

1 HUMAN RIGHTS DUE DILIGENCE AND THE ENVIRONMENT (HRDD+E)

2 **A GUIDE FOR BUSINESS**

3 Draft *(as of 10 November 2023)*

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5 As the UN's lead agency on international development, the **UN Development**  
6 **Programme** (UNDP) works in 170 countries and territories to eradicate poverty and  
7 reduce inequality. It helps countries to develop policies, leadership skills, partnering  
8 abilities, institutional capabilities, and to build resilience to achieve the Sustainable  
9 Development Goals. UNDP's mandate is concentrated in three focus areas: (1)  
10 sustainable development, (2) democratic governance and peacebuilding, and (3) climate  
11 and disaster resilience.

12 UNDP has field programming on business and human rights in 38 countries in Africa, Asia  
13 and the Pacific, Europe and Central Asia, Latin America and the Caribbean, which  
14 includes direct support to businesses in respecting human rights through tailor-made  
15 human rights due diligence training and guidance sessions.

16 For further information on UNDP, visit UNDP's website: [link](#).

17 For further information on the UNDP's programming on business and human rights, visit  
18 the UNDP Rule of Law and Human Rights webpage: [link](#).

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20 The **UN Working Group on the Issue of Human Rights and Transnational**  
21 **Corporations and Other Business Enterprises** (also referred to as the UN Working  
22 Group [UNWG] on Business and Human Rights) was established by the Human Rights  
23 Council in 2011. The UNWG has a mandate to promote, disseminate, and implement the  
24 UN Guiding Principles on Business and Human Rights. It is also mandated to exchange  
25 and promote good practices and lessons learnt on their implementation and to assess  
26 and make recommendations thereon.

27 For further information on the UNWG, including its thematic reports, guidance documents,  
28 and its focused work on business, human rights, and the environment, visit the UNWG's  
29 website: [link](#)

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## INTRODUCTION

### 36 Triple Planetary Crisis

37 Environmental harms, including those caused by the triple planetary crisis of pollution,  
38 climate change, and biodiversity loss, have negative implications for the exercise and  
39 enjoyment of human rights, including the right to a clean, healthy, and sustainable  
40 environment and a wide range of human rights dependent on it, such as the rights to life,  
41 health, water, and food, among others.<sup>1</sup>

#### 42 **Box A.** Triple planetary crisis

The triple planetary crisis is terminology and framework adopted by the UN to describe three interlinked environmental issues that humanity currently faces: (1) pollution, (2) climate change, and (3) biodiversity loss.<sup>2</sup>

The three issues reinforce each other and require interdependent strategies to be resolved if we are to have a viable future for people and the planet:

Pollution	Climate Change	Biodiversity Loss
Presence of substances and/or heat in land, air, or water <sup>3</sup>	Long-term shifts in temperatures and weather patterns	Decline and/or disappearance of species and ecosystems

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### 44 **Businesses' Responsibility in Addressing the Crisis**

45 By preventing and addressing their potential and actual adverse impacts (hereinafter  
46 '[potential] adverse impacts') on the environment, as well as proactively protecting,  
47 restoring, and improving it, businesses must play a central role in addressing the triple  
48 planetary crisis.

49 The [UN Guiding Principles on Business and Human Rights \(UNGPs\)](#) set the baseline  
50 responsibility of all businesses to carry out human rights due diligence to identify, prevent,  
51 mitigate, and account for how they address (potential) adverse human rights impacts in  
52 their own activities and throughout their business relationships.

53 The UNGPs do not explicitly mention the environment in their human rights due diligence  
54 framework but establish that businesses should respect internationally recognized human  
55 rights. Therefore, in light of the recognition of the right to a clean, healthy, and sustainable  
56 environment as a human right<sup>4</sup> by the UN Member States in 2022, human rights due  
57 diligence should apply an environmental perspective.

58 Human rights due diligence that takes into account (potential) adverse impacts on the  
59 environment and (potential) adverse human rights impacts resulting from environmental

<sup>1</sup> OHCHR, UNEP, and UNDP. Information Note: What is the Right to a Healthy Environment?, January 2023. [Link](#).

<sup>2</sup> UNFCCC. What is the Triple Planetary Crisis?, 13 April 2022. [Link](#).

<sup>3</sup> UN. Glossary. [Link](#).

<sup>4</sup> UN General Assembly. Resolution A/RES/76/300 'The Human Right to a Clean, Healthy, and Sustainable Environment, 28 July 2022. [Link](#).

60 harms (hereinafter ‘[potential] adverse human rights and environmental impacts’) can  
61 guide businesses as they make their contribution to addressing the triple planetary crisis.

## 62 **How this Guide Can Help Your Business**

63 By unpacking the UNGPs’ parameters and essential components of human rights due  
64 diligence in the context of the triple planetary crisis, the Guide is intended to equip  
65 businesses, both transnational and others, regardless of their size, sector, location,  
66 ownership, and structure, with practical advice, experiences, and insights to get started  
67 or build on existing efforts to design, refine, and implement effective human rights due  
68 diligence with an environmental perspective.

69 In light of a growing number of laws that call for businesses to prevent and address their  
70 (potential) adverse impacts on the environment *as well as* on human rights, the Guide  
71 can help them successfully prepare to meet evolving legislative requirements.

72 The Guide can also support businesses in adopting sustainable management practices  
73 and embedding the Sustainable Development Goals (SDGs) into the core of their  
74 decision-making in line with the [UNDP SDG Impact Standards](#).

75 The Guide brings together elements of the existing due diligence-related guidelines,  
76 frameworks, and assessments, including the [ILO Tripartite Declaration of Principles  
77 Concerning Multinational Enterprises and Social Policy](#), [OECD Guidelines for  
78 Multinational Enterprises on Responsible Business Conduct](#), [OECD Due Diligence  
79 Guidance for Responsible Business Conduct](#), [Nature-Related Financial Disclosures  
80 \(TNFD\)](#), [Science-Based Targets for Nature \(SBTN\)](#), [Climate-Related Financial  
81 Disclosures \(TCFD\)](#), and the [Science-Based Targets Initiative \(SBTi\)](#), allowing  
82 businesses to navigate through a range of resources directed at them.<sup>5</sup>

## 83 **What this Guide is Not**

84 Recognizing there are other environmental threats contributing to and impacted by the  
85 triple planetary crisis, including water scarcity, land degradation, and zoonotic diseases,  
86 the Guide is in no way intended to limit businesses’ efforts to prevent and address their  
87 (potential) adverse human rights and environmental impacts more broadly.

88 The Guide in no way exhaustively defines or limits the scope of businesses’ responsibility  
89 under the UNGPs and legal obligations related to human rights and the environment.

90 None of the information in the Guide constitutes legal advice. Instead, it is intended for  
91 general informational purposes only.

## 92 **Who is this Guide For**

93 The Guide aims to provide building blocks for staff in functions related to human rights  
94 and the environment within businesses to understand the intersections between human  
95 rights and the environment and increasingly collaborate and mutually learn in carrying out  
96 human rights due diligence with an environmental perspective.

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<sup>5</sup> See Annex 1 for a correlation between the four essential components of human rights due diligence per the UNGPs and the steps in other due-diligence-related guidelines, frameworks, and assessments.

97 The Guide can be of use to staff in other functions whose expertise and participation are  
98 required for effective human rights due diligence with an environmental perspective (See  
99 Box E).

## 100 **Who Else Can Benefit from this Guide**

101 By providing information on businesses' responsibility to carry human rights due diligence  
102 with an environmental perspective, the Guide can also be of relevance to other  
103 stakeholders, particularly States in developing policies and legislation related to human  
104 rights due diligence, as well as civil society organizations, trade unions, community-based  
105 groups, National Human Rights Institutions, environmental human rights defenders, and  
106 investors engaged in working with and monitoring businesses' human rights and  
107 environmental performance.

## 108 **IF YOU READ ONLY ONE THING**

### 109 **WHAT is Human Rights Due Diligence with an Environmental Perspective?**

110 **Responsibility to respect human rights:** The UNGPs make it clear that all businesses  
111 have the responsibility to respect human rights. This means that they should avoid  
112 infringing on the human rights of others and address adverse human rights impacts with  
113 which they are involved.

114 Businesses' responsibility to respect human rights applies to all internationally recognized  
115 human rights, which are understood, at a minimum, as those expressed in the  
116 [International Bill of Human Rights](#), the [ILO Fundamental Conventions](#), and the [ILO Declaration on Fundamental Principles and Rights at Work](#). Depending on the  
117 circumstances, businesses may need to consider additional human rights standards.  
118

119 Businesses' responsibility to respect human rights exists independently of States' abilities  
120 and/or willingness to fulfill their own human rights obligations and does not diminish those  
121 obligations. It also exists over and above compliance with national laws and regulations  
122 protecting human rights.

123 Human rights due diligence is one of the key elements to put businesses' responsibility  
124 to respect human rights into practice.

125 **Human rights due diligence:** Human rights due diligence has three parameters: (1) it  
126 covers potential and actual adverse human rights impacts throughout businesses'  
127 operations, including their own activities and throughout their business relationships, (2)  
128 it varies in complexity with the size of the business, the risk of severe human rights  
129 impacts, and nature and context of the business operations, and (3) it is an ongoing  
130 process.

131 Human rights due diligence includes four essential components: (1) identifying and  
132 assessing (potential) adverse human rights impacts, (2) integrating and taking  
133 appropriate actions upon the findings, including through effective remediation, (3) tracking  
134 the effectiveness of the response, and (4) communicating externally about (potential)  
135 adverse human rights impacts and response.

136 Human rights due diligence differs from 'traditional' commercial, technical, and financial  
137 risk management in that it focuses primarily on risks of adverse impacts on people rather  
138 than solely on risks to businesses, although these impacts often overlap.

139 Human rights due diligence involves effective two-way consultations with all (potentially)  
140 affected rights-holders, particularly women, girls, gender-diverse people, and others most  
141 vulnerable and marginalized in a specific context.

142 Human rights due diligence can be carried out within broader impact measurement and  
143 management (IMM) efforts or can be a way to begin building a robust IMM system.

144 Human rights due diligence should be carried out irrespective of whether businesses  
145 engage in other activities to promote human rights and sustainable development, such as  
146 philanthropy. That is, businesses cannot meet or 'offset' their responsibility to respect  
147 human rights by engaging in efforts to promote human rights.

148 Fulfillment of businesses' responsibility to carry out human rights due diligence does not  
149 insulate businesses from potential legal consequences of their conduct or confer  
150 immunity from or a waiver of potential liability.

151 **Human rights due diligence with an environmental perspective:** The UNGPs do not  
152 explicitly mention the environment in their human rights due diligence framework but  
153 establish that businesses should respect internationally recognized human rights.

154 A decade after their adoption, the International Bill of Human Rights, the ILO Fundamental  
155 Conventions, and the ILO Declaration on Fundamental Principles and Rights at Work,  
156 which they refer to, have been interpreted in a manner consistent with international  
157 environmental law.<sup>6</sup> Furthermore, in 2022, the UN Member States recognized the right to  
158 a clean, healthy, and sustainable environment as a human right.

159 In this context, businesses' responsibility to respect human rights includes respect for the  
160 environment. Therefore, human rights due diligence should apply an environmental  
161 perspective and be inclusive of (potential) adverse environmental impacts and (potential)  
162 adverse human rights impacts resulting from environmental harms (hereinafter '[potential]  
163 adverse human rights and environmental impacts').

## 164 **WHY Carry Human Rights Due Diligence with an Environmental Perspective?**

165 There is a fast-increasing demand for human rights due diligence with an environmental  
166 perspective coming from a range of sources, including:

- 167 • **Governments and multi-governmental organizations** requiring businesses to  
168 prevent and address their (potential) adverse impacts on the environment *as well*  
169 *as* on human rights;

170 **Box B:** Examples of laws on mandatory human rights due diligence with an  
171 environmental perspective, applying within and in many instances beyond the borders of  
172 the countries adopted them

**Duty of Vigilance Law in France:** requires businesses to establish and implement an effective Vigilance Plan which should include reasonable vigilance measures to identify and prevent "severe violation of human rights [...] or environmental damage from the operations of the company and of the companies it controls, [...] as well as from the operations of the subcontractors or suppliers"

<sup>6</sup> UNWG on Business and Human Rights. Information Note on 'Climate Change and the Guiding Principles on Business and Human Rights', June 2023. [Link](#).

**Act on Corporate Due Diligence Obligations in Supply Chains in Germany:** requires businesses “to exercise due regard for the human rights and environment-related due diligence [...] in their supply chains”

**Responsible and Sustainable International Business Conduct Bill in the Netherlands:** requires businesses to “exercise due diligence in their value chains” to identify, prevent, mitigate, and refrain from activities which “may have negative impacts on human rights, labour rights, or the environment”

**Draft Bill on Human Rights and Environmental Protection for Sustainable Business Management in South Korea:** (at the time of writing) requires businesses to fulfill their responsibility to respect human rights by “establishing a corporate human rights and environmental due diligence implementation system”<sup>7</sup>

**Draft Corporate Sustainability Due Diligence Directive in the EU:** (at the time of writing) requires businesses to “take appropriate steps within their means to set up and carry out due diligence measures, with respect to their own operations, those of their subsidiaries, as well as their direct and indirect business relationships in their value chains” [...] “to identify and address adverse human rights and environmental impacts”<sup>8</sup>

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- **Law firms** and non-governmental organizations working with (potentially) affected rights-holders filing environmental lawsuits against businesses based on human rights grounds;

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177 **Box C:** Examples of human rights-based environmental litigation

**Milieudefensie et al. v. Royal Dutch Shell in the Netherlands** (pending at the time of writing): a case alleging Shell’s contributions to climate change violate its duty of care under Dutch law and human rights obligations

A court ordered Shell to comply with the Paris Agreement and reduce its carbon dioxide emissions by 45% from 2019 levels by 2030

**Comissão Pastoral da Terra and Notre Affaire à Tous v. BNP Paribas in France** (pending at the time of writing): a notice of intent by Comissão Pastoral da Terra and Notre Affaire à Tous to sue BNP Paribas alleging its financing of businesses are responsible for the deforestation of Amazon and violations of human rights

**Youth Verdict v. Waratah Coal in Australia** (pending at the time of writing): a case alleging Waratah Coal’s contribution to climate change infringes on the right to life, the protection of children, and the right to culture as protected by the Queensland Human Rights Act

A court recommended to the Minister for Natural Resources Mines and Energy and the Chief Executive of the Department of Environment and Science to reject the mining lease and environmental authority of Waratah Coal

<sup>7</sup> Bill Proposal 2124147 by Representative Jung Taeho. As of 1 September 2023. [Link](#).

<sup>8</sup> European Parliament. Corporate Sustainability Due Diligence P9\_TA(2023)0209. As of 1 June 2023. [Link](#).



**Wayúu Indigenous Community v. Ministry of Environment in Colombia** (pending at the time of writing): a case alleging the national environmental licensing process of Cerrejón Zona Norte Coal Mining Project failed to comply with environmental provisions and principles, violating the rights of the Wayúu Community and the general population to a healthy environment, health, and Free, Prior, and Informed Consent

**Friends of Nature, Shan Shui Conservation Centre, and Wild China Film v. China Hydropower Engineering Consulting Group in China** (decided): a case alleging the construction of hydropower on the Jiasa River would inundate the land upstream and immerse the last major habitat of green peafowl

A Court ordered China Hydropower Engineering Consulting Group to stop the work on the Jiasa hydropower station

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179 • **Investors**, including finance institutions, seeking evidence that businesses have  
180 identified and addressed human rights and environmental risks in line with  
181 sustainable investment strategies before granting various forms of investment;

182 • **Other businesses** carrying out human rights due diligence with an environmental  
183 perspective and having an advantage in placing their products or services over  
184 competitors;

185 • **Clients, end-users, and consumers** seeking evidence that businesses providing  
186 them with products or services do not expose them or others to (and their business  
187 model has not relied on) (potential) adverse human rights and environmental  
188 impacts;

189 • **Trade unions and (potential) employees** seeking evidence that their (potential)  
190 employer reflects their values related to human rights and the environment;

191 • **(Potentially) affected rights-holders**, community-based groups, and civil society  
192 organizations working with them seeking evidence of respect for human rights and  
193 the environment as a condition of businesses' 'social license' to operate.

194 **Box D:** Examples of an economic (in addition to moral and legal) case for businesses to  
195 carry out human rights due diligence with an environmental perspective<sup>9</sup>

- Sustain reliable and cost-effective access to environmental assets and ecosystem services the businesses depend on to function;
- Address financial risks, including systemic risks implicated by the triple planetary crisis;
- Improve risk management with fewer business disruptions, public campaigns, and criticism, litigation, reputational risks, and risks to employee retention and recruitment;

<sup>9</sup> Inspired by:

- TNFD. Recommendations, September 2023. [Link](#).
- Shift. A Guidance Tool for Companies 'Doing Business with Respect for Human Rights', Edition 2, 2016. [Link](#).



- Have more business opportunities with financiers, clients, end-users, and consumers and in the markets with mandatory human rights due diligence with an environmental perspective;
- Have greater access to capital through environmentally responsible investors;
- Obtain and maintain a ‘social license’ for a business to operate in an increasingly human rights- and environment-conscious society;
- Recruit and retain talent, particularly from youth, who are increasingly focused on employers’ human rights and environmental values and performance.

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197 **HOW to Carry Out Human Rights Due Diligence with an Environmental**  
 198 **Perspective?**

199 **OVERARCHING PRINCIPLES:**

200 • **Break down silos between functions related to human rights and the**  
 201 **environment within business:** to carry out human rights due diligence with an  
 202 environmental perspective, establish a platform for staff of functions related to  
 203 human rights and the environment for their regular and systematized collaboration  
 204 and mutual learning (e.g., through seating arrangements, cross-functional  
 205 workshops or sharing systems, incl. risk management systems, risk registers,  
 206 action plans, strategies) on the intersections between human rights and the  
 207 environment;

208 • **Prioritize (potentially) affected rights-holders for engagement across all the**  
 209 **essential components of human rights due diligence:** when engaging  
 210 stakeholders in a human rights due diligence cycle, prioritize (potentially) affected  
 211 rights-holders to identify and assess (potential) adverse human rights and  
 212 environmental impacts on them (See Essential Component 1), effectively track  
 213 performance indicators (See Essential Component 3), and communicate the  
 214 results of human rights due diligence to them with appropriate and accessible  
 215 content and formats (See Essential Component 4).

216 In addition, consider consulting (potentially) affected rights-hold during Essential  
 217 Component 2 of human rights due diligence, including to design effective and  
 218 rights-holders-centered actions to address (potential) adverse human rights and  
 219 environmental impacts, conduct assessments of the effectiveness of leverage  
 220 efforts, and make a decision on continuing or terminating business relationships  
 221 (See Essential Component 2);

222 • **Carry out human rights due diligence proactively and continuously:** as  
 223 compared to often time-bound and project-related environmental and social impact  
 224 assessments, carry out human rights due diligence on an ongoing basis (through  
 225 human rights due diligence cycles), recognizing that risks of being involved in  
 226 (potential) adverse human rights and environmental impacts may change over  
 227 time.

228 Carrying out human rights due diligence with an environmental perspective is necessary  
229 for *any* business to fulfill its responsibility to respect internationally recognized human  
230 rights, including the newly recognized right to a clean, healthy, and sustainable  
231 environment.

232 Regardless of the business' size, sector, location, ownership, or structure, its human  
233 rights due diligence with an environmental perspective should include all four essential  
234 components set out in the UNGPs:

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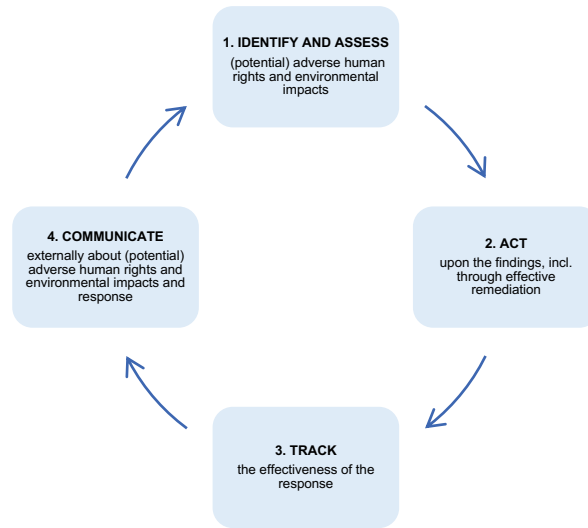
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250 However, the scale and complexity of this four-component process may vary according  
251 to the size of the business, as well as other characteristics (e.g., sector, location,  
252 ownership, or structure). The single most important factor in determining the process  
253 needed will be the severity (See Guidance Point 2.1) of the business' (potential) human  
254 rights and environmental impacts.<sup>10</sup>

255 To carry out human rights due diligence with an environmental perspective, businesses  
256 should consider 18 steps adjusted according to their size and other characteristics while  
257 drawing on internal expertise from different functions and/or external expertise.

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<sup>10</sup> OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).

258 **Box E:** Recommended steps of human rights due diligence with an environmental perspective

<b>Component</b>	<b>Any Business</b>		<b>Some Suggestions Specific to Small and Medium-Sized Enterprises (SMEs)<sup>11</sup></b>
	<b>Internal or External Expertise</b>	<b>Recommended Steps</b>	<b>Overall Recommendation:</b> Consider seeking advice and support in carrying out all four steps of human rights due diligence with an environmental perspective from larger businesses you have relationships with and/or business associations, civil society organizations, trade unions

<sup>11</sup> Inspired by:

- UNWG on Business and Human Rights. Report A/HRC/35/32 'Opportunities for Small and Medium-Sized Enterprises in the Implementation of the UNGPs', 24 April 2017. [Link](#).
- European Commission. A Guide to Human Rights for Small and Medium-Sized Enterprises 'My Business and Human Rights', 2013. [Link](#).
- Shift. A Guidance Tool for Companies 'Doing Business with Respect for Human Rights', Edition 2, 2016. [Link](#).

