
- Undertake opportunities to learn about and implement supplementary guidance on business and human rights and responsible business conduct including those developed by:
- UNDP Asia [HRDD Training Facilitation Guide]
  - UN Global Compact & Local Networks [including the 10 Principles & Sustainable Oceans Principles]
  - OECD e-learning Academy [including the Guidelines for Multinational Enterprises, Due Diligence Guidance for Responsible Business Conduct, and sector-specific initiatives]
- Identify your business' impact, or reliance, on **formal and informal workers** in the plastics cycle. Commit to supporting and protecting these workers at all stages of the plastics cycle, and learning more about guidelines developed by the International Labour Organisation on decent work, circular economy, and just transition]
- Cooperate with states to share knowledge of corrupt businesses who participate in the **illegal importation** of plastics. Additionally ensure that your business respects worker whistleblower protections to enable them to challenge of illegal importation.

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