<h2 style="margin: 0;">1 'Identify and Assess'</h2>	<p><b>Related to:</b> procurement, sales, marketing, human rights, environment, risk management, compliance, and stakeholder engagement</p>	<ol style="list-style-type: none"> <li>1.1 Outline your business' value chain (own activities, upstream and downstream value chain actors)</li> <li>1.2 Map the geographic locations of your business' own activities and the value chain with key spatial data layers related to pollution, climate change, and biodiversity loss</li> <li>1.3 Identify and add to the map all rights-holders whose lives and livelihoods are dependent on land, water, air, climate, and biodiversity, as well as entitled to lands, territories, and resources, and therefore, are (potentially) adversely affected by your business' own activities and the value chain</li> <li>1.4 Using the map, identify your business' (potential) adverse impacts</li> <li>1.5 Engage identified (potentially) affected rights-holders and other stakeholders working with them to complement scientific spatial data with their lived experiences and finalize the list of your business' (potential) adverse impacts</li> <li>1.6 Revisit your business' (potential) adverse impacts on an ongoing basis, especially <i>before</i> key moments in your business' own activities and the value chain</li> </ol>	<p><b>Focus on one particular product or service:</b> consider undertaking the recommended steps with a focus on a set of (potential) adverse human rights and environmental impacts associated with only one particular product or service that your business provides. In subsequent human rights due diligence cycles, your business may identify and assess (potential) adverse impacts associated with additional products or services</p> <p><b>Benefit from other sources:</b> consider using sector- or issue-specific government or other stakeholders' initiatives that can help provide information to assist your business in identifying (potential) human rights and environmental impacts in a particular country or in a particular sector</p>
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<p>2 'Act'</p>	<p>Related to: human rights, environment, compliance</p>	<p>2.1 If impossible to address all the identified (potential) adverse impacts at the same time, prioritize salient issues based on their severity</p> <p>2.2 Identify the way of your business' involvement in each (potential) adverse impact: causation, contribution, or direct linkage</p> <p>2.3 Identify appropriate actions to respond according to the way of your business' involvement in each (potential) adverse impact, incl. by using mitigation and conservation hierarchies for preventing and addressing your business' (potential) adverse environmental impacts and ensuring both human rights and environmental remediation for actual adverse human rights and environmental impacts</p> <p>2.4 Consolidate the identified appropriate actions in a stand-alone Action Plan</p> <p>2.5 In situations of 'contribution' and 'direct linkage' to (potential) adverse impacts through other actors, use and increase leverage to seek to prevent and address them and influence actors' overall practices</p> <p>2.6 If unsuccessful with using and increasing leverage, consider whether and how to continue or terminate relationships with actors in the best interest of (potentially) affected rights-holders</p>	<p><b>Focus on one salient issue:</b> consider prioritizing one salient issue (the most severe [potential] adverse impact) for your business' response. In subsequent human rights due diligence cycles, your business may prioritize additional salient issues</p> <p><b>Start with informal internal response:</b> consider starting with informal, internal actions to respond to the prioritized salient issue, e.g., steps aimed at changing attitudes among staff and making clear that certain behaviours and practices are not accepted in your business' culture</p> <p><b>Team up with others:</b> In situation of 'direct linkage' to (potential) adverse impacts through another SME, use and increase leverage to prevent and address them and influence its overall practices. If (potential) adverse impacts are directly linked to your business' operations or particular product and service through a business larger in size, consider teaming up with other stakeholders, e.g., business associations, trade unions, government, suppliers, or customers, to try to use leverage</p>
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<p style="text-align: center;"><b>3 'Track'</b></p>	<p><b>Related to:</b> human rights, environment, sales, compliance, procurement, marketing, audit</p>	<p>3.1 Develop business-specific and decision-useful performance indicators, combining quantitative (scientific) indicators with qualitative indicators on lived experiences of (potentially) affected rights-holders</p> <p>3.2 Support your business' value chain actors, particularly those with whom your business delayed terminating relationship with, with 'non-audit' tracking of their performance</p> <p>3.3 Ensure the veracity and credibility of collected indicator-based data, undertake internal and/or external independent verification</p>	<p><b>Start with fewer indicators and smaller-sale data collection:</b> consider developing and tracking at least four indicators (1 – incident, 2 – structure, 3 – process, and 4 – outcome) to ensure effectiveness of your response, formal or informal, to the prioritized salient issue and using smaller-scale methods to collect indicator-based data, e.g. staff performance reviews and surveys</p> <p>In subsequent human rights due diligence cycles, your business may develop and track additional indicators for its response to the prioritized salient issue or additional salient issues</p>
<p style="text-align: center;"><b>4 'Communicate'</b></p>	<p><b>Related to:</b> human rights, environment, communications, stakeholder engagement, compliance</p>	<p>4.1 To prepare to communicate externally about your business' (potential) adverse impacts and performance on preventing and addressing them, compile a minimum threshold of information across 10 areas</p> <p>4.2 Tailor content and formats of the minimum threshold of information to diverse groups of (potentially) affected rights-holders, as the primary target audience</p> <p>4.3 Prepare a formal report that meets the minimum threshold of information, showcasing ongoing improvement and being transparent on where there is no improvement</p>	<p><b>Respond to the guiding questions:</b> consider answering as many guiding questions for a minimum threshold of information as possible. In subsequent human rights due diligence cycles, your business may communicate on additional prioritized salient issues and/or iteratively answer more of the guiding questions</p> <p><b>Focus on communicating, not necessarily reporting:</b> consider focusing on informal communications, e.g., with staff, suppliers, or customers, over formal reporting</p> <p><b>Use other communications opportunities:</b> consider including information on your business' human rights due diligence in other communications, e.g., annual reports, consumer communications, incl. on social media, or during clients'/consumers' visits</p>

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## HOW TO READ THIS GUIDE

261 The Guide is designed as a sector-agnostic introduction to human rights due diligence  
262 that applies an environmental perspective based on practical advice, experiences, and  
263 insights.

264 It is recommended to read the main text of the Guidance Points across the four  
265 essential components in full for concise step-by-step guidance. The Boxes are  
266 secondary and provide in-depth examples for readers wanting a further introduction to  
267 the nuances of human rights due diligence in the context of the triple planetary crisis  
268 of pollution, climate change, and biodiversity loss.

269 Where applicable, it is also recommended that staff in functions related to human  
270 rights and the environment within businesses read the Guide together.

271 The terms highlighted in **green** are defined in the Glossary in Annex 2.

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273 For more in-depth guidance on human rights due diligence, please refer to the [OHCHR](#)  
274 [Interpretive Guide 'The Corporate Responsibility to Respect Human Rights'](#).



## 275 HUMAN RIGHTS DUE DILIGENCE WITH AN ENVIRONMENTAL PERSPECTIVE

### 276 ESSENTIAL COMPONENT 1 'IDENTIFY AND ASSESS'

277 Identify and assess business' (potential) adverse impacts that (1) cause or worsen air,  
278 land, and water pollution, climate change, and biodiversity loss and (2) remove or  
279 reduce the ability of individual persons, groups, and peoples to exercise and enjoy  
280 their human rights.

#### 281 PRINCIPLES:

- 282 1. **Focus on risks to people and the planet:** shift from 'traditional' business due  
283 diligence solely on risks to the business and identify and assess risks of  
284 adverse human rights and the environment impacts by the business;
- 285 2. **Identify and assess (potential) adverse human rights and environmental**  
286 **impacts throughout business relationships:** expand the scope of the impact  
287 assessment exercise to business relationships at all levels of the value chain  
288 appropriate to the prioritization conducted (See Guidance Point 1.4);
- 289 3. **Identify and assess (potential) adverse environmental impacts regardless**  
290 **of whether there is an immediate or obvious effect on human rights:** as  
291 environmental impacts can accumulate or have delayed adverse impacts over  
292 time, identify and assess (potential) adverse environmental impacts with no  
293 obvious or immediate effect on human rights;
- 294 4. **Identify and assess longer-term (potential) adverse human rights and**  
295 **environmental impacts:** to respect the human rights of future generations,  
296 look beyond the 'traditional' business planning cycle, and identify and assess  
297 not only short-term (e.g., 1-3 years) (potential) adverse human rights and  
298 environmental impacts but also longer-term (e.g., by 2030 or 2050).

#### 299 PROCESSES:

##### 300 **Guidance Point 1.1:** Value chain

301 Drawing on internal inputs from different business functions (e.g., procurement, sales,  
302 and marketing) and external inputs from upstream and downstream actors (e.g.,  
303 suppliers, logistics, and customers) or intermediaries who deal with them (e.g.  
304 distributors, brokers, and wholesalers), create a complete value chain outline that  
305 includes:

- 306 • Categories of activities owned or controlled by your business;
- 307 • Categories of activities of actors with both a direct and indirect relationship that  
308 contribute to the business' own operations, products, or services, and those  
309 that receive, license, buy, or use products or services from the business;
- 310 • A list of purchased products or services and a list of sold products or services;
- 311 • A list of value chain actors (either by name, type, or spend category).<sup>12</sup>

312 **Box 1:** Examples of categories\* of business' own activities and activities of value chain  
313 actors

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<sup>12</sup> Inspired by: Greenhouse Gas Protocol. Corporate Value Chain Accounting and Reporting Standard, September 2011. [Link](#).

314 \* Some categories may not be applicable to all businesses.

	<b>Actors in the Upstream Value Chain</b> (Purchased or acquired products or services)	<b>Business' Own Activities</b> (Owned or controlled by the business)	<b>Actors in the Downstream Value Chain</b> (Sold products or services)
<b>Products</b>	<p>Actors involved in:</p> <ul style="list-style-type: none"> <li>Extraction of raw material for purchased or acquired products</li> <li>Transportation of purchased or acquired products for inbound and outbound logistics, and between business' own facilities (in vehicles not owned or controlled by a business)</li> <li>Warehousing for inventory and finished purchased or acquired products storage (in facilities not owned or controlled by a business)</li> <li>Manufacturing and production of purchased or acquired products (in facilities not owned or controlled by a business)</li> <li>Management of waste generated by a business, including its disposal and recovery (in facilities not owned or controlled by a business)</li> </ul>	<p>Owned or controlled:</p> <ul style="list-style-type: none"> <li>Extraction, production, warehousing, and storage (in facilities owned or controlled by a business)</li> <li>Transportation and distribution (in vehicles owned or controlled by a business)</li> <li>Management of waste generated by a business, including its disposal and recovery (in facilities owned or controlled by a business)</li> </ul>	<p>Actors involved in:</p> <ul style="list-style-type: none"> <li>Transportation, distribution, warehousing, and storage of sold products (in vehicles and facilities not owned or controlled by a business)</li> <li>Processing of sold products</li> <li>End-use of sold products</li> <li>Management of waste of sold products at the end of their life, including their disposal and recovery (in facilities not owned or controlled by a business)</li> </ul>
<b>Services</b>	<p>Actors involved in:</p> <ul style="list-style-type: none"> <li>Provision of purchased or acquired services, incl. financing, insurance, leasing, franchising, marketing</li> </ul>	<p>Own or controlled services, incl. financing, insurance, leasing, franchising, marketing</p>	<p>Actors involved in:</p> <ul style="list-style-type: none"> <li>Processing and end-use of sold services, incl. financing, insurance, leasing, franchising, marketing</li> </ul>

315

316 **Guidance Point 1.2:** Geographical locations

317 To inform the identification and assessment of where your business has (potential)  
 318 adverse human rights and environmental impacts, map the geographical locations of  
 319 your business' own activities and activities in the value chain.

320 Drawing on internal and/or external environmental expertise and existing science-  
 321 based spatial data tools, add to the map key spatial data layers related to land, water,  
 322 air, climate, and biodiversity to understand which geographical locations are already  
 323 impacted by adverse environmental impacts (e.g., pre-existing air pollution) and  
 324 whether your business is (potentially) causing or worsening these adverse impacts.

325 **Box 2:** Examples of spatial data layers and tools<sup>13</sup> to assess the state of the  
 326 environment in geographical locations of business' own activities and the value chain

	<b>Spatial Data Layer</b>	<b>Tool</b>
<b>Land Pollution</b>	<ul style="list-style-type: none"> <li>• Land productivity</li> <li>• Cropping intensity</li> <li>• Soil quality</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">UN Biodiversity Lab</a> (UNDP, UNEP, UNEP-WCMC, CBD Secretariat)</li> <li>• <a href="#">Global Soil Database</a> (FAO)</li> </ul>
<b>Water Pollution</b>	<ul style="list-style-type: none"> <li>• Water stress</li> <li>• Groundwater decline</li> <li>• Ecologically and biologically significant marine areas</li> <li>• Total fishing hours</li> <li>• Coral reef connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">UN Biodiversity Lab</a> (UNDP, UNEP, UNEP-WCMC, CBD Secretariat)</li> </ul>
<b>Air Pollution</b>	<ul style="list-style-type: none"> <li>• Air quality (Aerosol, CO, dust, NHO<sub>3</sub>, N<sub>2</sub>O, SO<sub>2</sub>)</li> <li>• Forest connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Air Quality Earth Data</a> (NASA)</li> <li>• <a href="#">Air Pollution Interactive Map</a> (UNEP)</li> <li>• <a href="#">Air Quality Map</a> (IQAir)</li> <li>• <a href="#">UN Biodiversity Lab</a> (UNDP, UNEP, UNEP-WCMC, CBD Secretariat)</li> </ul>
<b>Climate Change</b>	<ul style="list-style-type: none"> <li>• Fossil fuel energy and materials</li> <li>• Greenhouse gas emissions</li> <li>• Sea level change</li> <li>• Sea surface temperature (anomaly)</li> <li>• Disasters (floods, extreme heat)</li> <li>• Coral reef connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Emissions Map</a> (Climate Trace)</li> <li>• <a href="#">Sea Level Rise Map</a> (1993-2019) (Copernicus Marine Service)</li> <li>• <a href="#">Sea Surface Temperature (Anomaly) Maps</a> (NASA)</li> <li>• <a href="#">Natural Hazards Map</a> (FM Global)</li> <li>• <a href="#">Land Surface Temperature (Anomaly) Maps</a> (NASA)</li> <li>• <a href="#">UN Biodiversity Lab</a> (UNDP, UNEP, UNEP-WCMC, CBD Secretariat)</li> </ul>
<b>Biodiversity Loss</b>	<ul style="list-style-type: none"> <li>• Ecosystem type</li> <li>• Ecosystem integrity</li> <li>• Ecosystem change</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Global Ecosystem Typology</a> (IUCN)</li> <li>• <a href="#">Global Map of Ecoregions</a> (Resolve)</li> </ul>

<sup>13</sup> More nature-related spatial data tools are catalogued by the TNFD: [Link](#).

	<ul style="list-style-type: none"> <li>• Ecosystem importance (critical habitat, ecologically or biologically significant areas, protected areas, conservation areas)</li> <li>• Wildlife corridors</li> <li>• Distribution of rare/endangered species</li> <li>• Ecologically and biologically significant marine areas</li> <li>• Coral reef connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Integrated Biodiversity Assessment Tool</a> (Birdlife, Conservation International, IUCN, UNEP-WCMC)</li> <li>• <a href="#">Critical Habitat Screening Layer</a> (UNEP-WCMC)</li> <li>• <a href="#">Ocean+</a> (GEO BON, UNEP-WCMC)</li> <li>• <a href="#">UN Biodiversity Lab</a> (UNDP, UNEP, UNEP-WCMC, CBD Secretariat)</li> <li>• <a href="#">Global Forest Watch</a> (World Resources Institute)</li> <li>• <a href="#">Earth</a> (Conservation International)</li> <li>• <a href="#">Resource Watch</a> (World Resources Institute)</li> </ul>
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327

328 **Guidance Point 1.3:** (Potentially) affected rights-holders

329 Drawing on internal and/or external human rights and stakeholder engagement  
330 expertise, including local experts, civil society organizations, trade unions, and  
331 community-based groups, add to the map rights-holders\* whose lives and livelihoods  
332 depend on the land, water, air (e.g., being and/or working outside), climate (e.g.,  
333 being/working outside or inside with no cooling systems), and biodiversity, as well  
334 those who are entitled to the lands, territories, and resources (with or without official  
335 titles), in the geographical locations of your business' own activities and the value  
336 chain, and, therefore, are (potentially) affected:

- 337 • Recognizing that ecosystems and climate are transboundary, do not limit the  
338 list of (potentially) affected rights-holders with country borders;
- 339 • Recognizing that business activities can accumulate or have delayed (potential)  
340 adverse impacts over time, do not limit the list of (potentially) affected rights-  
341 holders to adults and the present generations;
- 342 • Recognizing that clients, end-users, and consumers are also rights-holders  
343 dependent on ecosystems and climate, consider them in the mapping process;
- 344 • Focus on those (potentially) affected rights-holders at heightened risk of  
345 vulnerability and marginalization, taking into account intersecting identities;
- 346 • Recognizing that men, boys, women, girls, gender-diverse, and transgender  
347 people are (potentially) affected by adverse human rights and environmental  
348 impacts differently, apply a gender-balanced approach to the mapping process.

349 \* The absence of knowledge and/or lack of information confirming the existence of  
350 rights-holders dependent on ecosystems and climate and entitled to the lands,  
351 territories, and resources in the geographical locations of your business' own activities  
352 and the value chain should not be taken as evidence of the absence of rights-holders  
353 (potentially) affected by your business' adverse human rights and environmental  
354 impacts.

355 **Box 3:** Examples of rights-holders dependent on land, water, air, climate, and  
 356 biodiversity and entitled to lands, territories, and resources (potentially) affected by  
 357 business' own activities and the value chain

	<b>(Potentially) Affected Rights-Holders</b>	<b>Most Vulnerable and Marginalized (Potentially) Affected Rights-Holders</b> (in a specific context)
<b>Land Pollution<sup>14</sup></b>	Traditional households, farmers, people living in close proximity to landfills/dumpsites, forcibly displaced persons, workers in waste management, tourism workers and operators, agricultural products consumers, environmental human rights defenders, future generations	Indigenous Peoples, people of African descent, subsistence farmers, children, incl. infants, young children, and adolescents, (pregnant) women, gender-diverse and transgender people, informal workers, people in poverty
<b>Water Pollution<sup>15</sup></b>	Traditional households, fisherpersons, farmers, people living in close proximity to landfills/dumpsites, forcibly displaced persons, workers in waste management, tourism workers and operators, consumers of fishery and aquaculture products, environmental human rights defenders, future generations	Indigenous Peoples, people of African descent, subsistence fisherpersons, subsistence farmers, children, incl. infants, young children, and adolescents, (pregnant) women, gender-diverse, and transgender people, informal workers, people in poverty
<b>Air Pollution<sup>16</sup></b>	Workers/farmers working outside, traditional households, people living in close proximity to landfills/dumpsites, forcibly displaced persons, tourism workers and operators, students, environmental human rights defenders, future generations	Indigenous Peoples, people of African descent, subsistence farmers, children, incl. infants, young children, and adolescents, older persons, (pregnant) women, gender-diverse, and transgender people, informal workers, people in poverty, people with chronic health conditions, persons with disabilities
<b>Climate Change<sup>17</sup></b>	Traditional households, incl. those depending on the stranded assets, fisherpersons, farmers, people living in low-lying areas, coastlines, areas prone to severe storms, in close proximity to large infrastructure and permafrost, forcibly displaced persons, high-carbon jobs workers, workers working outside and inside with no cooling systems, tourism workers and operators,	Indigenous Peoples, people of African descent, subsistence fisherpersons, subsistence farmers, children, incl. infants, young children, and adolescents, older persons, (pregnant) women, gender-diverse, and transgender people, informal workers, people in poverty, persons with chronic health conditions, persons with disabilities

<sup>14</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/HRC/49/53 'Non-Toxic Environment to Live, Work, Study and Play', 12 January 2022. [Link](#).

<sup>15</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/HRC/46/28 'Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity, and Water-Related Disasters', 19 January 2021. [Link](#).

<sup>16</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/HRC/40/55 'Clean Air and the Right to a Healthy and Sustainable Environment', 8 January 2019. [Link](#).

<sup>17</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/74/161 'Safe Climate', 15 July 2019. [Link](#).

	environmental human rights defenders, future generations	
<b>Biodiversity Loss<sup>18</sup></b>	Traditional households, fisherpersons, farmers, people living in close proximity to landfills/dumpsites, forcibly displaced persons, tourism workers and operators, environmental human rights defenders, future generations	Indigenous Peoples, people of African descent, subsistence fisherpersons, subsistence farmers, (pregnant) women, gender-diverse, and transgender people, informal workers, people in poverty

358

359 **Guidance Point 1.4:** (Potential) adverse impacts

360 Drawing on internal and/or external human rights, environmental, risk management,  
 361 and compliance expertise and using the map (See Guidance Points 1.2-1.3), identify  
 362 your business' (potential) adverse impacts on land, water, air, climate, and biodiversity,  
 363 and human rights by:

- 364 1. Listing adverse impact drivers (potentially) resulting from your business' own  
 365 activities and the value chain; and
- 366 2. Connecting each impact driver with (potential) adverse impacts on rights-  
 367 holders and their human rights.

368 If your business has vast numbers of value chain actors and needs to prioritize  
 369 individual relationships for the impact assessment exercise and other essential  
 370 components of human rights due diligence, select and focus on general areas where  
 371 the severity of (potential) adverse human rights and environmental impacts is high  
 372 (See Guidance Point 2.1), for example, due to:

- 373 • Geographical location/operating context of actors;
- 374 • Track record, management capacities, and sophistication of systems and  
 375 processes of actors;
- 376 • Nature of actors' activities and whether they are associated with a particular set  
 377 of common adverse human rights and environmental impacts.<sup>19</sup>

<sup>18</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/75/161 'A Healthy Biosphere and the Right to a Healthy Environment', 15 July 2020. [Link](#).

<sup>19</sup> OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).



378 **Box 4:** Examples of linkages between (potential) adverse impact drivers, (potential) adverse impacts on rights-holders, and (potential)  
 379 adverse impacts on their human rights\*

380 \* The list of (potential) adverse impacts on human rights is not meant to be exhaustive. A broader spectrum of human rights may be impacted by each impact  
 381 driver, highlighting the necessity for a contextualized and nuanced approach in the impact assessment exercise.  
 382

	Impact Drivers	Impacts on Rights-Holders	Impacts on Human Rights
<b>Land Pollution<sup>20</sup></b>	<p><b>[Point-source pollution]</b> Waste and wastewater disposal, incl. (post-consumer) plastics and micro-plastics, disposal of sewage sludge, excessive application of agro-chemicals, spills of many types</p> <p><b>[Diffuse pollution]</b> Waste disposal, incl. (post-consumer) plastics and micro-plastics, and contaminated effluents released in and near catchments, land application of sewage sludge, application of agro-chemicals with heavy metals, persistent organic pollutants, excess nutrients and agro-chemicals transported downstream by surface runoff, floods, atmospheric transports and deposition, soil erosion, nuclear power activities</p>	<p>Lack and degradation of (agricultural) land, crop loss, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality, infertility, miscarriage, and birth defects, disruption of education, loss of cultural and spiritual heritage, migration</p> <p>Intimidation and reprisals against environmental human rights defenders</p>	<p><b>Right to a clean, healthy, and sustainable environment</b></p> <p><b>Rights to:</b> life, health, work, an adequate standard of living (incl. food and adequate housing), family, education, culture, residence</p> <p><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</p> <p><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</p>
<b>Water Pollution<sup>21</sup></b>	<p><b>[Point-source pollution]</b> Waste and wastewater disposal, incl. (post-consumer) plastics and micro-plastics, disposal of sewage sludge, excessive application of agro-chemicals, spills of many types</p> <p><b>[Diffuse pollution]</b> Waste disposal, incl. (post-consumer) plastics and micro-plastics, and contaminated effluents released in and near catchments,</p>	<p>Lack of clean water, crop loss, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality, infertility, miscarriage, and birth defects, disruption of education, loss of cultural and spiritual heritage, migration</p> <p>Intimidation and reprisals against environmental human rights defenders</p>	<p><b>Right to a clean, healthy, and sustainable environment</b></p> <p><b>Rights to:</b> life, health, water, work, an adequate standard of living (incl. food and adequate housing), family, education, culture, residence</p>

<sup>20</sup> Inspired by: FAO. Soil Pollution: A Hidden Reality, 2018. [Link](#).

<sup>21</sup> Inspired by: OECD. Diffuse Pollution, Degraded Waters: Emerging Policy Solutions, 2017. [Link](#).



	application of agro-chemicals with heavy metals, excess nutrients and agro-chemicals transported downstream by surface runoff, floods, warm water outlets, nuclear power activities		<p><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</p> <p><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</p>
<b>Air Pollution<sup>22</sup></b>	Burning of fossil fuels in electricity generation, material production, and transportation, emissions from industrial activities, solvent use, ammonia and methane emissions from livestock and agro-chemicals, burning of traditional biomass (e.g., wood, crop waste, and dung) and (post-consumer) plastics, waste management, unsustainable land management and water use resulting in sand and dust storms	<p>Loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality, infertility, miscarriage, and birth defects, disruption of education, loss of cultural and spiritual heritage, migration</p> <p>Intimidation and reprisals against environmental human rights defenders</p>	<p><b>Right to a clean, healthy, and sustainable environment</b></p> <p><b>Rights to:</b> life, health, work, an adequate standard of living (incl. food and adequate housing), family, education, culture, residence</p> <p><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</p> <p><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</p>
<b>Climate Change</b>	<p><b>[Physical impacts]</b> Generating greenhouse gases or destroying carbon sinks that absorb greenhouse gases (e.g., conversion of forests into agricultural land), scientifically proven to contribute to further global warming resulting in:</p> <ul style="list-style-type: none"> <li>• Sea level rise (<i>floods, sea surges, erosion, salinization of land and water</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of clean water, loss and degradation of (agricultural) land, crop loss, loss of (traditional) food sources and livelihoods, injuries, diseases, disorders, and mortality, damage to infrastructure and properties, (gender-based) violence, disruption of education, loss of cultural and spiritual heritage, enforced eviction, migration</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> life, health, water, work, an adequate standard of living (incl. food and adequate housing), security of the person, education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> </ul>

<sup>22</sup> Inspired by: World Bank. Air Pollution and Climate Change: From Co-Benefits to Coherent Policies, 2022. [Link](#).

		<ul style="list-style-type: none"> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Increasing temperature (<i>droughts, heatwaves</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Crop loss, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality, disruption of education, migration</li> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> life, health, work, an adequate standard of living (incl. food and adequate housing), education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Climate-related disasters (<i>tropical cyclones, storm surges, droughts, heatwaves, floods</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of clean water and water supply, loss and degradation of (agricultural) land, loss of (traditional) food sources and livelihoods, injuries, diseases, disorders, and mortality, damage to infrastructure and properties, (gender-based) violence, disruption of education, loss of cultural and spiritual heritage, enforced eviction, migration</li> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> life, health, water, work, an adequate standard of living (incl. food and adequate housing), security of the person, education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Changes in precipitation (<i>change in disease vectors, erosion, impact on fisheries</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of clean water and water supply, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality,</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> life, health, water, work, an adequate standard of living (incl.</li> </ul>

		<p>loss of cultural and spiritual heritage, migration</p> <ul style="list-style-type: none"> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<p>food and adequate housing), culture, residence</p> <ul style="list-style-type: none"> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Desertification (<i>erosion, water stress</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of clean water and water supply, lack and degradation of (agricultural) land, crop loss, loss of (traditional) food sources and livelihoods, diseases, disorders, and mortality, disruption of education, migration</li> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> health, water, an adequate standard of living (incl. food and adequate housing), education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Ocean acidification (<i>coral bleaching, impact on fisheries</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, diseases, disorders, and mortality, disruption of education, migration</li> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> health, an adequate standard of living (incl. food and adequate housing), education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>

	<ul style="list-style-type: none"> <li>Land and forest degradation (<i>change in disease vectors, erosion, floods</i>)</li> </ul>	<ul style="list-style-type: none"> <li>Lack of clean water, lack and degradation of (agricultural) land, crop loss, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, injuries, diseases, disorders, and mortality, damage to infrastructure and properties, (gender-based) violence, disruption of education, loss of cultural and spiritual heritage, enforced eviction, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> life, health, water, work, an adequate standard of living (incl. food and adequate housing), security of the person, education, culture, residence</li> <li><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>Glacial retreat (<i>floods, reduced runoff, and river flows</i>)<sup>23</sup></li> </ul>	<ul style="list-style-type: none"> <li>Lack of clean water and water supply, loss of (traditional) food sources and livelihoods, injuries, diseases, disorders, and mortality, damage to infrastructure and properties, (gender-based) violence, disruption of education, loss of cultural and spiritual heritage, enforced eviction, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> life, health, water, work, an adequate standard of living (incl. food and adequate housing), security of the person, education, culture, residence</li> <li><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources</li> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<p><b>[(Mal)adaptation impacts]</b> Failing to take action to adapt to climate change or taking action to adapt the business' activities to climate change with (potential) adverse</p>		

<sup>23</sup> Inspired by: La Rutadel Clima. Response to the Call for Inputs 'Climate Change and Human Rights' by the UN Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change, 2019.

	impacts on rights-holders and their human rights:		
	<ul style="list-style-type: none"> <li>Building/strengthening infrastructure to protect own assets (<i>increased vulnerability to climate-related disasters of the surrounding communities</i>)</li> </ul>	<ul style="list-style-type: none"> <li>Lack of clean water and water supply, lack and degradation of (agricultural) land, injuries, diseases, disorders, and mortality, damage to infrastructure and properties, (gender-based) violence, disruption of education, loss of cultural and spiritual heritage, enforced eviction, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> life, health, water, an adequate standard of living (incl. food and adequate housing), security of the person, education, culture, residence</li> <li><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</li> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>Building new infrastructure (e.g., irrigation, dams) to continue water-intensive business activities against drought conditions</li> </ul>	<ul style="list-style-type: none"> <li>Lack of water supply, crop loss, disruption of education, enforced eviction, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> health, water, an adequate standard of living (incl. food and adequate housing), education, culture, residence</li> <li><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</li> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
<ul style="list-style-type: none"> <li>Failing to adequately protect workers working in increasing temperature</li> </ul>	<ul style="list-style-type: none"> <li>Unsafe working conditions, diseases, disorders, and mortality, migration</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> life, health, just and favourable conditions of work, social security, an adequate</li> </ul>	

		<ul style="list-style-type: none"> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<p>standard of living (incl. adequate housing), residence</p> <ul style="list-style-type: none"> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>Failing to prevent storages against (permafrost) melting</li> </ul>	<ul style="list-style-type: none"> <li>See (potential) adverse impacts associated with land, water, and air pollution</li> </ul>	
	<ul style="list-style-type: none"> <li>Failing to reinforce large infrastructure (e.g., tailings dams) against climate-related disasters<sup>24</sup></li> </ul>	<ul style="list-style-type: none"> <li>See (potential) adverse impacts associated with climate-related disasters</li> </ul>	
	<b>[Transition impacts]</b> Moving to a green economy, resulting in:		
	<ul style="list-style-type: none"> <li>Restructuring of the workforce</li> </ul>	<ul style="list-style-type: none"> <li>Loss of jobs and/or replacement with lower-quality jobs, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Rights to:</b> work, an adequate standard of living, residence</li> <li><b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>Stranded assets, discharging pollutants into land and watercourses (e.g., mines)</li> </ul>	<ul style="list-style-type: none"> <li>See (potential) adverse impacts associated with land, water, and air pollution</li> </ul>	
	<ul style="list-style-type: none"> <li>Increased demand for water-intensive lithium</li> </ul>	<ul style="list-style-type: none"> <li>Child labour, exploitation, unsafe working conditions, lack of clean water, lack and degradation of (agricultural) land, disruption of education, migration</li> <li>Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li><b>Right to a clean, healthy, and sustainable environment</b></li> <li><b>Rights to:</b> freedom from slavery, work, just and favourable conditions of work, social security, an adequate standard of living (incl. food and adequate housing), health, water, education, culture, residence</li> <li><b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</li> </ul>

<sup>24</sup> Inspired by: UNEP. Too Little, Too Slow – Climate Adaptation Failure Puts World at Risk, December 2022. [Link](#).

			<ul style="list-style-type: none"> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Increased demand for cobalt mining of which produces hazardous waste and toxic tailings</li> </ul>	<ul style="list-style-type: none"> <li>• See (potential) adverse impacts associated with land, water, and air pollution</li> </ul>	
	<ul style="list-style-type: none"> <li>• Increased demand for electricity-intensive aluminum</li> </ul>	<ul style="list-style-type: none"> <li>• See (potential) adverse impacts associated with physical impacts of climate change</li> </ul>	
	<ul style="list-style-type: none"> <li>• Increased demand for land<sup>25</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Loss of cultural and spiritual heritage, enforced eviction, migration, conflicts over (agricultural) land, loss of (traditional) food sources and livelihoods, disruption of education</li> <li>• Intimidation and reprisals against environmental human rights defenders</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> culture, residence, security of the person, work, an adequate standard of living (incl. food and adequate housing), education</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<ul style="list-style-type: none"> <li>• Battery waste management, including disposal and recovery</li> </ul>	<ul style="list-style-type: none"> <li>• See (potential) adverse impacts associated with land, water, and air pollution</li> </ul>	
<b>Biodiversity Loss<sup>26</sup></b>	<b>[Physical impacts]</b> Conversion of natural ecosystems, urban areas, and infrastructure projects, conversion of complex diverse ecosystems into monocultures, industrial overexploitation	Loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, increased exposure to pollutants and pathogens, increased vulnerability to climate-related disasters, diseases,	<ul style="list-style-type: none"> <li>• <b>Right to a clean, healthy, and sustainable environment</b></li> <li>• <b>Rights to:</b> life, health, water, work, an adequate standard of living (incl.</li> </ul>

<sup>25</sup> Inspired by:

- ILO. Guidelines for a Just Transition towards Environmentally Sustainable Economies and Societies for All, 2015. [Link](#).
- UNCTAD. A Global Just Transition – Climate and Development Goals in a World of Extreme Inequalities, 2022. [Link](#).

<sup>26</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/75/161 'A Healthy Biosphere and the Right to a Healthy Environment', 15 July 2020. [Link](#).



	<p>(overhunting, overharvesting), introduction of alien invasive species, pest control, land, water, and air pollution, incl. with (post-consumer) plastics and micro-plastics</p>	<p>disorders, and mortality, infertility, miscarriage, and birth defects, disruption of education, loss of cultural and spiritual heritage, migration</p> <p>Intimidation and reprisals against environmental human rights defenders</p>	<p>food and adequate housing), family, education, culture, residence</p> <ul style="list-style-type: none"> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, Free, Prior, and Informed Consent</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>
	<p><b>[Impacts associated with utilization of genetic and biological resources]</b>  Unauthorized appropriation of genetic and biological resources and traditional knowledge, innovation, and practice<sup>27</sup></p>	<p>Lack of access to fair and equitable shared benefits, abuse of intellectual property of Indigenous Peoples, loss of (traditional) food sources and livelihoods, loss of traditional medicine sources, disruption of education, migration</p> <p>Intimidation and reprisals against environmental human rights defenders</p>	<ul style="list-style-type: none"> <li>• <b>Rights to:</b> development, health, an adequate standard of living (incl. food and adequate housing), education, culture, residence</li> <li>• <b>Specific rights of Indigenous Peoples to:</b> lands, territories, and resources, intellectual property over traditional knowledge, Free, Prior, and Informed Consent</li> <li>• <b>Rights of:</b> freedom of opinion and expression, freedom of peaceful assembly</li> </ul>

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384

<sup>27</sup> Inspired by: UN. Nagoya Protocol on Access and Benefit-Sharing, 2011. [Link](#).

385 **Guidance Point 1.5:** Rights-holder engagement

386 Drawing on internal and/or external human rights and stakeholder engagement  
387 expertise, including local experts, civil society organizations, trade unions, and  
388 community-based groups, conduct effective two-way consultations directly with the  
389 mapped rights-holders (See Guidance Point 1.3) or their legitimate representatives to:

- 390 1. Understand rights-holders' perspective on what constitutes (potential)  
391 adverse impacts on the environment and their lives and livelihoods, and  
392 how severe (potential) adverse impacts are (See Guidance Point 2.1);
- 393 2. Verify and complement quantitative scientific spatial data (See Guidance  
394 Point 1.2) with qualitative data on lived experiences of (potentially)  
395 affected rights-holders and evidence of unforeseen (potential) adverse  
396 human rights and environmental impacts;
- 397 3. Finalize and agree on the list of your business' (potential) adverse  
398 impacts.
- 399 • Consult (potentially) affected rights-holders located as far as (potential) adverse  
400 impacts resulting from land, water, air pollution, (mal)adaptation to climate  
401 change, transition to a green economy, and biodiversity loss reach;
  - 402 • Given the global scope of adverse physical impacts of climate change and that  
403 everyone is affected by them, consider consulting affected rights-holders  
404 located in the areas most vulnerable to climate change (e.g., by using the  
405 Global Climate Change Index)<sup>28</sup>;
  - 406 • Consult children and youth representing (potentially) affected rights-holders of  
407 future generations;
  - 408 • If it is not possible\* to directly consult (potentially) affected rights-holders (e.g.,  
409 concerns over rights-holders' security), consult reasonable alternatives, such  
410 as:
    - 411 ○ Credible proxies with sufficiently deep experience in working with  
412 (potentially) affected rights-holders, including civil society organizations,  
413 trade unions, and community-based groups;
    - 414 ○ Recognized experts and/or scientific reports (e.g., by the  
415 [Intergovernmental Panel on Climate Change](#), [Intergovernmental  
416 Science-Policy Platform on Biodiversity and Ecosystem Services](#), etc.)  
417 on pollution, climate change, and biodiversity loss;
    - 418 ○ Environmental human rights defenders.

419 \* A perceived lack of time and expertise, distance, and difficulty to access  
420 should not be the rationale for defaulting from direct consultations with  
421 (potentially) affected rights-holders or consulting only a few of them.

422 If your business' own activities and the value chain may adversely affect vast  
423 numbers of rights-holders, consider consulting them and sharing findings with  
424 other actors, for example, business peers.

425 **Box 5:** Examples of qualitative data on lived experiences of (potentially) affected  
426 rights-holders to complement quantitative scientific spatial data\*

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<sup>28</sup> For example: German Watch. Global Climate Change Index, January 2021. [Link](#).

427 \* The list of lived experiences of (potentially) affected rights-holders is not meant to be exhaustive. A  
 428 broader spectrum of (potential) adverse human rights and environmental impacts, including  
 429 accumulated and delayed ones, may be experienced by individual persons, groups, and peoples,  
 430 highlighting the necessity for a contextualized and nuanced approach to rights-holder engagement that  
 431 takes into account vulnerability, marginalization, and intersecting identities.

	<b>Spatial Data Layer (Quantitative Scientific)</b>	<b>Lived Experiences (Qualitative)</b>
<b>Land Pollution</b>	<ul style="list-style-type: none"> <li>• Land productivity</li> <li>• Cropping intensity</li> <li>• Soil quality</li> </ul>	<ul style="list-style-type: none"> <li>• Dependencies on land (food and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> <li>• Proximity to landfills/dumpsites or application of agro-chemicals</li> <li>• (Changes in) land health and productivity, cropping intensity</li> <li>• (Changes in) species sites and behaviours</li> <li>• (Changes in) total fishing, hunting, and foraging hours</li> <li>• (Changes in) availability of and/or access to traditional medicine sources</li> <li>• (Changes in) incidents of diseases, disorders, and mortality</li> <li>• (Changes in) incidents of infertility, miscarriage, and birth defects</li> <li>• (Changes in) life expectancy</li> <li>• (Changes in) education</li> <li>• (Changes in) migration</li> <li>• Incidents of intimidation and reprisals</li> </ul>
<b>Water Pollution</b>	<ul style="list-style-type: none"> <li>• Water stress</li> <li>• Groundwater decline</li> <li>• Ecologically and biologically significant marine areas</li> <li>• Total fishing hours</li> <li>• Coral reef connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• Dependencies on water, incl. groundwater (water, food, and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> <li>• (Changes in) water quantity, flow, and quality</li> <li>• (Changes in) total water collection hours</li> <li>• (Changes in) species sites and behaviours</li> <li>• (Changes in) total fishing, hunting, and foraging hours</li> </ul>

		<ul style="list-style-type: none"> <li>• (Changes in) irrigated land (health and productivity, cropping intensity)</li> <li>• (Changes in) livestock water sources</li> <li>• (Changes in) availability of and/or access to traditional medicine sources</li> <li>• (Changes in) incidents of diseases, disorders, and mortality</li> <li>• (Changes in) incidents of infertility, miscarriage, and birth defects</li> <li>• (Changes in) life expectancy</li> <li>• (Changes in) education</li> <li>• (Changes in) migration</li> <li>• Incidents of intimidation and reprisals</li> </ul>
<b>Air Pollution</b>	<ul style="list-style-type: none"> <li>• Air quality (Aerosol, CO, dust, NHO<sub>3</sub>, N<sub>2</sub>O, SO<sub>2</sub>)</li> <li>• Forrest connectivity</li> </ul>	<ul style="list-style-type: none"> <li>• Dependencies on being/working outside (food and livelihood security, wellbeing, culture)</li> <li>• (Changes in) employment opportunities</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> <li>• (Changes in) air quality</li> <li>• (Changes in) access to traditional medicine sources</li> <li>• (Changes in) incidents of diseases, disorders, and mortality</li> <li>• (Changes in) incidents of infertility, miscarriage, and birth defects</li> <li>• (Changes in) life expectancy</li> <li>• (Changes in) education</li> <li>• (Changes in) migration</li> <li>• Incidents of intimidation and reprisals</li> </ul>
<b>Climate Change</b>	<ul style="list-style-type: none"> <li>• Fossil fuel energy and materials</li> <li>• Greenhouse gas emissions</li> <li>• Sea level change</li> <li>• Sea surface temperature (anomaly)</li> <li>• Disasters (floods, extreme heat)</li> <li>• Coral reef connectivity</li> </ul>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• Dependencies on climate and being/working outside or inside with no cooling systems (water, food, and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> </ul>

		<ul style="list-style-type: none"> <li>• Proximity to low-lying areas, coastlines, areas prone to severe storms, and large infrastructure</li> <li>• (Changes in) sea level, frequency, weather patterns, and severity of climate-related disasters</li> <li>• (Changes in) land health and productivity, cropping intensity</li> <li>• (Changes in) species sites and behaviours</li> <li>• (Changes in) availability of and/or access to traditional medicine sources</li> <li>• (Change in) damages to infrastructure</li> <li>• (Changes in) incidents of injuries, diseases, disorders, and mortality</li> <li>• (Changes in) education</li> <li>• (Changes in) life expectancy</li> <li>• (Change in) migration</li> <li>• Incidents of (gender-based) violence</li> <li>• Incidents of intimidation and reprisals</li> </ul> <hr style="border-top: 1px dashed black;"/> <p><b>[(Mal)adaptation impacts]</b></p> <ul style="list-style-type: none"> <li>• Dependencies on being/working outside or inside with no cooling systems (food and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> <li>• Proximity to low-lying areas, coastlines, areas prone to severe storms, and large infrastructure</li> <li>• Proximity to permafrost</li> <li>• (Changes in) incidents of diseases, disorders, and mortality, incl. associated with heat stress</li> </ul> <p>In addition, see lived experiences associated with land and water pollution</p> <hr style="border-top: 1px dashed black;"/> <p><b>[Transition impacts]</b></p> <ul style="list-style-type: none"> <li>• Dependencies on high-carbon jobs (livelihood security and wellbeing)</li> <li>• (Changes in) employment opportunities</li> </ul>
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		<ul style="list-style-type: none"> <li>• Incidents of land grabbing</li> <li>• Incidents of conflicts over (agricultural) land</li> </ul> <p>In addition, see lived experiences associated with land, water, and air pollution</p>
<p><b>Biodiversity Loss</b></p>	<ul style="list-style-type: none"> <li>• Ecosystem type</li> <li>• Ecosystem integrity</li> <li>• Ecosystem change</li> <li>• Ecosystem importance (critical habitat, ecologically or biologically significant areas, protected areas, conservation areas)</li> <li>• Wildlife corridors</li> <li>• Distribution of rare/endangered species</li> <li>• Ecologically and biologically significant marine areas</li> <li>• Coral reef connectivity</li> </ul>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• Dependencies on biodiversity and individual species (food and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership, other traditional occupation, or use of lands, territories, and resources by Indigenous Peoples</li> <li>• (Changes in) species sites and behaviours</li> <li>• (Change in) wildlife corridors</li> <li>• (Change in) distribution of rare/endangered species</li> <li>• (Changes in) total fishing, hunting, and foraging hours</li> <li>• (Changes in) availability of and/or access to traditional medicine sources</li> <li>• (Changes in) incidents of diseases, disorders, and mortality</li> <li>• (Changes in) incidents of infertility, miscarriage, and birth defects</li> <li>• (Changes in) life expectancy</li> <li>• (Changes in) education</li> <li>• (Change in) migration</li> <li>• Incidents of intimidation and reprisals</li> </ul> <p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <ul style="list-style-type: none"> <li>• Dependencies on the genetic and biological resource used/patented by the business (food and livelihood security, wellbeing, culture)</li> <li>• Traditional ownership or use of resources by Indigenous Peoples</li> <li>• (Change in) distribution of the genetic biological resource used/patented by the business</li> <li>• (Change in) availability of and/or access to genetic and biological resources used/patented by the</li> </ul>

	business, incl. for traditional medicine (e.g., prices) <ul style="list-style-type: none"> <li>• (Changes in) education</li> <li>• (Change in) migration</li> <li>• Incidents of intimidation and reprisals</li> </ul>
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432

433 **Box 6:** Features of effective two-way consultations\* with (potentially) affected rights-  
 434 holders<sup>29</sup>

435 \* Consultations in the framework of business' impact assessment exercise and other essential  
 436 components of human rights due diligence do not replace Free, Prior, and Informed Consent, and  
 437 should not be construed as such. However, consultations with (potentially) affected Indigenous Peoples  
 438 can be complemented with the process of seeking their Free, Prior, and Informed Consent and  
 439 agreement on just and fair compensation in line with the UN Declaration on the Rights of Indigenous  
 440 Peoples<sup>30</sup>.

Starts with a consultation on 'how to consult' enabling rights-holders to define their own processes, structures, and representation for the consultation	<input type="checkbox"/>
Frames dialogue, including by asking rights-holders to define the questions to ask	<input type="checkbox"/>
Communicates to rights-holders with information on how their participation will influence the decision(s) in advance and is timed to ensure their possibility of influencing the decision(s)	<input type="checkbox"/>
Provides rights-holders with complete and accessible information that accurately reflects the scientific consensus and capacity-building support they need to participate in an effective way	<input type="checkbox"/>
Ensures diversity of participants at least based on gender, age, national/ethnic origin, and disability status	<input type="checkbox"/>
Uses gender-, age-, disability-, culturally-, literacy-sensitive, and trauma-informed format and techniques and the local language(s)	<input type="checkbox"/>
Considers venues, timing, and other arrangements (e.g., childcare, transportation) that eliminate barriers to participation and are approved by rights-holders	<input type="checkbox"/>
Support recovery costs incurred for rights-holders' participation	<input type="checkbox"/>
Is free from discrimination, manipulation, coercion, and intimidation (e.g., presence of local regulatory authorities or security forces during consultations)	<input type="checkbox"/>
When consulting environmental human rights defenders, establishes a safeguarding framework to protect them from (potential) intimidation and reprisals <sup>31</sup>	<input type="checkbox"/>
When consulting children and youth, establishes a child safeguarding framework to protect them from violence, including sexual violence, exploitation and abuse, violation of privacy, and exposure without consent, etc. using the UNICEF Tool for Businesses on 'Engaging Stakeholders on Children's Rights' <sup>32</sup>	<input type="checkbox"/>

<sup>29</sup> Inspired by:

- Inter-American Development Bank. Meaningful Stakeholder Consultation, July 2017. [Link](#).
- Danish Institute for Human Rights. Cross-Cutting: Stakeholder Engagement, 2020. [Link](#).
- International Finance Corporation. Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets, 30 April 2007. [Link](#).
- TNFD. Guidance on Engagement with Indigenous Peoples, Local Communities, and Affected Stakeholders, September 2023. [Link](#).

<sup>30</sup> UN. Declaration on the Rights of Indigenous Peoples, 13 September 2007. [Link](#).

<sup>31</sup> UNWG on Business and Human Rights. Report A/HRC/47/39/Add.2 'The Guiding Principles on Business and Human Rights: Guidance on Ensuring Respect for Human Rights Defenders', 22 June 2021. [Link](#).

<sup>32</sup> UNICEF. 'Engaging Stakeholders on Children's Rights: A Tool for Companies', September 2014. [Link](#).

Well documents inputs disaggregated by vulnerability and marginalization, taking into account intersecting identities	<input type="checkbox"/>
Reports back in a timely way to those who participated with how their participation influenced business' decisions and clarification of next steps	<input type="checkbox"/>
Has a well-defined and functioning mechanism for grievances about the conduct of consultations	<input type="checkbox"/>
Is ongoing as part of human rights due diligence, recognizing that rights-holders' perspective and (potential) adverse impacts on their lives and livelihoods may change over time	<input type="checkbox"/>

441

442 **Guidance Point 1.6:** Ongoing process

443 As human rights due diligence is an ongoing, iterative process that aims to promote  
 444 continuous improvement of business practices to prevent and address their (potential)  
 445 adverse impacts, conduct identification and assessment, including general areas (See  
 446 Guidance Point 1.4), of your (potential) adverse human rights and environmental  
 447 impacts at least **annually** or more frequently if their severity is high (See Guidance  
 448 Point 2.1).

449 Additionally, key moments in your business' own activities and the value chain should  
 450 trigger a reconsideration of (potential) adverse human rights and environmental  
 451 impacts. Such key moments include, for example:

452

<p><b>Internal factors:</b></p> <ul style="list-style-type: none"> <li>• New activity/activity change/closure</li> <li>• New relationship/relationship change/termination</li> <li>• Market-entry/exit</li> <li>• New product or service/change in product or service</li> <li>• New site/site change/closure</li> </ul>	<p><b>External factors:</b></p> <ul style="list-style-type: none"> <li>• New regulation/regulatory change</li> <li>• New judicial decision</li> <li>• Disaster</li> <li>• Rising social tensions/conflict<sup>33</sup></li> </ul>
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453

454

455 **ESSENTIAL COMPONENT 2 'ACT'**

456 Take appropriate actions to prevent and address business' (potential) adverse human  
 457 rights and environmental impacts.

458 **PRINCIPLES:**

459 **1. Take a rights-holders-centered approach to addressing (potential)**  
 460 **adverse human rights and environmental impacts throughout business**  
 461 **relationships:** use and increase leverage and make decisions on continuing

<sup>33</sup> For more guidance on human rights due diligence in conflict-affected contexts, see: UNDP and the UNWG on Business and Human Rights. Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts: A Guide, 16 June 2022. [Link](#).



462 or terminating business relationships in the best interest of and in consultation  
 463 with (potentially) affected rights-holders;

464 **2. Evaluate the way of business' involvement in (potential) adverse human**  
 465 **rights and environmental impacts and respond continuously:** recognizing  
 466 that the way of business' involvement in (potential) adverse human rights and  
 467 environmental impacts may change over time, determine business' way of  
 468 involvement in them and respond on an ongoing basis;

469 **3. Take a proactive approach to addressing (potential) adverse human rights**  
 470 **and environmental impacts:** use human rights due diligence to prepare  
 471 business for assessing its involvement in (potential) adverse human rights and  
 472 environmental impacts and responding timely and appropriately when the  
 473 situation occurs.

474 **PROCESSES:**

475 **Guidance Point 2.1:** Prioritization of (potential) adverse impacts for response

476 Where your business cannot prevent and address all identified (potential) adverse  
 477 human rights and environmental impacts at the same time, drawing on internal and/or  
 478 external human rights, environmental, and compliance expertise, prioritize salient  
 479 issues for response (See Guidance Point 2.3) based on (1) the **severity** of (potential)  
 480 adverse impacts.

481 The most severe (potential) adverse impacts mean those that would be greatest in  
 482 terms of:

- 483 • **Scale:** how grave or serious the adverse impacts are (may be); and/or
- 484 • **Scope:** how widespread the adverse impacts are (may be); and/or
- 485 • **Irremediable character:** how hard it will (may) be to correct the resulting adverse  
 486 impacts to the same level as it was before the impact.

487 And (2) the **likelihood** of the potential adverse impacts: how likely the potential  
 488 adverse impacts are to exist or to occur in your business' own activities and the value  
 489 chain.

490 **Box 7:** Examples of severity of (potential) adverse human rights and environmental  
 491 impacts

	<b>Scale</b>	<b>Scope</b>	<b>Irremediable Character</b>
<b>Land Pollution</b>	Extent of (potential) adverse impacts on land health and productivity and exercise and enjoyment of human rights	Geographic reach of land pollution and number of (potentially) affected rights-holders	Degree to which restoration/regeneration of land and exercise and enjoyment of human rights is possible and practicable Length of time restoration/regeneration will take
<b>Water Pollution</b>	Extent of (potential) adverse impacts on water, incl. groundwater, quantity, flow, and quality	Geographic reach of water pollution	Degree to which restoration/regeneration of water, incl. groundwater, and exercise and enjoyment

	and exercise and enjoyment of human rights	and number of (potentially) affected rights-holders	of human rights is possible and practicable Length of time restoration/regeneration will take
<b>Air Pollution</b>	Extent of (potential) adverse impacts on air quality and exercise and enjoyment of human rights	Geographic reach of air pollution and number of (potentially) affected rights-holders	Degree to which restoration/regeneration of air and exercise and enjoyment of human rights is possible and practicable Length of time restoration/regeneration will take
<b>Climate Change</b>	<b>[Physical impacts]</b> Adverse physical impacts of climate change and human rights impacts are proven to qualify as global in scope and highly severe, and, therefore, should be prioritized for action		
	<b>[(Mal)adaptation impacts]</b> Extent of (potential) adverse impacts of (mal)adaptation on the environment and exercise and enjoyment of human rights	<b>[(Mal)adaptation and transition impacts]</b> Geographic reach of (potential) adverse impacts of (mal)adaptation and transition and number of (potentially) affected rights-holders	<b>[(Mal)adaptation and transition impacts]</b> Degree to which restoration/regeneration of the environment and exercise and enjoyment of human rights in the adaptation and transition is possible and practicable Length of time restoration/regeneration will take
<b>Biodiversity Loss</b>	<b>[Physical impacts]</b> Extent of (potential) adverse impacts on ecosystem degradation and biodiversity loss and exercise and enjoyment of human rights	<b>[Physical impacts]</b> Geographic reach of ecosystem degradation and biodiversity loss and number of (potentially) affected rights-holders	<b>[Physical impacts]</b> Degree to which restoration/regeneration of ecosystems and biodiversity and exercise and enjoyment of human rights is possible and practicable Length of time restoration/regeneration will take
	<b>[Impacts associated with utilization of genetic and biological resources]</b> Extent of the use of traditional knowledge, innovation, and practice without provision for benefit sharing	<b>[Impacts associated with utilization of genetic and biological resources]</b> Geographic coverage of the genetic and biological resources used	<b>[Impacts associated with utilization of genetic and biological resources]</b> Degree to which restoration/regeneration of the genetic and biological resources used needed and exercise and enjoyment

	Proportion of the used genetic and biological resources and (potential) adverse impacts on exercise and enjoyment of human rights	and number of (potentially) affected rights-holders	of human rights is possible and practicable Length of time restoration/regeneration will take
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492

493 **Box 8:** Examples of factors\* external to businesses that can increase the likelihood of  
494 potential adverse human rights and environmental impacts in a particular context

495 \* The absence of these external factors should not serve as a basis for excluding potential adverse  
496 human rights and environmental impacts.

	Issue-Specific Factors <sup>34</sup>	Cross-Cutting Factors
<b>Land Pollution</b>	<p>Absence of laws and regulations to prevent and control contamination of land with hazardous substances or their inconsistency with international standards</p> <p>Absence of regular national monitoring of soil quality</p> <p>Absence of laws, regulations, and targets on solid, liquid, and hazardous waste collection, treatment, and management or their inconsistency with international standards</p> <p>Absence of laws, regulations, and targets on the use of recycled material or their inconsistency with international standards</p> <p>Absence of laws and regulations on extended producer responsibility or their inconsistency with international standards</p> <p>Absence of national chemicals risk management systems</p> <p>Permitted hazardous substances</p> <p>Absence of environmental controls/legally-binding limits on pollutant production</p> <p>Waste exports or pollutant imports</p>	<p>Weak law enforcement mechanisms</p> <p>Lack of legal protection and access to justice of vulnerable and marginalized rights-holders</p> <p>Lack of recognition of the work, legal protection, and access to justice of environmental human rights defenders</p> <p>Weak justice system</p> <p>Closed, repressed, or obstructed civic space<sup>35</sup></p> <p>Absence of National Human Rights Institutions or their inconsistency with the Paris Principles<sup>36</sup></p> <p>Corruption</p> <p>High inequality and poverty</p> <p>Conflict/post-conflict, and fragile contexts</p> <p>Absence of national and local response mechanisms and resources for emergency situations</p> <p>Absence of plans, policies, and regulations related to Business and Human Rights</p> <p>Absence of laws and regulations penalizing and discouraging</p>

<sup>34</sup> Inspired by: Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Reports:

- A/HRC/49/53 'Non-Toxic Environment to Live, Work, Study and Play', 12 January 2022. [Link](#).
- A/HRC/46/28 'Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity, and Water-Related Disasters', 19 January 2021. [Link](#).
- A/HRC/40/55 'Clean Air and the Right to a Healthy and Sustainable Environment', 8 January 2019. [Link](#).
- A/74/161 'Safe Climate', 15 July 2019. [Link](#).
- A/75/161 'A Healthy Biosphere and the Right to a Healthy Environment', 15 July 2020. [Link](#).

<sup>35</sup> CIVICUS. Tracking Civic Space. [Link](#).

<sup>36</sup> UN. Principles Relating to the Status of National Institutions, 20 December 2023. [Link](#).

	<p>Countenance of the creation of 'sacrifice zones'</p> <p>Presence of other business activities cumulatively contributing to land pollution</p> <p>Pre-existing land pollution</p>	<p>greenwashing and misleading claims or labels related to the environment</p> <p>Low capacities of value chain actors</p>
<p><b>Water Pollution</b></p>	<p>Absence of laws and regulations to prevent and control contamination with hazardous substances and inequitable extraction of water or their inconsistency with international standards</p> <p>Absence of regular national state-of-the-water assessments</p> <p>Absence of national legally-binding standards for safe drinking water and wastewater effluent quality</p> <p>Absence of national legally-binding standards for collection, treatment, and reuse of wastewater, agricultural runoff, and sludge management</p> <p>Absence of laws and regulations on extended producer responsibility or their inconsistency with international standards</p> <p>Permitted hazardous substances</p> <p>Absence of environmental controls/legally-binding limits on pollutant production</p> <p>Waste exports or pollutant imports</p> <p>Proximity of the business own activities and the value chain to areas of water stress</p> <p>Presence of other business activities cumulatively contributing to water pollution</p> <p>Pre-existing water pollution</p>	
<p><b>Air Pollution</b></p>	<p>Absence of laws and regulations to prevent and control exposure to hazardous air pollution or their inconsistency with international standards</p> <p>Absence of regular national monitoring of air quality</p> <p>Absence of regular national assessments of types and sources of air pollution</p> <p>Absence of national legally-binding standards for ambient air</p>	

	<p>quality, in line with the WHO guidelines<sup>37</sup></p> <p>Absence of environmental controls/legally-binding limits on pollutant production</p> <p>Waste exports or pollutant imports</p> <p>Presence of other business activities cumulatively contributing to air pollution</p> <p>Pre-existing air pollution</p>	
<p><b>Climate Change</b></p>	<p><b>[Physical impacts]</b> Adverse physical impacts of climate change and human rights impacts are proven to qualify as highly likely, and, therefore, should be prioritized for action</p> <hr/> <p><b>[(Mal)adaptation impacts]</b></p> <p>Absence of laws and regulations to adapt to climate change in a human rights-based manner or their inconsistency with international standards</p> <p>Absence of laws and regulations on disaster risk management prioritizing climate-related disaster risk reduction or their inconsistency with international standards</p> <p>Absence of regular national climate-related disaster monitoring</p> <p>Absence of national early warning systems</p> <p>Location of the business own activities and the value chain in areas most vulnerable to climate change<sup>38</sup></p> <p>Location of the business own activities and the value chain in low-lying areas, coastlines, areas prone to severe storms</p> <p>Proximity of the business own activities and the value chain to areas of water stress</p> <p>Proximity of the business own activities and the value chain to permafrost</p>	

<sup>37</sup> WHO. Global Air Quality Guidelines: Particulate Matter (PM2.5 and PM10), Ozone, Nitrogen Dioxide, Sulfur Dioxide and Carbon Monoxide, 2021. [Link](#).

<sup>38</sup> For example: German Watch. Global Climate Change Index, January 2021. [Link](#).

	<p><b>[Transition impacts]</b> Absence of laws and regulations to achieve national energy transition targets in a just and human rights-based manner that, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>• Require businesses to respect human rights when designing or implementing transition programmes</li> <li>• Include mandatory human rights due diligence with an environmental perspective provisions</li> <li>• Require businesses to prevent and address (potential) adverse human rights and environmental impacts on Indigenous Peoples and others most vulnerable and marginalized, including by obtaining mandatory Free, Prior and Informed Consent and agreement on just and fair compensation</li> </ul> <p>Or their inconsistency with international standards</p> <p>Absence of national green mineral strategies</p> <p>Absence of formalization of artisanal and small-scale mining<sup>39</sup></p>	
<p><b>Biodiversity Loss</b></p>	<p><b>[Physical impacts]</b> Absence of laws and regulations to prevent damaging, destroying, or diminishing ecosystems and biodiversity or their inconsistency with international standards</p> <p>Absence of laws and regulations to protect rare/endorsangered species</p> <p>Absence of regular national monitoring of state of biodiversity and threats to biodiversity</p> <p>Proximity of the business own activities and the value chain to areas of rapid decline in integrity, areas of high biodiversity importance (e.g., protected areas, critical habitat, rare/endorsangered species), areas of water stress</p>	

<sup>39</sup> UNWG on Business and Human Rights. Thematic Report A/78/155 'Extractive Sector, Just Transition, and Human Rights', 11 July 2023. [Link](#).

	Presence of other business activities cumulatively contributing to biodiversity loss Pre-existing biodiversity loss	
	<b>[Impacts associated with utilization of genetic and biological resources]</b> Absence of national strategies on the preservation and protection of traditional knowledge Absence of national 'Access and Benefit Sharing' schemes	

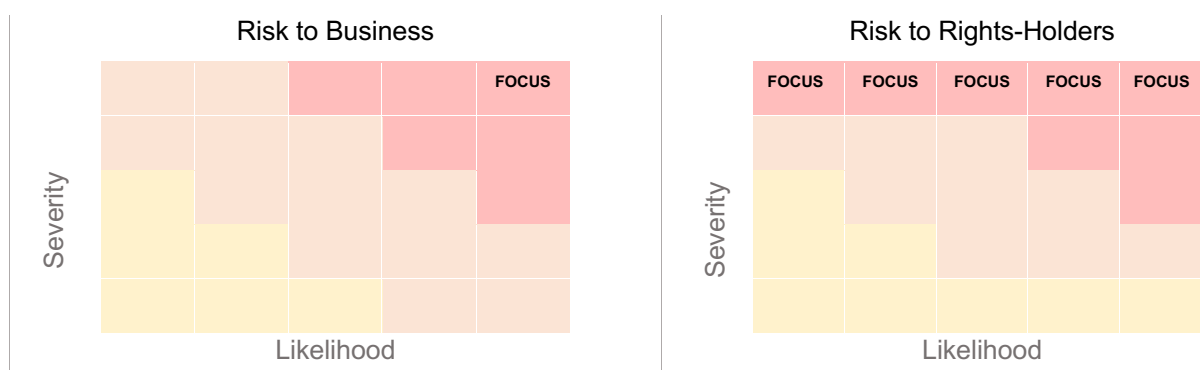
497

498 Unlike the 'traditional' business' risk management, which prioritizes those (potential)  
 499 adverse impacts with both a high severity and a high likelihood, in human rights due  
 500 diligence, **severity has a greater weighting than likelihood**,<sup>40</sup> so the most severe  
 501 (potential) adverse human rights and environmental impacts should always be  
 502 prioritized for a response, even if their likelihood is low.

503 Prioritize (potential) adverse human rights and environmental impacts for response  
 504 based on their severity, regardless of where in the value chain they occur.

505 **Box 9:** Difference between 'traditional' business due diligence and 'human rights due  
 506 diligence'

507



508

509 **Guidance Point 2.2:** Involvement in (potential) adverse impacts

510 There are three ways in which your business can be involved in (potential) adverse  
 511 human rights and environmental impacts:

- 512 1. **Causation:** the business can cause (potential) adverse impacts where its  
 513 activities on its own remove or reduce the ability of individual persons, groups,  
 514 and peoples to exercise and enjoy their human rights, for example, where  
 515 business own activities alone are sufficient to result in (potential) adverse  
 516 impacts;
- 517 2. **Contribution:** the business can contribute to (potential) adverse impacts  
 518 through its own activities – either directly alongside other actors or through  
 519 business relationships (e.g., with value chain actors, both non-State and State).

<sup>40</sup> OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).



520 Contribution implies an element of ‘causality’ (See Box 10), for example, that  
 521 business’ activities influenced actors in such a way as to make (potential)  
 522 adverse impacts more likely;

523 3. **Direct linkage:** the business does not cause or contribute to (potential) adverse  
 524 impacts, but there is nevertheless a direct link between its operations, products,  
 525 or services and (potential) adverse impacts through business relationships.

526 The mere existence of such business relationships does not automatically  
 527 mean that there is a direct link between (potential) adverse impacts and  
 528 business’ operations, products, or services. The link needs to be between the  
 529 operations, products, or services provided by the business and (potential)  
 530 adverse impacts themselves.<sup>41</sup>

531 In practice, there is a continuum between ‘contribution (through a business  
 532 relationship)’ to and ‘direct linkage’ with (potential) adverse impacts. Business’  
 533 involvement in (potential) adverse human rights and environmental impacts may shift  
 534 over time, depending on its own actions and omissions. For example, if your business  
 535 identifies or is made aware of an ongoing adverse human rights and environmental  
 536 impact that is directly linked to its operations, products, or services through a business  
 537 relationship, yet over time fails to take appropriate actions to seek to prevent and  
 538 address it, it could eventually be seen to be facilitating the continuance of the situation  
 539 and thus be in a situation of ‘contributing (through an a business relationship)’.

540 **Box 10:** Examples of factors influencing the continuum between ‘contribution (through  
 541 a business relationship)’ to and ‘direct linkage’ with (potential) adverse impacts <sup>42</sup>

<p>A business is motivating or incentivizing* a (potential) adverse human rights and environmental impact (e.g., business’ actions or omissions make it more likely that actors cause a (potential) adverse impact)</p> <p>* The mere existence of a business relationship does not equate to motivating or incentivizing a (potential) adverse human rights and environmental impact by other actors</p>	<p>Contribution (through a business relationship)</p>
<p>A business is facilitating* a (potential) adverse human rights and environmental impact (e.g., a business adds to conditions that make it possible for other actors to cause a (potential) adverse impact)</p> <p>* Primary business activity (e.g., provision of products or services), as such, is not a facilitating factor</p> <p>Being aware or should have been aware of a (potential) adverse human rights and environmental impact linked to business’ operations, products, or services through a business relationship but failing to take appropriate actions to seek to prevent and address it could eventually be seen to be facilitating it</p>	<p>Contribution (through a business relationship)</p>
<p>A business is aware of a (potential) adverse human rights and environmental impact linked to its operations, products, or services through a business relationship and takes appropriate actions to seek to prevent and address it</p>	<p>Direct linkage</p>

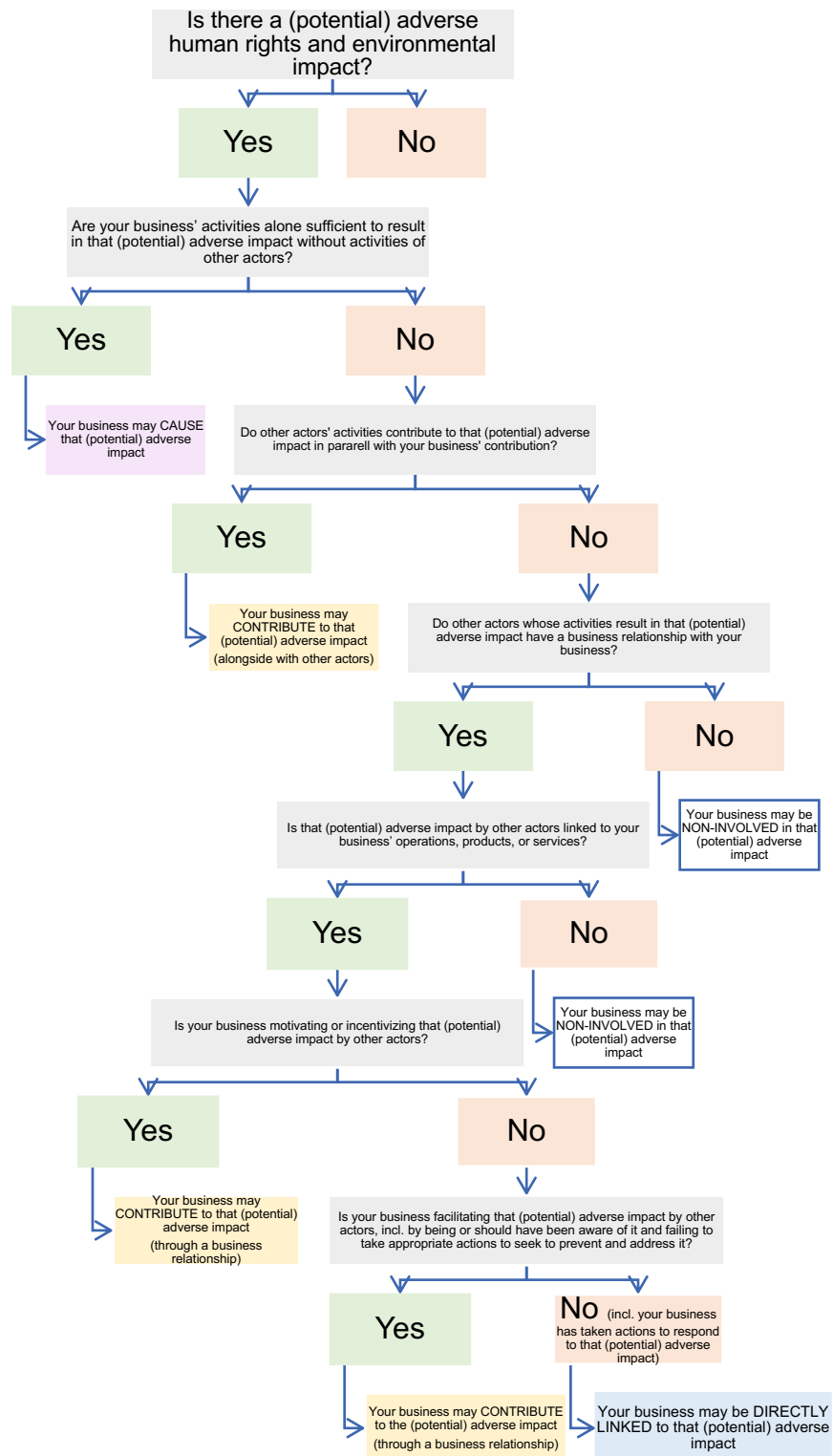
<sup>41</sup> OHCHR. Response to Request from BankTrack for Advice Regarding the Application of the UN Guiding Principles on Business and Human Rights in the Context of the Banking Sector, 12 June 2017. [Link](#).

<sup>42</sup> Ibid.

542

543 As each way of involvement has different implications for the nature of its response  
544 (See Guidance Point 2.3), drawing on internal and/or external human rights and  
545 environmental expertise, identify the way of your business' involvement in each  
546 (potential) adverse human rights and environmental impact (See Guidance Point 1.4).

547 **Box 11:** Simplified decision tree for identifying businesses' involvement in (potential)  
 548 adverse human rights and environmental impacts<sup>43</sup>



<sup>43</sup> Inspired by: OHCHR. Response to Request from BankTrack for Advice Regarding the Application of the UN Guiding Principles on Business and Human Rights in the Context of the Banking Sector, 12 June 2017. [Link](#).

549 **Box 12:** Examples of ways of business' involvement\* in (potential) adverse human rights and environmental impacts<sup>44</sup>

550 Own activities and activities of actors in Box 12 encompass activities across the entire value chain exemplified in Box 1.

	Causation	Contribution		Direct Linkage
		Through actors with business relationships	Alongside other actors	Through actors with business relationships
<b>Way</b>				
<b>Pollution</b>	<p>Being the sole source of (potential) pollution and (potential) adverse human rights impacts through own activities</p> <p><i>(E.g., Extraction and processing of rare earth elements by a mining business in a country in East Asia has resulted in radioactive water and dust, which renders water for animal husbandry and drinking toxic, causing</i></p>	<p>Contributing to (potential) pollution and (potential) adverse human rights impacts through activities of actors with business relationships by motivating, incentivizing, or facilitating the (potential) adverse human rights and environmental impacts, incl. by being aware or should have been aware of them and failing to take appropriate actions to respond</p>	<p>Contributing to (potential) pollution and (potential) adverse human rights impacts through own activities alongside activities of other actors</p> <p><i>(E.g., A number of the largest oil businesses operating in a country in West Africa have been spilling several M barrels of oil into a river delta, resulting in high concentrations of petroleum hydrocarbons in land, water, and air. The cumulative impacts of oil spills have</i></p>	<p>Having a direct link between own operations, products, or services, (potential) pollution, and (potential) adverse human rights impacts caused by activities of actors with business relationships</p> <p><i>(E.g., A mining business paid a supplier to export 20,000 t of industrial waste to a country in Southeast Asia, where the supplier, in breach of agreed standards, failed to reprocess the sludge and extract the arsenic and</i></p>

<sup>44</sup> Inspired by:

- OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).
- Greenhouse Gas Protocol. Corporate Accounting and Reporting Standard. [Link](#).
- Greenhouse Gas Protocol. Scope 2 Guidance. [Link](#).
- Greenhouse Gas Protocol. Scope 3 Calculation Guidance. [Link](#).

	<p><i>increased mortality of livestock and local residents)</i></p>	<p><i>(E.g., A chemical business has been selling numerous herbicides, insecticides, and fungicides that include active ingredients classified as 'highly hazardous' to a country in South America. In places where these substances have been used in agriculture, cancer is recorded at far higher rates than in areas where the substances have not been used)</i></p>	<p><i>contributed to shortened life expectancy of local residents as low as 45)</i></p>	<p><i>dumped the waste unprocessed and unprotected. 12,000 local residents have been affected by the waste, with many women reporting infertility, miscarriage, and birth defects)</i></p>
<p><b>Climate Change</b></p>	<p><b>[Physical impacts]</b> Not applicable as no business is the sole source of adverse physical impacts of climate change and human rights impacts</p>	<p><b>[Physical impacts]*</b></p> <p><b>[SCOPE 1]</b> Contributing to adverse physical impacts of climate change and human rights impacts with greenhouse gas emissions from sources the business owns or controls:</p> <ul style="list-style-type: none"> <li>• Generation of electricity, heat, or steam</li> <li>• Physical or chemical processing</li> <li>• Transportation of materials, products, waste, and employees</li> <li>• Fugitive emissions</li> </ul> <p><b>[SCOPE 2]</b> Contributing to adverse physical impacts of climate change and human rights impacts with greenhouse gas emissions from the generation of purchased electricity that is consumed in owned or controlled equipment or operations</p> <p><b>[SCOPE 3]</b> Contributing to adverse physical impacts of climate change and human rights impacts with greenhouse gas emissions from:</p> <ul style="list-style-type: none"> <li>• Extraction and production of purchased materials and fuels</li> <li>• Transport-related activities (e.g., purchased materials or goods, purchased fuels, employee business travel, employees commuting to and from work, sold products, waste)</li> </ul>		<p><b>[Physical impacts]</b> Not applicable as all businesses contribute to adverse physical impacts of climate change and human rights impacts</p>

		<ul style="list-style-type: none"> <li>• Electricity-related activities (e.g., extraction, production, and transportation of fuels consumed in the generation of electricity, purchase of electricity that is sold to an end use, generation of electricity that is consumed in a transmission and distribution system)</li> <li>• Leased assets, franchises, and outsourced activities</li> <li>• Use of sold products and services</li> <li>• Waste disposal</li> </ul> <p>* All businesses contribute to adverse physical impacts of climate change and human rights impacts by their greenhouse gas emissions, and, therefore, should take appropriate actions to prevent or cease their contribution and use and increase leverage to seek to prevent and address any remaining adverse impacts to the greatest extent possible (See Guidance Point 2.3) in line with the UNHLEG recommendations<sup>45</sup></p>		
	<p><b>[(Mal)adaptation impacts]</b> Being the sole source of (potential) adverse human rights and environmental impacts due to (mal)adaptation to climate change through own activities</p> <p><i>(E.g., Due to the increased temperature and permafrost melting, 20,000 t of diesel leaked into a river in the Arctic after a fuel tank of a mining business collapsed, causing the loss of traditional sources of food of riverside indigenous fishers and hunters and their families)</i></p>	<p><b>[(Mal)adaptation impacts]</b> Contributing to (potential) adverse human rights and environmental impacts due to (mal)adaptation to climate change through activities of actors with business relationships by motivating, incentivizing, or facilitating the (potential) adverse impacts, incl. by being aware or should have been aware of them and failing to take appropriate actions to respond</p> <p><i>(E.g., Despite the common risks of adverse impacts on water shortages associated with conventional cotton production in the Aral Sea Sub-Region, a clothing</i></p>	<p><b>[(Mal)adaptation impacts]</b> Contributing to (potential) adverse human rights and environmental impacts due to (mal)adaptation to climate change through own activities alongside activities of other actors</p> <p><i>(E.g., Due to extreme rainfalls, 10 dams owned and controlled by different businesses, maladapted to climate change-related precipitation, breached in a country in South Asia. The floods affected 30 M people and more than 1,500 lost their lives)</i></p>	<p><b>[(Mal)adaptation impacts]</b> Having a direct link between own operations, products, or services and (potential) adverse human rights and environmental impacts due to (mal)adaptation to climate change caused by activities of actors with business relationships</p> <p><i>(E.g., A sub-contractor of a constructing business in a country in Middle East made migrant workers at a stadium construction site work through record-high temperature in the direct sun, with no protective equipment and only one cool-down rest in a 10-hour shift, counter to contract obligations. Many of</i></p>

<sup>45</sup> UNHLEG. 'Integrity Matters: Net-Zero Commitments by Businesses, Financial Institutions, Cities, and Regions', 8 November 2022. [Link](#).

		<p><i>business has been sourcing cotton from a supplier in a country in the Aral Sea Sub-Region against drought conditions. This has contributed to forced migration driven by the Aral Sea and overall water crisis in the Sub-Region)</i></p>		<p><i>the workers became ill and can no longer continue to work, losing livelihoods and their place with the sub-contractor)</i></p>
	<p><b>[Transition impacts]</b> Being the sole source of (potential) adverse human rights and environmental impacts due to transition to a green economy through own activities</p> <p><i>(E.g., An energy business built a solar power facility on the lands sacred to indigenous tribes in a country in North America with no Free, Prior, and Informed Consent and agreement on just and fair compensation, digging up, relocating, and damaging buried artifacts and relics)</i></p>	<p><b>[Transition impacts]</b> Contributing to (potential) adverse human rights and environmental impacts due to transition to a green economy through activities of actors with business relationships by motivating, incentivizing, or facilitating the (potential) adverse impacts, incl. by being aware or should have been aware of them and failing to take appropriate actions to respond</p> <p><i>(E.g. Despite the common risks of adverse impacts associated with sourcing water-intensive lithium, a producer of battery electric vehicles has been sourcing lithium from mining businesses in a country of South America that have failed to apply the latest technologies to minimize water use for direct lithium extraction, contributing to water scarcity in the mining areas. With water available further away from local</i></p>	<p><b>[Transition impacts]</b> Contributing to (potential) adverse human rights and environmental impacts due to transition to a green economy through own activities alongside activities of other actors</p> <p><i>(E.g., Due to the plan of a coal-dependent country in Southern Africa, 12 coal plants are to retire by 2030 cumulatively contributing to the estimated loss of more than 120,000 high-carbon jobs. Without retraining and relocation schemes targeting older persons, they may face age discrimination as they will search for new jobs)</i></p>	<p><b>[Transition impacts]</b> Having a direct link between own operations, products, or services and (potential) adverse human rights and environmental impacts due to transition to a green economy caused by activities of actors with business relationships</p> <p><i>(E.g., Due to increasing demand for wind power plants, a supplier of a construction business of Balsa wood in a country in South America has been illegally logging the Amazon rainforest belonging to indigenous communities. A young environmental human rights defender protesting against the logging by the supplier has been receiving death threats on social media)</i></p>



		<i>villages and requiring more time to collect, school enrollment, particularly among girls, has declined)</i>		
<b>Biodiversity Loss</b>	<p><b>[Physical impacts]</b> Being the sole source of (potential) biodiversity loss and (potential) adverse human rights impacts through own activities</p> <p><i>(E.g., A cocoa plantation in a country in West Africa has been replacing old-growth forests, including protected areas, for the plantation expansion, and destroying the habitat of chimpanzees. The decline in the numbers of chimpanzees as key seeds dispersers in the area has caused the decline in yields of more than 30 wild fruiting species used in medicine by traditional households)</i></p>	<p><b>[Physical impacts]</b> Contributing to (potential) biodiversity loss and (potential) adverse human rights impacts through activities of actors with business relationships by motivating, incentivizing, or facilitating the (potential) adverse human rights and environmental impacts, incl. by being aware or should have been aware of them and failing to take appropriate actions to respond</p> <p><i>(E.g., Despite the common risks of adverse impacts associated with unrecyclable plastic sachet packaging and public campaigns against it in a country in Southeast Asia, a consumer goods manufacturer and supplier has been using unrecyclable plastic sachet packaging to sell single servings of shampoo, toothpaste, laundry detergent, and other basics there, which pile up in landfills and spill out from urban waterways into the ocean, contributing to the decline of fish, seabirds, and turtles and rise in poverty of coastal communities)</i></p>	<p><b>[Physical impacts]</b> Contributing to (potential) biodiversity loss and (potential) adverse human rights impacts through own activities alongside activities of other actors</p> <p><i>(E.g., 6,500 small dams along the Amazon basin in a country in South America owned and controlled by different businesses cumulatively have been breaking up free-flowing rivers into a chain of reservoirs and stagnant pools conducive for mosquitos breeding and contributing to a rise of malaria in riverside communities)</i></p>	<p><b>[Physical impacts]</b> Having a direct link between own operations, products, or services, (potential) biodiversity loss, and (potential) adverse human rights impacts caused by activities of actors with business relationships</p> <p><i>(E.g., A bank made a loan to a supermarket chain that has been selling endangered bluefin tuna sourced from a fishery business in a country in Southeast Asia. The loss of bluefin tuna as a top predator in the marine food chain may destabilize the underwater food web, leading to the decrease of the population of vast numbers of other marine species and loss of thousands of fishing jobs in the region and globally)</i></p>

	<p><b>[Impacts associated with utilization of genetic and biological resources]</b> Being the sole source of (potential) misappropriation of genetic and biological resources, traditional knowledge, innovation, and practice and (potential) adverse human rights impacts through own activities</p> <p><i>(E.g., Despite the explicit reference to the use of Artemisia Judaica by traditional medicine in North Africa as an infusion for the treatment of 'wasting disease' in the patent application, a pharmaceutical business received a patent without providing fair and equitable shared benefits to traditional communities there)</i></p>	<p><i>dependent on them for food and livelihoods)</i></p> <p><b>[Impacts associated with utilization of genetic and biological resources]</b> Contributing to (potential) misappropriation of genetic and biological resources, traditional knowledge, innovation, and practice and (potential) adverse human rights impacts through activities of actors with business relationships by motivating, incentivizing, or facilitating the adverse human rights and environmental impacts, incl. by being aware or should have been aware of them and failing to take appropriate actions to respond</p> <p><i>(E.g., Despite the public criticism of a business patented a leather alternative made from a fruit unique to traditional communities in a country in Southeast Asia without providing fair and equitable shared benefits to them, an apparel and footwear business partnered with them to produce 'sustainable' footwear)</i></p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b> Contributing to (potential) misappropriation of genetic and biological resources, traditional knowledge, innovation, and practice and (potential) adverse human rights impacts through own activities alongside activities of other actors</p> <p><i>(E.g., The world's 'discovery' of quinoa's high nutritional values has resulted in a rise in global demand and rapid increase of market price, with a big number of businesses purchasing the crop from two countries in South America. The price has made quinoa inaccessible for local communities dependent on it for food and livelihoods, with increased rates of anemia among women in reproductive age)</i></p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b> Having a direct link between own operations, products, or services, (potential) misappropriation of genetic and biological resources, traditional knowledge, innovation, and practice, and (potential) adverse human rights impacts caused by activities of actors with business relationships</p> <p><i>(E.g., A joint venture invested in an agricultural business for research and development of a process to manage plant fungi, which received a patent for Neem oil used for centuries by farmers in South Asia without providing fair and equitable shared benefits to them, counter to contract obligations)</i></p>
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553 **Guidance Point 2.3:** Response to (potential) adverse impacts

554 Each way of your business' involvement in a (potential) adverse human rights and  
555 environmental impact (Guidance Point 2.2) has different implications for the nature of its  
556 response:

- 557 • **Causation:** Where the business causes (potential) adverse impacts, it should take  
558 appropriate actions to prevent or cease them.

559 Where the business causes actual adverse impacts, it should provide for or  
560 cooperate in the remediation;

- 561 • **Contribution:** Where the business contributes to (potential) adverse impacts, it  
562 should take appropriate actions to prevent or cease its contribution and use and  
563 increase leverage (See Guidance Point 2.5) to influence actors causing or  
564 contributing to them to prevent or cease them.

565 Where the business contributes to actual adverse impacts, it should contribute to  
566 remediation to the extent of its contribution and use and increase leverage (See  
567 Guidance Point 2.5) to influence actors causing or contributing to them to provide  
568 for or cooperate in the remediation;

- 569 • **Direct linkage:** Where the business is involved in (potential) adverse impacts  
570 linked to its operations, products, or services by business relationships, it does not  
571 have responsibility for the impacts themselves – that responsibility lies with the  
572 actors that caused them. However, it has a responsibility to seek to prevent or  
573 cease the (potential) impacts by using leverage (See Guidance Point 2.5) over  
574 actors causing them.

575 If unsuccessful in using and unsuccessful in or impossible to increase leverage,  
576 the business should consider terminating the relationships (Guidance Point 2.6),  
577 taking into account assessments of (potential) adverse impacts of doing so.

578 The business itself is not required to provide for direct remediation of actual  
579 adverse impacts, although it may take a role in doing so. However, the business  
580 has a responsibility to seek to remediate them by using and increasing leverage  
581 (See Guidance Point 2.5) over actors causing them.<sup>46</sup>

582 While terminating business relationships (See Guidance Point 2.6) may need to be  
583 considered as part of a strategy to respond to (potential) adverse impacts in situations of  
584 'contribution (through a business relationship)' and 'direct linkage', this may not be the  
585 best way of preventing and addressing them. Remaining in relationships may enable your  
586 business to maintain greater leverage (See Guidance Point 2.5) to prevent and address  
587 (potential) adverse impacts and to bring about positive human rights and environmental  
588 outcomes.<sup>47</sup>

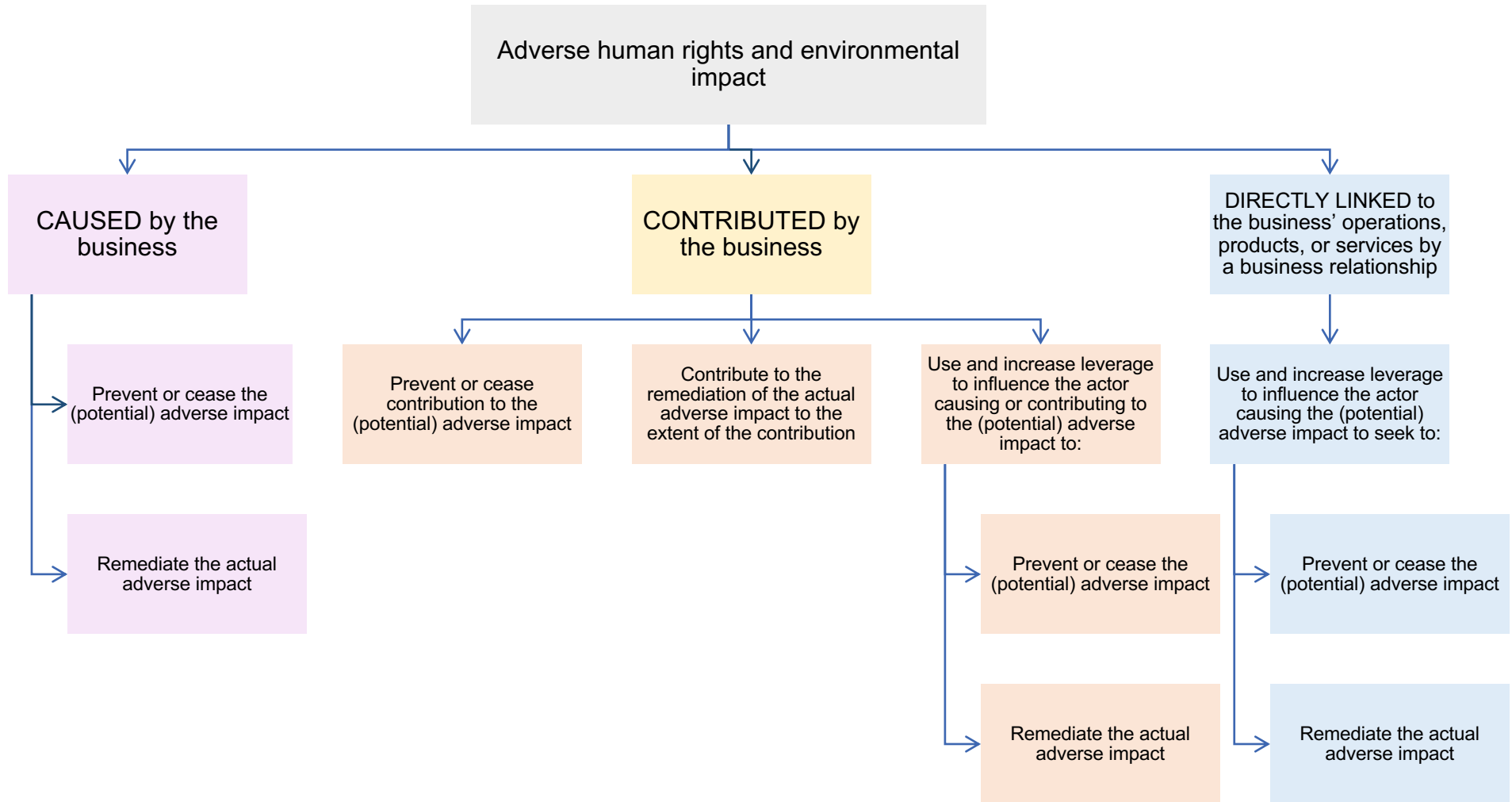
589

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<sup>46</sup> OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).

<sup>47</sup> OHCHR. Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting, August 2023. [Link](#).

590 **Box 13:** Response to (potential) adverse human rights and environmental impacts, depending on the way of businesses' involvement in them<sup>48</sup>



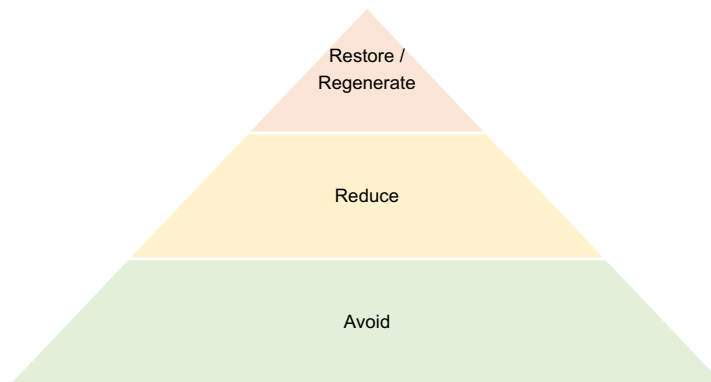
<sup>48</sup> Inspired by:  
 - OHCHR. The Corporate Responsibility to Respect Human Rights, 2012. [Link](#).  
 - OECD. Due Diligence Guidance for Responsible Business Conduct, Q29, 2018. [Link](#).

592 To prevent and address a (potential) adverse human rights impact resulting from  
593 (potential) environmental harms, drawing on internal and/or external environmental  
594 expertise, identify appropriate actions based on the mitigation and conservation  
595 hierarchies<sup>49</sup>:

- 596 • **Avoid:** all adverse environmental impacts that can be avoided should be;
- 597 • **Reduce:** when the business fails to entirely avoid adverse environmental impacts,  
598 such impacts should be reduced from their baseline value; for the part of the  
599 adverse impacts that cannot be avoided, 'restoration' and 'regeneration' actions  
600 should be applied;
- 601 • **Restore/Regenerate\*:** when the business fails to avoid and reduce adverse  
602 environmental impacts, such impacts should be remediated.

603 'Restoration' and 'regeneration' actions are needed to (1) remediate adverse  
604 environmental impacts that cannot be avoided and reduced, and (2) achieve  
605 measurable positive environmental outcomes.

606 \* 'Restoration' and 'regeneration' actions are the last step in the mitigation and  
607 conservation hierarchies and are meant to be the last resort.



608

609 To remediate actual adverse human rights impacts resulting from environmental harms in  
610 addition to environmental remediation through 'restoration' and 'regeneration' actions,  
611 provide for or cooperate in remediation to adversely affected rights-holders through  
612 legitimate processes (See Box 15).

613 Identified appropriate actions should not create any additional adverse impacts. To ensure  
614 they are effective and rights-holders-centered, as well as apply traditional knowledge,  
615 innovation, and practice, consider identifying appropriate response to (potential) adverse  
616 human rights and environmental impacts in direct consultations with (potentially) affected  
617 rights-holders (See Guidance Point 1.5).

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<sup>49</sup> SBTN. Initial Guidance for Business 'Science-Based Targets for Nature', September 2020. [Link](#).

618 **Box 14:** Examples of appropriate actions to prevent and address (potential) adverse environmental impacts based on the  
 619 mitigation and conservation hierarchies

	<b>AVOID</b> Potential Adverse Impacts	<b>REDUCE</b> Actual Adverse Impacts	<b>RESTORE/REGENERATE</b> Actual Adverse Impacts
<b>Land Pollution</b>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing or secure business activities within a particular area (e.g., avoid locating hazardous waste sites in low-lying areas and areas prone to severe storms)</li> <li>• <b>Temporal techniques:</b> Avoid implementing or secure business activities during a particular season or time period (e.g., avoid applying agro-chemicals with toxic and heavy metals, especially during the wet season)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes, or different chemical inputs (e.g., treat solid waste before dumping it in landfills/dumpsites)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within a particular area (e.g., reduce the application of hazardous agro-chemicals in close proximity to residential areas)</li> <li>• <b>Temporal techniques:</b> Reduce implementing business activities during a particular season or time period (e.g., reduce the application of non-organic de-icing chemicals during winter)</li> <li>• <b>Technological techniques:</b> <ul style="list-style-type: none"> <li>○ Implement alternative project designs, using different production and distribution processes, or different chemical inputs (e.g., reduce hazardous wastewater with on-site recycling)</li> <li>○ Change the product design, incl. for reducing packaging waste (e.g., reduce dependence on single-use packaging through designing products to be packaging-free or introducing reusable packaging)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Biological treatment (bioremediation):</b> use metabolic activities of plants and micro-organisms</li> <li>• <b>Chemical treatment</b> (e.g., chemical oxidation)</li> <li>• <b>Physical treatment:</b> <ul style="list-style-type: none"> <li>○ Physical clean-up of (post-consumer) plastic pollution</li> <li>○ Encapsulation (e.g., cover the contaminated land with layers of concrete, lime, or synthetic textiles)</li> <li>○ Washing</li> <li>○ Thermal desorption (e.g., heating)</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Apply the extended producer responsibility model to reduce waste at source and improve end-of-life waste outcomes (e.g., establish collection centers for e-waste)</li> </ul>	
<p><b>Water Pollution</b></p>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing or secure business activities within a particular area (e.g., stack solid manure on a concrete pad above the seasonal high-water table)</li> <li>• <b>Temporal techniques:</b> Avoid implementing or secure business activities during a particular season or time period (e.g., site aboveground outdoor storage tanks in an open-sided shed to avoid runoff, especially in the wet season)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes, or different chemical inputs (e.g., treat wastewater before discharging it to receiving watercourses)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within a particular area (e.g., reduce cleansing of drains or washing concrete mixers in close proximity to watercourses)</li> <li>• <b>Temporal techniques:</b> Reduce implementing business activities during a particular season or time period (e.g., reduce agro-chemical granules and liquids on impervious surfaces such as driveways in the wet season)</li> <li>• <b>Technological techniques:</b> <ul style="list-style-type: none"> <li>○ Implement alternative project designs, using different production, packaging, and distribution processes, or different chemical inputs (e.g., reduce the usage of hazardous chemicals with safer alternatives)</li> <li>○ Change the product design, incl. for reducing packaging waste</li> <li>○ Apply the extended producer responsibility model to reduce waste at source and</li> </ul> </li> </ul>	<p><b>[Surface water]</b></p> <ul style="list-style-type: none"> <li>• <b>Ecological treatment:</b> use metabolic activities of plants and micro-organisms (e.g., ecological floating bed or constructed wetlands)</li> <li>• <b>Chemical treatment</b> (e.g., acid-alkali neutralization)</li> <li>• <b>Physical treatment:</b> <ul style="list-style-type: none"> <li>○ Physical clean-up of (post-consumer) plastic pollution</li> <li>○ Dredging sediment</li> <li>○ Mechanical algal removal</li> <li>○ Aeration</li> <li>○ Water diversion</li> </ul> </li> </ul> <p><b>[Groundwater]</b></p> <ul style="list-style-type: none"> <li>• <b>Biological treatment (bioremediation):</b> use metabolic activities of plants and micro-organisms</li> <li>• <b>Chemical treatment</b> (e.g., chemical oxidation)</li> <li>• <b>Physical treatment:</b> <ul style="list-style-type: none"> <li>○ Pump-treat</li> <li>○ Air sparging</li> </ul> </li> </ul>



		improve end-of-life waste outcomes	<ul style="list-style-type: none"> <li>○ Soil excavation</li> <li>○ Permeable reactive barrier</li> </ul>
<b>Air Pollution</b>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing or secure business activities within a particular area (e.g., avoid emitting air pollutants in areas with numerous and widespread sources of air pollution, incl. heavily populated areas)</li> <li>• <b>Temporal techniques:</b> Avoid implementing or secure business activities during a particular season or time period (e.g., avoid crop residue burning from previous season, especially during winter)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes, or different chemical inputs (e.g., employ abatement techniques such as regenerative thermal oxidizer to destroy pollutants before they are released into the air)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within a particular area (e.g., reduce the emission of air pollutants in close proximity to downwind residential areas)</li> <li>• <b>Temporal techniques:</b> Reduce implementing business activities during a particular season or time period (e.g., reduce the emission of air pollutants in the pollutants concentration peak hours of the monsoon season)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes, or different chemical inputs (e.g., use biogas recovery systems to reduce methane emissions from livestock waste)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Biological treatment (bioremediation):</b> use metabolic activities of plants and micro-organisms</li> <li>• <b>Chemical treatment</b> (e.g., absorption, photocatalytic oxidation)</li> <li>• <b>Physical treatment:</b> <ul style="list-style-type: none"> <li>○ Air filtration</li> <li>○ Electrostatic precipitation</li> <li>○ Ionization</li> </ul> </li> </ul>
<b>Climate Change</b>	<p><b>[Physical impacts]</b></p> <p><b>Technological techniques:</b></p> <ul style="list-style-type: none"> <li>• Avoid producing and using fossil fuels and producing greenhouse gas emissions, incl. by implementing alternative project designs, using different production</li> </ul>	<p><b>[Physical impacts]</b></p> <p><b>Technological techniques:</b></p> <p>Phase out using fossil fuels and producing greenhouse gas emissions, incl. by:</p> <ul style="list-style-type: none"> <li>• Implementing alternative project designs, using different</li> </ul>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• Ecological restoration (e.g., reforestation)</li> <li>• Supporting individual species recovery</li> <li>• Regenerative agriculture and aquaculture</li> </ul>

	<p>and distribution processes (e.g., use electricity produced only from a subset of renewable resources)</p> <ul style="list-style-type: none"> <li>• Avoid destroying carbon sinks that absorb greenhouse gases (e.g., deforestation)</li> <li>• Avoid using carbon offsets<sup>50</sup></li> </ul>	<p>production, packaging, and distribution processes (e.g., improve energy efficiency of manufacturing plants by installing LEDs)</p> <ul style="list-style-type: none"> <li>• Changing the product design, incl. for reducing packaging waste</li> <li>• Applying the extended producer responsibility model to reduce waste at source and improve end-of-life waste outcomes</li> </ul>	<ul style="list-style-type: none"> <li>• Rehabilitation of degraded lands (e.g., restoration of a river shoreline with native planting)</li> <li>• Replenishment of freshwater systems</li> </ul>
	<p><b>[(Mal)adaptation impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing or secure business activities within a particular area (e.g., avoid building coastal systems such as sea walls in low-lying coastal areas that enable more development in high disaster-risk and further risks)</li> <li>• <b>Temporal techniques:</b> Avoid implementing or secure business activities during a particular season or time period (e.g., provide a preventive cool-down rest for workers working outside in increasing temperature)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes (e.g., use</li> </ul>	<p><b>[(Mal)adaptation impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within a particular area (e.g., reduce groundwater irrigation in areas projected to have more intense drought conditions)</li> <li>• <b>Temporal techniques:</b> Reduce implementing business activities during a particular season or time period (e.g., reinforce tailing dams against heavy rainfall and floods in the wet season)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes (e.g., use cooling devices such as thermosiphons to protect oil storages built on permafrost)</li> </ul>	<p><b>[(Mal)adaptation impacts]</b></p> <ul style="list-style-type: none"> <li>• Ecological restoration</li> <li>• Supporting individual species recovery</li> <li>• Regenerative agriculture and aquaculture</li> <li>• Rehabilitation of degraded lands</li> <li>• Replenishment of freshwater systems</li> </ul>

<sup>50</sup> UNWG on Business and Human Rights. Information Note on 'Climate Change and the Guiding Principles on Business and Human Rights', June 2023. [Link](#).

	<p>a smartphone app to track crop progress and facilitate insurance payouts)</p>		
	<p><b>[Transition impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing or secure business activities within a particular area (e.g., afforestation on the indigenous communities' collectively held lands with no Free, Prior, and Informed consent and agreement on just and fair compensation)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes (e.g., use compostable bamboo and mycelium blades for wind turbines)</li> </ul>	<p><b>[Transition impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within a particular area (e.g., reduce sourcing cobalt from informal artisanal mines characterized by massive stripping of overburden and burning bushes)</li> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution processes (e.g., apply a new technology of direct lithium extraction requiring almost no water)</li> </ul>	<p><b>[Transition impacts]</b></p> <ul style="list-style-type: none"> <li>• Ecological restoration</li> <li>• Supporting individual species recovery</li> <li>• Regenerative agriculture and aquaculture</li> <li>• Rehabilitation of degraded lands</li> <li>• Replenishment of freshwater systems</li> </ul>
<p><b>Biodiversity Loss</b></p>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Avoid implementing business activities within or sourcing from a particular area (e.g., avoid sitting a wind farm on a seabirds feeding route)</li> <li>• <b>Temporal techniques:</b> Avoid implementing or secure business activities or sourcing during a particular season or time period (e.g., avoid sourcing fruits and vegetables grown in the periods of water stress)</li> </ul>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• <b>Spatial techniques:</b> Reduce implementing business activities within or sourcing from a particular area (e.g., reduce sourcing minerals from areas of biological importance)</li> <li>• <b>Temporal techniques:</b> Reduce implementing business activities or sourcing during a particular season or time period (e.g., reduce artificial lighting from beaches during turtle nesting season)</li> <li>• <b>Technological techniques:</b></li> </ul>	<p><b>[Physical impacts]</b></p> <ul style="list-style-type: none"> <li>• Ecological restoration</li> <li>• Supporting individual species recovery</li> <li>• Regenerative agriculture and aquaculture</li> <li>• Rehabilitation of degraded lands</li> <li>• Replenishment of freshwater systems</li> <li>• Allowance for ecological permeability (e.g., demolishing</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Technological techniques:</b> Implement alternative project designs, using different production, packaging, and distribution process, or different chemical inputs (e.g., avoid using bottom trawling in fishing)</li> </ul>	<ul style="list-style-type: none"> <li>○ Implement alternative project designs, using different production, packaging, and distribution process, or different chemical inputs (e.g., increase the use of regenerated cellulose fiber from [post-consumer] cotton-waste)</li> <li>○ Change the product design, incl. for reducing packaging waste</li> <li>○ Apply the extended producer responsibility model to reduce waste at source and improve end-of-life waste outcomes</li> </ul>	<p>a dam to allow free-flow river and open up fish habitat)</p>
	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <p>Negotiate and jointly develop Mutually Agreed Terms, incl. on fair and equitable shared benefits, with Indigenous Peoples and other communities</p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <ul style="list-style-type: none"> <li>• Ecological restoration</li> <li>• Supporting individual species recovery</li> <li>• Regenerative agriculture and aquaculture</li> <li>• Rehabilitation of degraded lands</li> <li>• Replenishment of freshwater systems</li> </ul>	

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623 **Box 15:** Outcome and process of remediation of actual adverse human rights impacts  
624 resulting from environmental harms (in addition to environmental remediation through  
625 'restoration' and 'regeneration' appropriate actions)

Where your business identifies (through human rights due diligence or other means) that it caused or contributed to actual adverse human rights impacts resulting from environmental harms, it should provide for or cooperate in their remediation through legitimate processes.

Remediation aims to restore the ability of individual persons, groups, or peoples to exercise and enjoy their human rights that have been adversely impacted by your business' activities to the situation they would have been in had the adverse impacts not occurred.

Operational-level grievance mechanisms for rights-holders affected by your business' adverse impacts can be one effective means of enabling remediation when they are:

- **Legitimate:** enabling trust from rights-holders for whose use they are intended and being accountable for the fair conduct of grievance processes
- **Accessible:** being known to all rights-holders for whose use they are intended and providing adequate assistance for those who may face particular barriers to access
- **Predictable:** providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation
- **Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair, informed, and respectful terms
- **Transparent:** keeping parties to a grievance informed about its progress and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake
- **Rights-compatible:** ensuring that outcomes and remedies accord with internationally recognized human rights
- **A source of continuous learning:** drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and adverse impacts
- **Based on rights-holder engagement:** directly consulting rights-holders for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances

Operational-level grievance mechanisms can support your business in identifying and assessing (potential) adverse human rights and environmental impacts as a part of an ongoing human rights due diligence process (See Guidance Point 1,4), as well as addressing actual adverse impacts early and directly preventing them from compounding.

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627 **Guidance Point 2.4:** Action Plan

628 Consider consolidating identified appropriate actions (See Guidance Point 2.3) in a stand-  
629 alone Action Plan to prevent and address (potential) adverse human rights and  
630 environmental impacts, which is recommended to be publicly available and include:

- 631 • Assigned responsibility for preventing and addressing each (potential) adverse  
632 impact;
- 633 • Timeline for preventing and addressing each (potential) adverse impact;
- 634 • Allocated budget, taking into account both short- (e.g., 1-3 years) and longer-term  
635 (e.g., by 2030 or 2050) (potential) adverse impacts;

636 • Established reporting and oversight processes.<sup>51</sup>

637 **Guidance Point 2.5: Leverage**

638 In situations of ‘contribution’ to and ‘direct linkage’ with (potential) adverse human rights  
639 and environmental impacts (See Guidance Point 2.3) through other actors, use leverage  
640 to seek to prevent and address their (potential) adverse impacts and influence the overall  
641 practices. If you lack leverage, seek to increase it.

642 There are five types of leverage:

- 643 1. **Traditional commercial leverage:** within the activities the business routinely  
644 undertakes in commercial relationships, such as contract negotiation/renewal,  
645 licensing agreements/renewal, qualification criteria for bidding processes, or  
646 disbursement of funds;
- 647 2. **Broader business leverage:** through activities that are not routine or typical in  
648 commercial relationships, such as capacity-building;
- 649 3. **Leverage together with business partner(s):** through collective action with  
650 business peers (in or beyond the same sector), including through business  
651 associations;
- 652 4. **Leverage through bilateral engagement:** through separate engagements with  
653 actors such as a government, international organization, civil society organization,  
654 trade union, or community-based group;
- 655 5. **Multi-stakeholder engagement:** through collective action with governments,  
656 business peers, international organizations, civil society organizations, trade  
657 unions, or community-based groups.<sup>52</sup>

658 If your business has vast numbers of value chain actors, and it is not possible to influence  
659 the practices across them all, instead of or in addition to focusing on ‘top spend’ or top  
660 tier actors, strategic actors, or other factors that suggest your business’ leverage with  
661 them is the greatest, prioritize actors for using and increasing leverage based on the  
662 severity of their (potential) adverse human rights and environmental impacts (See  
663 Guidance Point 2.1).<sup>53</sup>

664 Leverage may take time to build and is not a static concept. Just because your business  
665 does not have leverage initially does not mean that leverage cannot be built over time.  
666 However, to understand how much leverage your business may have and how best it  
667 should be used and increased, continuously assess the effectiveness of your business’  
668 leverage efforts, and if these have not been effective, whether and how they could  
669 produce different outcomes. To be credible, such leverage assessments should be  
670 informed by direct consultations with (potentially) affected rights-holders (See Guidance  
671 Point 1.5).<sup>54</sup>

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<sup>51</sup> Inspired by: Danish Institute for Human Rights. Guidance and Toolbox on Human Rights Impact Assessment, 2020. [Link](#).

<sup>52</sup> Shift. Using Leverage to Drive Better Outcomes for People, July 2021. [Link](#).

<sup>53</sup> Shift. Respecting Human Rights Through Global Supply Chains, October 2012. [Link](#).

<sup>54</sup> OHCHR. Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting, August 2023. [Link](#).

672 If unsuccessful in using and unsuccessful or impossible to increase leverage over other  
673 actors, consider whether to continue or terminate the relationships with them (See  
674 Guidance Point 2.6).



	<b>Traditional</b>	<b>Broader</b>	<b>With Business Partners, incl. through Business Associations</b>	<b>Bilateral Engagement</b>	<b>Multi-Stakeholder Engagement</b>
<b>Cross-Cutting</b>	<ul style="list-style-type: none"> <li>• Inclusion of terms of a Code of Conduct that reflects human rights and environmental standards in contracts</li> <li>• Inclusion of a requirement for human rights and environmental self-assessments and audits</li> <li>• Inclusion of human rights and environmental performance in the broader actor evaluation system</li> <li>• Inclusion of human rights and environmental pre-qualifications in bidding processes</li> </ul>	<ul style="list-style-type: none"> <li>• ‘Support visits’ to help actors adjust to human rights and environmental contractual obligations</li> <li>• Human rights and environmental capacity-building for actors (e.g., training courses, technical expertise, good practice guides, peer-learning)</li> <li>• Direct investments in improvements of actors’ performance</li> <li>• Inclusion of human rights and environmental compliance in procurement/</li> </ul>	<ul style="list-style-type: none"> <li>• Exchange with business peers that face similar value chain issues</li> <li>• Work with business peers to influence joint value chain actors</li> <li>• Development of common human rights and environmental standards and approaches, incl. to capacity-building for actors with business peers with overlapping value chains</li> </ul>	<ul style="list-style-type: none"> <li>• Separate partnerships with international organizations, civil society organizations, trade unions, community-based groups, etc. for assessing and building actors’ capacities and joint problem-solving on complex issues</li> <li>• Bilateral engagement with government policy-makers and regulatory authorities for, e.g., better regulatory enforcement and regulatory change</li> </ul>	<ul style="list-style-type: none"> <li>• Convening a broad range of stakeholders to raise awareness of endemic or deep value chain challenges</li> <li>• Development of common human rights and environmental standards and approaches, incl. to capacity-building for actors with a broad range of stakeholders</li> </ul>

<sup>55</sup> Inspired by:

- Shift. Using Leverage to Drive Better Outcomes for People, July 2021. [Link.](#)
- Shift. Using Leverage in Business Relationships to Reduce Human Rights Risks, November 2013. [Link.](#)
- OHCHR. Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting, August 2023. [Link.](#)
- OHCHR. Remedy in Development Finance: Guidance and Practice, 2022. [Link.](#)
- SOMO. Should I Stay or Should I Go?: Exploring the Role of Disengagement in Human Rights Due Diligence, April 2016. [Link.](#)

	<p>for contracts, licenses, or franchise agreements</p> <ul style="list-style-type: none"> <li>• Prospect of repeat business or termination of a relationship (e.g., as a consequence for failure to meet contractual obligations)</li> <li>• Temporary termination of a relationship or conditions for re-engagement</li> </ul>	<p>purchasing decision-making</p>			
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677 **Guidance Point 2.6:** Continuing or terminating relationships

678 If unsuccessful in using and unsuccessful in or impossible to increase leverage (See  
679 Guidance Point 2.5) to influence practices of other actors, consider whether and how to  
680 continue or terminate the relationships with them based on the three factors:

681 1. **Cruciality:**

- 682 ○ Where relationships are **not crucial** to your business, consider terminating  
683 them and find suitable, more human rights- and environment-respecting  
684 replacements;
- 685 ○ Where relationships are **crucial** to your business (e.g., they provide an  
686 essential product or service for which no reasonable alternative exists), and  
687 your business considers continuing them, communicate externally (See  
688 Guidance Point 4.1) about the decision-making process used to arrive at  
689 that determination, the criteria used, and appropriate actions taken to seek  
690 to prevent and address their (potential) adverse human rights and  
691 environmental impact and influence overall practices.

692 For as long as (potential) adverse human rights and environmental impacts  
693 by crucial actors continue and your business continues the relationships  
694 with them, carry out ongoing human rights due diligence to identify and take  
695 appropriate actions to seek to prevent and address them and influence their  
696 overall practices while being prepared to accept any financial, reputation,  
697 legal, or other implications. In the longer term, take structure-level  
698 appropriate actions to reduce reliance on these relationships;<sup>56</sup>

- 699 2. **Severity of (potential) adverse impacts:** Where your business considers  
700 continuing relationships with other actors, crucial or not, take into account the  
701 severity of their (potential) adverse human rights and environmental impacts to  
702 identify the speed of their positive change. The more severe (potential) adverse  
703 impacts, the quicker actors should improve their practices.

704 To ensure the effectiveness, continuity, and sustainability of the positive change in  
705 practices of actors, to justify the decision to delay terminating the relationship with  
706 them, and to communicate their progress (See Guidance Point 4.1), consider  
707 developing a specific improvement plan with them<sup>57</sup> and support its  
708 implementation and tracking (See Guidance Point 3.2);

- 709 3. **(Potential) adverse consequences:** Where your business considers terminating  
710 relationships with other actors, prevent and address any (potential) adverse  
711 impacts that may result from (1) the termination and (2) the manner in which it is  
712 done through a separate and distinct impact assessment exercise.<sup>58</sup> To assist  
713 making a decision on terminating relationships in the best interest of (potentially)

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<sup>56</sup> OHCHR. Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting, August 2023. [Link](#).

<sup>57</sup> SOMO. Should I Stay or Should I Go?: Exploring the Role of Disengagement in Human Rights Due Diligence, April 2016. [Link](#).

<sup>58</sup> OHCHR. Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting, August 2023. [Link](#).

714 affected rights-holders, consider engaging them in the impact assessment  
715 exercise directly (See Guidance Point 1.5).

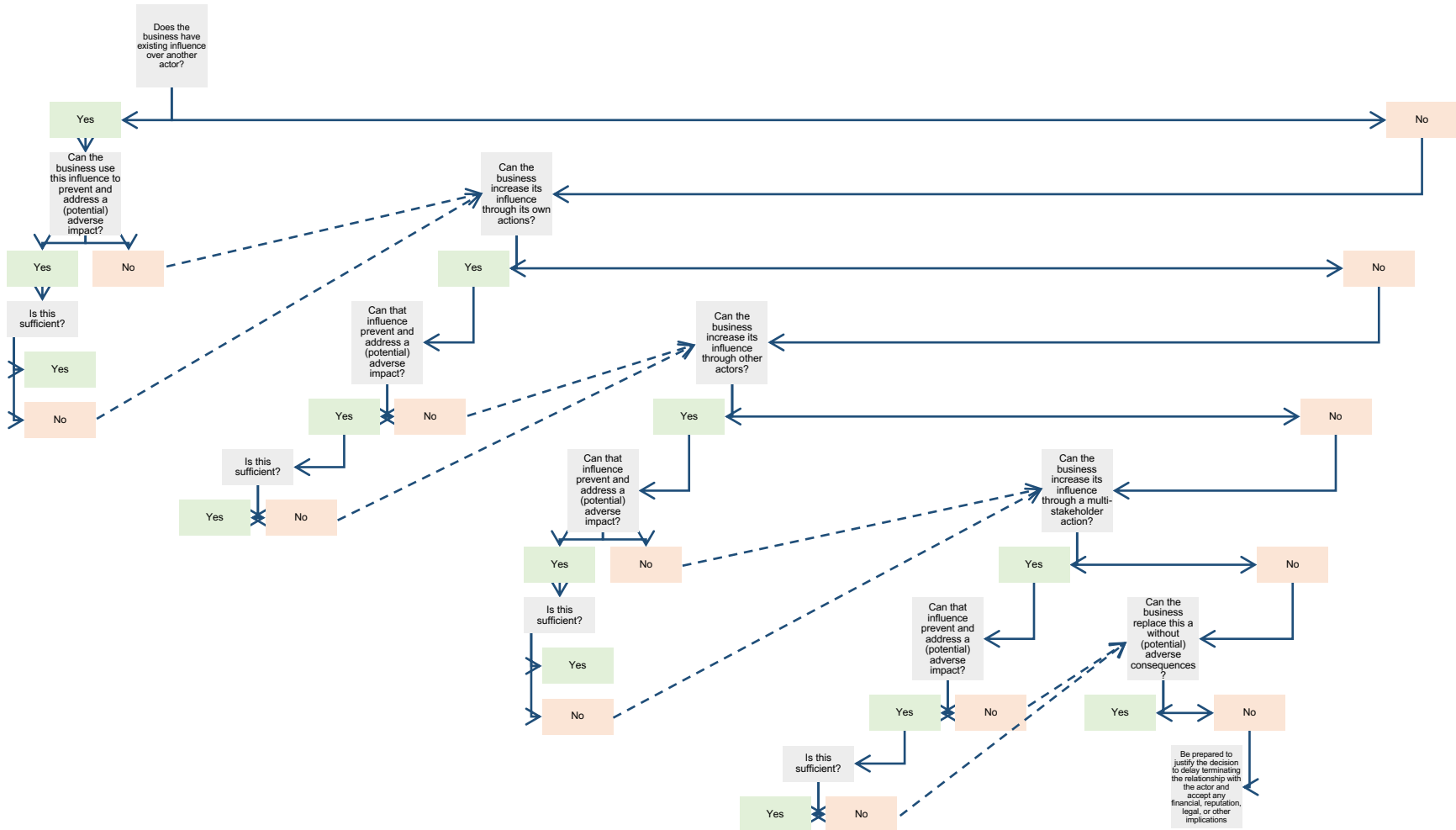
716 When the decision is made to terminate a relationship, crucial or not, treat the termination  
717 as a process, manage post-termination consequences, and apply a contextualized and  
718 nuanced approach to external communications about it:

- 719 • **Treating termination as a process** involves, for example, preparing for the  
720 termination, deciding when and how to do so, and executing the decision, which  
721 provides the business with a greater opportunity to use and increase leverage (See  
722 Guidance Point 2.5), for example, by implementing a temporary termination to  
723 allow for positive change before a final decision is made, or clarifying conditions  
724 under which re-engagement would be possible to create incentives for positive  
725 change. Treating termination as a process also provides more time to dedicate to  
726 rights-holder engagement (See Guidance Point 1.5) and to prevent and address  
727 any (potential) adverse consequences of the termination;
- 728 • **Managing post-termination consequences** involves, for example, compliance  
729 with applicable national regulations (e.g., legal standards for compensation or  
730 entitlements) and support to rights-holders who are (potentially) affected by the  
731 termination through the development and implementation of short- and longer-term  
732 plans;
- 733 • **Applying a contextualized and nuanced approach to external  
734 communications** (See Essential Component 4) about the termination involves,  
735 for example, accurate and proportionate justifications of the termination, which is  
736 fair to other businesses that may have good reasons based on conclusions of their  
737 own human right due diligence, to continue the relationship with the same actor,  
738 as well as appropriate actions to prevent and address (potential) adverse impacts  
739 on rights-holders associated with the communication (e.g., if the business  
740 communicates that it is terminating the relationship because of protests by  
741 environmental human rights defenders, there could be a clear retaliation risk for  
742 those defenders and related communities).<sup>59</sup>

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<sup>59</sup> Ibid.

743 **Box 17:** Decision tree for using and increasing leverage to influence practices of other actors<sup>60</sup>



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<sup>60</sup> Inspired by: Shift. A Guidance Tool for Companies 'Doing Business with Respect for Human Rights', Edition 2, 2016. [Link](#).

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### ESSENTIAL COMPONENT 3 'TRACK'

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Track the effectiveness of business' performance in preventing and addressing (potential) adverse human rights and environmental impacts.

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751

#### PRINCIPLES:

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1. **Apply a human rights-based approach to collecting data:** when collecting human rights and environmental data, apply a human rights-based approach, particularly its principles of participation, data disaggregation, self-identification, and privacy<sup>61</sup>:

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Participation	<p>Encouraging and facilitating joint tracking by both the business and (potentially) affected rights-holders</p> <p>This is especially relevant for contexts where the business and (potentially) affected rights-holders are in dispute about particular (potential) adverse human rights and environmental impacts, and rights-holders are unlikely to accept the business' own tracking of the effectiveness of its actions to prevent and address them</p>
Data disaggregation	<p>Disaggregating data by gender, and, where possible, by the vulnerability and marginalization of (potentially) affected rights-holders and taking into account intersecting identities, which may require alternative data collection approaches and additional indicators (See Guidance Point 3.1)</p>
Self-identification	<p>Collecting data about personal characteristics of (potentially) affected rights-holders directly from the rights-holders to whom the data refers (at the individual's discretion); and</p> <p>Not creating or reinforcing existing discrimination, bias, or stereotypes exercised against rights-holders, including by denying their identity(ies)</p>
Privacy	<p>Implementing safeguards to protect the security of collected data; and</p> <p>Employing stricter standards of data protection while processing and storing personal data or data disclosing personal characteristics of the most vulnerable and marginalized rights-holders, including children, or any other sensitive data</p>

<sup>61</sup> Inspired by: OHCHR. A Human Rights-Based Approach to Data 'Leaving No One Behind in the 2030 Agenda for Sustainable Development, 2018. [Link](#).

756

757 **2. Track what is important as opposed to tracking only what can be easily**  
758 **quantified:** to provide insights into the effectiveness of business' performance on  
759 human rights and the environment, go beyond quantitative scientific data and  
760 complete it with qualitative data, including anecdotal evidence and case studies on  
761 lived experiences collected directly from (potentially) affected rights-holders;

762 **3. Use tracking results to drive continuous improvement in business' human**  
763 **rights due diligence:** analyze quantitative scientific and qualitative lived  
764 experience data and feed learning across the four essential components of human  
765 rights due diligence.

## 766 PROCESSES:

### 767 **Guidance Point 3.1:** Performance indicators

768 To track the implementation of the Action Plan (See Guidance Point 2.4) and the  
769 effectiveness of the identified appropriate actions, drawing on internal and/or external  
770 human rights, environmental, and compliance expertise, develop business-specific and  
771 decision-useful performance indicators which may include:

- 772 • **Incident indicators:** reflect (potential) adverse human rights and environmental  
773 impacts;
- 774 • **Structural indicators:** reflect the adoption/review of policies, operational  
775 guidance, and formal accountabilities for preventing and addressing (potential)  
776 adverse human rights and environmental impacts;
- 777 • **Process (input) indicators:** reflect specific actions taken to prevent and address  
778 (potential) adverse human rights and environmental impacts;
- 779 • **Outcome indicators:** reflect systematic and longer-term results of actions taken  
780 to prevent and address (potential) adverse human rights and environmental  
781 impacts.

782 When developing human rights and environmental performance indicators, combine  
783 quantitative (scientific) indicators with qualitative indicators on lived experiences of  
784 (potentially) affected rights-holders with disaggregation by their gender and, where  
785 possible, other vulnerability and marginalization, taking into account intersecting  
786 identities. Direct consultations with (potentially) affected rights-holders are essential to  
787 collect primary lived experience data (See Guidance Point 1.5).

788 A meaningful and consistent comparison of performance indicators requires that your  
789 business sets a performance datum against which to track performance. This  
790 performance datum is referred to as the base year/month for which data are available.  
791 Your business should establish a single base year/month for comprehensive tracking of  
792 pollution, climate change, biodiversity loss, and human rights.

793 For consistent tracking of performance indicators over time, the base year/month datum  
794 may need to be recalculated as your business undergoes structural changes such as  
795 acquisitions, divestments, and mergers.

796



	Incident Indicator	Structure Indicator	Process Indicator	Outcome Indicator
<b>Cross-Cutting</b>	<p><b>[Quantitative]</b></p> <ul style="list-style-type: none"> <li>Percentage of consulted rights-holders who believe that their human rights are (potentially) affected due to the business' (potential) adverse environmental impacts, disaggregated by: <ul style="list-style-type: none"> <li>Gender</li> <li>Age</li> <li>National / ethnic origin</li> <li>Disability</li> </ul> </li> <li>Number of incidents of intimidation and reprisals against environmental human rights defenders associated with the business own activities and the value chain</li> <li>Number of grievances related to adverse</li> </ul>	<p><b>[Quantitative]</b></p> <ul style="list-style-type: none"> <li>Number of policies and operational guidance integrating human rights and the environment, incl. the rights of environmental human rights defenders, consistent with international standards in place</li> <li>Percentage of bid callings that include human rights and environmental pre-qualifications consistent with international standards</li> <li>Percentage of contracts that reflect human rights and environmental provisions consistent with international standards</li> <li>Percentage of value chain actor evaluation forms that reflect</li> </ul>	<p><b>[Quantitative]</b></p> <ul style="list-style-type: none"> <li>Number of human rights due diligence cycles conducted</li> <li>Number of (potentially) affected rights-holders consulted as part of human rights due diligence, percentage satisfied with the process, and percentage of those who believe it would be worthwhile to engage with the business in the future, disaggregated by: <ul style="list-style-type: none"> <li>Gender</li> <li>Age</li> <li>National / ethnic origin</li> <li>Disability</li> </ul> </li> <li>Number of human rights and environmental audits conducted and</li> </ul>	<p><b>[Quantitative]</b></p> <ul style="list-style-type: none"> <li>Percentage of consulted (potentially) affected rights-holders who believe that the business' human rights and environmental performance has improved, disaggregated by: <ul style="list-style-type: none"> <li>Gender</li> <li>Age</li> <li>National / ethnic origin</li> <li>Disability</li> </ul> </li> <li>Percentage of consulted (potentially) affected rights-holders who believe that their exercise and enjoyment of human rights have improved, disaggregated by: <ul style="list-style-type: none"> <li>Gender</li> <li>Age</li> <li>National / ethnic origin</li> </ul> </li> </ul>

<sup>62</sup> Inspired by:

- OHCHR. Human Rights Indicators: A Guide to Measurement and Implementation, 2012. [Link](#).
- Shift. UNGPs Reporting Framework, February 2015. [Link](#).
- Shift. Assurance of Human Rights Performance and Reporting: Assurance Indicators, 2017. [Link](#).
- Danish Institute for Human Rights. The Human Rights Compliance Assessment Tool, 10 September 2019. [Link](#).

	<p>human rights and environmental impacts received and percentage remediated, disaggregated by:</p> <ul style="list-style-type: none"> <li>○ Gender</li> <li>○ Age</li> <li>○ National / ethnic origin</li> <li>○ Disability</li> </ul> <ul style="list-style-type: none"> <li>• Percentage of affected rights-holders satisfied with the remediation outcome or, if not, found the process to be fair and respectful, disaggregated by: <ul style="list-style-type: none"> <li>○ Gender</li> <li>○ Age</li> <li>○ Ethnicity / Indigenous origin</li> <li>○ Disability</li> </ul> </li> </ul> <p><b>[Qualitative]</b></p> <ul style="list-style-type: none"> <li>• Description of how human rights of consulted rights-holders are (potentially) affected due to the business' (potential) adverse environmental impacts, disaggregated by: <ul style="list-style-type: none"> <li>○ Gender</li> <li>○ Age</li> </ul> </li> </ul>	<p>human rights and environmental performance consistent with international standards</p> <p><b>[Qualitative]</b></p> <ul style="list-style-type: none"> <li>• Description of how human rights policy commitment integrates the environment and the rights of environmental human rights defenders</li> <li>• Description of how functions related to human rights and the environment collaborate and mutually learn to carry out human rights due diligence</li> <li>• Description of systems to screen value chain actors and how they integrate human rights and environment-related criteria consistent with international standards</li> <li>• Description of channels through which the business can receive grievances related to adverse human rights and environmental impacts and processes through which it addresses</li> </ul>	<p>percentage of satisfactory audits</p> <ul style="list-style-type: none"> <li>• Number of value chain actors trained on human rights due diligence, and percentage of participants improved their human rights and environmental capacities</li> <li>• Number of business relationships terminated due to (potential) adverse human rights and environmental impacts by other actors</li> <li>• Number of (potentially) affected rights-holders reached with communications as part of human rights due diligence and percentage satisfied</li> </ul> <p><b>[Qualitative]</b></p> <ul style="list-style-type: none"> <li>• Description of time frame of the human rights due diligence cycle</li> <li>• Description of geographies, actors, categories of activities of the value chain, or other general areas selected to determine the focus of the human rights due diligence</li> </ul>	<ul style="list-style-type: none"> <li>○ Disability</li> </ul> <p><b>[Qualitative]</b></p> <ul style="list-style-type: none"> <li>• Description of (potentially) affected rights-holders perspective on how business' human rights and environmental performance has improved</li> <li>• Description of (potentially) affected rights-holders perspective on how their exercise and enjoyment of human rights have improved</li> </ul>
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	<ul style="list-style-type: none"> <li>○ Ethnicity / Indigenous origin</li> <li>○ Disability</li> </ul> <ul style="list-style-type: none"> <li>• Description of incidents of intimidation and reprisals against environmental human rights defenders associated with the business own activities and the value chain</li> <li>• Description of grievances related to adverse human rights and environmental impacts received and remediated</li> </ul>	<p>them and their compatibility with international standards</p>	<p>cycle and process of their selection</p> <ul style="list-style-type: none"> <li>• Description of identification and assessment (including prioritization) of (potential) adverse human rights and environmental impacts and how consultations with (potentially) affected rights-holders influenced those</li> <li>• Description of (potentially) affected rights-holders and the process of their identification</li> <li>• Description of consultations with (potentially) affected rights-holders as part of human rights due diligence</li> <li>• Description of separate risk assessment of (potential) adverse consequences associated with business relationships termination</li> <li>• Description of content and formats of communications as part of human due diligence</li> </ul>	
<b>Land Pollution</b>	<b>[Quantitative]</b> Number of ha of residential and	<b>[Quantitative]</b> Number of operational guidance on	<b>[Quantitative]</b> Percentage of avoided and reduced	<b>[Quantitative]</b> Concentration level

	<p>agricultural land polluted with hazardous by-products and number of rights-holders affected</p> <p><b>[Qualitative]</b> Description of (potential) adverse impacts of land pollution on rights-holders (food and livelihood security, wellbeing, family, education, culture, migration)</p>	<p>land pollution prevention and control integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on land pollution prevention and control integrates human rights</p>	<p>agro-chemicals with toxic Cr, Mn, Cu, As) and heavy (Cd, Ba, Hg, Pb) metals</p> <p>Percentage of wastewater recycled and reused</p> <p>Number of kg of packaging reduced</p> <p>Percentage of recyclable waste properly collected and treated</p> <p>Number of ha of polluted land restored/regenerated</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce (potential) land pollution and restore/regenerate polluted land</p>	<p>(mg/kg) of toxic (Cr, Mn, Cu, As) and heavy (Cd, Ba, Hg, Pb) metals in soil and cropping</p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Land (health and productivity)</li> <li>• Species</li> <li>• Rights-holders dependent on land (food and livelihood security, wellbeing, family, education, culture, migration) and entitled to lands, territories, and resources</li> </ul>
<b>Water Pollution</b>	<p><b>[Quantitative]</b> Number of L of hazardous substances spilled into watercourses and number of rights-holders affected</p> <p><b>[Qualitative]</b> Description of (potential) adverse impacts of water pollution on rights-holders (water, food, and livelihood security, wellbeing, family, education, culture, migration)</p>	<p><b>[Quantitative]</b> Number of operational guidance on water pollution prevention and control integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on water pollution prevention and control integrates human rights</p>	<p><b>[Quantitative]</b> Percentage of avoided and reduced agro-chemicals with heavy metals</p> <p>Percentage of wastewater treated before discharging it into receiving watercourses</p> <p>Number of kg of packaging reduced</p> <p>Percentage of recyclable waste properly collected and treated</p> <p>Number of kg of end-of-life waste produced and collected</p>	<p><b>[Quantitative]</b> Concentration level (mg/L) of nitrogen (N), phosphorus (P), and micro-plastics in the water basin<sup>63</sup></p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Water, incl. groundwater (quantity, flow, and quality)</li> <li>• Species</li> <li>• Irrigated land (health, productivity)</li> </ul>

<sup>63</sup> SBTN. Step 3 'Measure, Set, and Disclose': Technical Guidance on Freshwater, May 2023. [Link](#).

			<p>Number of m<sup>3</sup> of polluted water restored/regenerated</p> <p>Number of km of water shores cleaned from waste</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce (potential) water pollution and restore/regenerate polluted water</p>	<ul style="list-style-type: none"> <li>• Livestock water sources</li> <li>• Rights-holders dependent on water, incl. groundwater (water, food, and livelihood security, wellbeing, family, education, culture, migration) and entitled to lands, territories, and resources</li> </ul>
<b>Air Pollution</b>	<p><b>[Quantitative]</b> Number of kg of extra pollutants released into air and number of rights-holders affected</p> <p><b>[Qualitative]</b> Description of (potential) adverse impacts of air pollution on rights-holders (food and livelihood security, wellbeing, family, education, culture, migration)</p>	<p><b>[Quantitative]</b> Number of operational guidance on air pollution prevention and control integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on air pollution prevention and control integrates human rights</p>	<p><b>[Quantitative]</b> Percentage of emissions of air pollutants avoided and reduced</p> <p>Percentage of air pollutants treated before releasing them into the air</p> <p>Number of m<sup>3</sup> of polluted air restored/regenerated</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce (potential) air pollution and restore/regenerate polluted air</p>	<p><b>[Quantitative]</b> Concentration level (µg/m<sup>3</sup>) of particulate matter (PM<sub>10</sub>, and PM<sub>2.5</sub>), nitrogen oxides (NO), sulphur dioxide (SO<sub>2</sub>) and heavy metals (Cd, Ba, Hg, Pb) in the air</p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Air quality</li> <li>• Rights-holders dependent on being/working outside (food and livelihood security, wellbeing, family, education, culture, migration) and entitled to lands, territories, and resources</li> </ul>
<b>Climate Change</b>	<b>[Physical impacts]</b>	<b>[Physical impacts]</b>	<b>[Physical impacts]</b>	<b>[Physical impacts]</b>
		<b>[Quantitative]</b> Number of operational guidance on	<b>[Quantitative]</b> Number of t of carbon dioxide (CO <sub>2</sub> ) of	<b>[Quantitative]</b> Seven Global Climate Indicators

	<p><b>[Quantitative]</b> Scopes 1, 2, and 3 greenhouse gas emissions</p> <p><b>[Qualitative]</b> Description of adverse impacts of greenhouse gas emissions on rights-holders (water, food, and livelihood security, wellbeing, security of the person, education, culture, migration)</p>	<p>greenhouse gas management integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on greenhouse gas management integrates human rights</p>	<p>avoided and reduced, disaggregated by Scopes 1, 2, and 3</p> <p>Number of kg of packaging reduced</p> <p>Number of kg of end-of-life waste produced and collected</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce greenhouse gas emissions and restore/regenerate climate</p>	<p>by the World Meteorological Organization:</p> <ol style="list-style-type: none"> <li>1. Surface temperature</li> <li>2. Ocean heat content</li> <li>3. Atmospheric carbon dioxide (CO<sub>2</sub>)</li> <li>4. Ocean acidification</li> <li>5. Sea level</li> <li>6. Glacier</li> <li>7. Arctic and Antarctic sea ice extent<sup>64</sup></li> </ol> <p>Number of people forcibly displaced due to climate change/climate-related disasters, incl. through the IOM Displacement Tracking Matrix<sup>65</sup></p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Local climate (sea level, weather patterns, frequency and severity of climate-related disasters, land health and productivity, species)</li> <li>• Rights-holders dependent on climate and being/working outside or inside with no cooling systems</li> </ul>
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<sup>64</sup> Global Climate Observing System. State of the Global Climate Annual Reports (Global and Regional). [Link](#).

<sup>65</sup> IOM Global Data Institute. Displacement Tracking Matrix. [Link](#).

				(water, food, and livelihood security, wellbeing, security of the person, education, culture, migration) and entitled to lands, territories, and resources
	<p><b>[(Mal)adaptation impacts]</b></p> <p><b>[Quantitative]</b> Number of incidents of illness associated with heat stress reported</p> <p>Number of rights-holders affected by a collapse of the business' infrastructure during a climate-related disaster</p> <p>Number of L of hazardous substances spilled due to permafrost melting and number of rights-holders affected</p> <p><b>[Qualitative]</b> Description of (potential) adverse human rights and environmental impacts of (mal)adaptation on rights-holders (water, food, and livelihood security, wellbeing, security of the person, family, education, culture, migration)</p>	<p><b>[(Mal)adaptation impacts]</b></p> <p><b>[Quantitative]</b> Number of operational guidance on adaptation to climate change integrating human rights in place</p> <p>Number of climate-related disaster preparedness plans integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on adaptation to climate change and climate-related disaster preparedness plans integrate human rights</p>	<p><b>[(Mal)adaptation impacts]</b></p> <p><b>[Quantitative]</b> Number of h/worker provided for cool-down rest for workers working outside in increasing temperature</p> <p>Number of m<sup>3</sup> of groundwater avoided and reduced for irrigation</p> <p>Number of infrastructure reinforced against climate-related disasters</p> <p><b>[Qualitative]</b> Description of actions taken to prevent and address (potential) adverse human rights and environmental impacts due to (mal)adaptation to climate change</p>	<p><b>[(Mal)adaptation impacts]</b></p> <p><b>[Quantitative]</b> Number of workers working outside or inside with no cooling systems satisfied with their working conditions in increasing temperature</p> <p>Number of mm of groundwater recharge</p> <p>Number of rights-holders with reduced climate-related flood vulnerability due to resilient infrastructure (constructed or reinforced)</p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Infrastructure resilience to climate-related disasters</li> <li>• Land (health and productivity, species)</li> <li>• Water, incl. groundwater (quantity, flow, and quality, species, health and</li> </ul>



				<p>productivity of irrigated land, livestock water sources)</p> <ul style="list-style-type: none"> <li>• Rights-holders dependent on being/working outside or inside with no cooling systems, land, water, incl. groundwater, living in close proximity to permafrost and large infrastructure (water, food, and livelihood security, wellbeing, security of the person, family, education, culture, migration) and entitled to lands, territories, and resources</li> </ul>
	<p><b>[Transition impacts]</b></p> <p><b>[Quantitative]</b> Number of high-carbon jobs cut due to the business' transition to a green economy and number of rights-holders affected</p> <p>Number of rights-holders affected with the mine abonnement</p> <p>Number of incidents of illness association with the exposure to cobalt dust reported</p> <p><b>[Qualitative]</b> Description of (potential) adverse</p>	<p><b>[Transition impacts]</b></p> <p><b>[Quantitative]</b> Number of operational guidance on transition to a green economy integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on transition to a green economy integrates human rights</p>	<p><b>[Transition impacts]</b></p> <p><b>[Quantitative]</b> Percentage of workers retrained and relocated due to the business' transition to a green economy</p> <p>Number of ha of abandoned mine land reclaimed/restored</p> <p>Percentage of water avoided and reduced during lithium extraction</p> <p><b>[Qualitative]</b> Description of actions taken to prevent and address (potential) adverse human rights and</p>	<p><b>[Transition impacts]</b></p> <p><b>[Quantitative]</b> Percentage of retrained and relocated workers due to the business' transition to a green economy satisfied with new jobs</p> <p>Concentration level (mg/L) of heavy metals (Cd, Ba, Hg, Pb) in drainages water and soil in the abandoned mine</p> <p>Concentration level (mg/L and mg/kg) of cobalt (Co) in water and fish</p>

	human rights and environmental impacts of transition to a green economy on rights-holders (water, food, and livelihood security, wellbeing, security of the person, family, education, culture, migration)		environmental impacts due to transition to a green economy	<p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Land (health and productivity, species)</li> <li>• Water, incl. groundwater (quantity, flow, and quality, species, health and productivity of irrigated land, livestock water sources)</li> <li>• Air quality</li> <li>• Rights-holders dependent on high-carbon jobs, stranded assets, land, water, incl. groundwater, and being/working outside (water, food, and livelihood security, wellbeing, security of the person, family, education, culture, migration) and entitled to lands, territories, and resources</li> </ul>
<b>Biodiversity Loss</b>	<p><b>[Physical impacts]</b></p> <p><b>[Quantitative]</b> Number of ha of forest lost due to slash-and-burn agriculture and number of rights-holders affected</p>	<p><b>[Physical impacts]</b></p> <p><b>[Quantitative]</b> Number of operational guidance on biodiversity loss prevention and control integrating human rights in place</p>	<p><b>[Physical impacts]</b></p> <p><b>[Quantitative]</b> Percentage of sourced minerals from biologically significant areas</p>	<p><b>[Physical impacts]</b></p> <p><b>[Quantitative]</b> Red List Index<sup>66</sup></p> <p>Number of km<sup>3</sup> of annual surface water available</p>

<sup>66</sup> IUCN. Red List Index. [Link](#).

	<p>Percentage of unintended capture (by-catch) of non-target species in the total catch and number of rights-holders affected</p> <p><b>[Qualitative]</b> Description of (potential) adverse impacts of biodiversity loss on rights-holders (food and livelihood security, wellbeing, family, education, migration)</p>	<p><b>[Qualitative]</b> Description of how operational guidance on biodiversity loss prevention and control integrates human rights</p>	<p>Number of ha of degraded land restored/regenerated</p> <p>Number of m<sup>3</sup> of fresh water replenished</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce (potential) biodiversity loss and restore/regenerate ecosystems</p>	<p>Number of kg/ha of maximum sustainable harvest, disaggregated by:</p> <ul style="list-style-type: none"> <li>• Food</li> <li>• Raw materials</li> <li>• Medicine sources</li> </ul> <p>Number of ha of land covered by native vegetation</p> <p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Biodiversity ([rare/endangered] species, wildlife corridors)</li> <li>• Rights-holders dependent on biodiversity and individual species (food and livelihood security, wellbeing, family, education, migration) and entitled to lands, territories, and resources</li> </ul>
	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <p><b>[Quantitative]</b> Percentage of the market price increase of the used/patented genetic/biological resource and number of rights-holders affected</p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <p><b>[Quantitative]</b> Number of operational guidance on the use/patent of genetic/biological resources and traditional knowledge, innovation,</p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <p><b>[Quantitative]</b> Number of members of indigenous and other traditional communities participated in the development of and agreed with the Mutually Agreed Terms for the use/patent of the</p>	<p><b>[Impacts associated with utilization of genetic and biological resources]</b></p> <p><b>[Quantitative]</b> Percentage of members of indigenous and other traditional communities satisfied with the shared benefits</p>

	<p><b>[Qualitative]</b> Description of (potential) adverse impacts of the used/patented genetic/biological resource on rights-holders (food and livelihood security, wellbeing, education, culture)</p>	<p>and practice integrating human rights in place</p> <p><b>[Qualitative]</b> Description of how operational guidance on the use/patent of genetic/biological resources and traditional knowledge, innovation, and practice integrates human rights</p>	<p>genetic/biological resource and traditional knowledge, innovation, and practice</p> <p><b>[Qualitative]</b> Description of actions taken to avoid and reduce (potential) misappropriation of genetic and biological resources, traditional knowledge, innovation, and practice</p>	<p><b>[Qualitative]</b> Description of the state of:</p> <ul style="list-style-type: none"> <li>• Genetic biological resource used/patented by the business (availability and accessibility)</li> <li>• Rights-holders dependent on the genetic and biological resource used/patented by the business (food and livelihood security, wellbeing, education, culture) and entitled to resources</li> </ul>
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799

800 **Guidance Point 3.2:** Tracking performance of value chain actors

801 To ensure the effectiveness, continuity, and sustainability of the positive change in  
 802 practices of actors in your business' value chain and communicate their progress (See  
 803 Guidance Point 4.1), drawing on internal and/or external human rights and environmental  
 804 expertise and functions working with value chain actors (e.g., procurement, sales, and  
 805 marketing), support them in tracking their human rights and environmental performance,  
 806 including through development, implementation, and tracking of specific improvement  
 807 plans (See Guidance Point 2.6) with targeted indicators and base year/month.

808 When supporting value chain actors in tracking their human rights and environmental  
 809 performance, shift from top-down 'value chain monitoring programmes' towards more  
 810 collaborative approaches and work closely with them to assess gaps, build capacity, and  
 811 incentivize the transparency and improvement of performance indicators.<sup>67</sup>

812 Furthermore, consider directly supporting public 'watchdogs'/'critical friends'<sup>68</sup>, including  
 813 environmental human rights defenders, in geographical locations across your business'  
 814 value chain as a useful tool for tracking actors' human rights and environmental  
 815 performance and identifying high-performing ones.

816 **Box 19:** Examples of non-audit forms of support in tracking human rights and  
 817 environmental performance of value chain actors<sup>69</sup>

Approach	Description
1. Shift from 'pass/fail' compliance to comprehensive 'continuous improvement'	Continuing relationships with actors that may technically be out of compliance, while holding them accountable for continuing to improve, simultaneously assessing and improving own internal purchasing practices  Complementing 'audit indicators' (e.g., number of audits completed, number of cases of non-compliance identified) with 'performance indicators' (e.g., employee turnover, rights-holder satisfaction)
2. Joint assessment, planning, and tracking	Jointly engaging in assessment of actors' (potential) adverse human rights and environmental impacts, developing specific improvement plans with targeted indicators, and tracking its implementation
3. Capacity-building	Assessing and building actors' capacities to track their human rights and the environmental performance (e.g., developing or paying for training courses, providing technical expertise, developing good practice guides, convening peer-learning forums)
4. Commercial benefits for improving performance (external incentives)	Providing various forms of commercial incentives to actors (e.g., price premiums, volume increases, extended contract duration, preferential contracting, annual symbolic awards)
5. Business case for improving performance (internal incentives)	Quantifying financial impacts of human rights and environmental performance (e.g., providing indicator-based profit and loss statements)
6. Operational-level grievance mechanisms	Supporting actors in establishing operational-level grievance mechanisms (See Box 15) and tracking grievances and remedies

<sup>67</sup> Shift. Respecting Human Rights Through Global Supply Chains, October 2012. [Link](#).

<sup>68</sup> UNWG on Business and Human Rights. Report A/HRC/47/39/Add.2 'The Guiding Principles on Business and Human Rights: Guidance on Ensuring Respect for Human Rights Defenders', 22 June 2021. [Link](#).

<sup>69</sup> Inspired by: Shift. From Audit to Innovation: Advancing Human Rights in Global Supply Chains, August 2013. [Link](#).

818

819 **Guidance Point 3.3:** Performance verification

820 To ensure the veracity and credibility of the collected indicator-based data on your  
821 business’ human rights and environmental performance, drawing on internal and/or  
822 external audit and compliance expertise, consider establishing a system to verify human  
823 rights and environment-related data.

824 For external stakeholders, particularly (potentially) affected rights-holders, independent  
825 external third-party verification is likely to significantly increase the credibility of the  
826 collected data. While external third-party verification is recommended, independent  
827 internal verifications can also provide valuable assurance over the reliability of  
828 information. Internal verification can be a worthwhile learning experience for your  
829 business prior to commissioning an external verification by a third party.

830 When receiving internal verification, communicate how potential conflicts of interest were  
831 prevented during the verification process (See Guidance Point 4.1).

832 **Box 20:** Examples of approaches to verifying data on human rights and environmental  
833 performance<sup>70</sup>

Approach	Description
Internal verification	Conducting internal verification by staff within the reporting business but independent of business’ main activities and reporting directly to the Board
External verification	Conducting external verification by assurance providers, civil society organizations, trade unions, community-based groups, business associations, international organizations, etc. that are independent of business’ main activities and reporting directly to the Board
Multi-stakeholder initiatives	Conducting external verification against a set of indicators set within the framework of multi-stakeholder initiatives (e.g., UNGC Communication on Progress Questionnaire <sup>71</sup> , UNFCCC Global Climate Action Portal <sup>72</sup> )

834 Given that the subject matter of human rights and the environment is wide-ranging,  
835 verifiers should understand the limits of their knowledge and expertise and ensure that  
836 additional expertise is included in the verification team from other sources where  
837 necessary. The lead verifier should ensure that all verifiers and organizations involved in  
838 the verification together possess the necessary competence to undertake it, including on:

- 839 • Internationally recognized human rights and environmental standards;
- 840 • UNGPs;
- 841 • Human rights and environment impacts assessments;

<sup>70</sup> Inspired by:

- Shift. UNGPs Assurance Guidance, 2017. [Link](#).
- Shift. A Guidance Tool for Companies ‘Doing Business with Respect for Human Rights’, Edition 2, 2016. [Link](#).
- Greenhouse Gas Protocol. Scope 3 Calculation Guidance. [Link](#).

<sup>71</sup> UNGC. Communication on Progress Questionnaire, 2023. [Link](#).

<sup>72</sup> UNFCCC. Global Climate Action Portal, 2023. [Link](#).

- 842 • Human rights and environmental issues typically relevant to your business' sector  
843 and operating contexts;
- 844 • Rights-holder engagement, including the most vulnerable and marginalized.

845 **Box 21:** Factors of heightened importance for human rights and environmental  
846 performance verification<sup>73</sup>

Factor	Description
Suitability of the scope of the verification	<p>Both the business and verifier need to agree on (1) subject matter (e.g., all human rights and environmental issues or specific ones), (2) general areas of verification (e.g., geographies, actors, or categories of activities of the value chain) (See Guidance Point 1.4), (3) types of data required to substantiate the business' assertions, incl. obtained through direct consultations with (potentially) affected rights-holders (See Guidance Point 1.5), and (4) types of data that are not admissible to substantiate the business' assertions</p> <p>In situations where a misleading impression could occur from limitations imposed by the business, the verifier should object to a limitation and avoid proceeding unless the limitation is removed</p>
Time to gather evidence	<p>The qualitative nature of lived experience data needed to assure a business' human rights and environmental performance, in particular, data obtained through direct consultations with (potentially) affected rights-holders (See Guidance Point 1.5), requires relatively more time than review of quantitative (scientific) data</p> <p>Both the business and verifier should allocate enough time for travel, preparation for direct consultations with (potentially) affected rights-holders, interpretation and translation, combination, analysis, and triangulation of qualitative lived experience data with quantitative (scientific) data</p>
Conflicts between local laws and international standards	<p>The verifier should be alert to discrepancies between applicable national laws and international human rights and environmental standards and ensure that it is the higher standards that set the reference point for the verification</p>
Professional scepticism and judgment	<p>The verifier should maintain professional scepticism and be alert to data that is inconsistent with other data obtained, information that calls into question the reliability of documents and responses, and conditions that may indicate likely misstatement</p> <p>The verifier should also possess heightened levels of professional judgment, particularly in recognizing when further data is required to test qualitative and subjective information, triangulating conflicting findings, and understanding how far they should pursue direct consultations with (potentially) affected rights-holders (See Guidance Point 1.5) if there is a risk of causing stress or concern to them</p>
Review of salient issues	<p>The verifier should keep under constant review whether the salient issues (See Guidance Point 2.1) identified by the business are appropriate</p>

<sup>73</sup> Shift. UNGPs Assurance Guidance, 2017. [Link](#).

	Wherever possible, the verification of the salient issues should be informed by the verifier’s own direct consultations with (potentially) affected rights-holders (See Guidance Point 1.5)
Effective two-way consultations with (potentially) affected rights-holders	To test assumptions and triangulate data, the verifier should directly consult (potentially) affected rights-holders (See Guidance Point 1.5) while providing sufficient protection to them and being clear about the objective of the engagement
Limited vs. reasonable verification in the context of external verification processes	All data on which verification is to be provided must be capable of reasonable/high assurance which has the more value to stakeholders, particularly (potentially) affected rights-holders
Retention of data	The verifier should ensure that they have appropriate means by which to retain data, particularly obtained through direct consultations with (potentially) affected rights-holders (See Guidance Point 1.5) in a manner that meets privacy and related legal requirements
Subsequent events	<p>Prior to approval of the verification conclusions, the verifier should take steps to ensure that no further data has occurred that would alter the verification conclusions and that no severe (potential) adverse impacts (See Guidance Point 2.1) have taken place which, if omitted, could render them misleading</p> <p>If verifier identifies additional (potential) severe adverse impacts after the reporting period but before the report is published, then they should add this to their report</p>

847

848 The engagement of a verifier can occur at various points during human rights due  
849 diligence. Some businesses may establish a semi-permanent internal verification team to  
850 ensure that human rights and environmental data standards are being met and improved  
851 on an ongoing basis.

852 Verification that occurs during a communication stage (See Essential Component 4)  
853 allows for any reporting deficiencies or data issues to be addressed before  
854 communication is prepared. This may be particularly useful for your business’ formal  
855 reports preparation (See Guidance Point 4.3).<sup>74</sup>

856

857 **ESSENTIAL COMPONENT 4 ‘COMMUNICATE’**

858 Provide accurate and complete information about business’ (potential) adverse human  
859 rights and environmental impacts and demonstrate the performance on preventing and  
860 addressing them, particularly when concerns are raised by or on behalf of (potentially)  
861 affected rights-holders.

862 **PRINCIPLES:**

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<sup>74</sup> Inspired by: Greenhouse Gas Protocol. A Corporate Accounting and Reporting Standard. [Link](#).



863 1. **Apply a human rights-based approach to communicating data:** when  
 864 communicating human rights and environmental data collected during Essential  
 865 Component 3 of human rights due diligence, apply a human rights-based  
 866 approach, particularly its principles of transparency, privacy, and accountability<sup>75</sup>:

Transparency	Making metadata and paradata clear, available, and openly accessible unless it is inappropriate for legal, rights-holders security or privacy reasons
Privacy	Releasing (potentially) affected rights-holders personal data or disclosing their personal characteristics only with their specific and express consent  To ensure the measures taken to protect the privacy of (potentially) affected rights-holders do not disproportionately compromise the transparency and utility of the data, appropriately anonymizing it where possible and/or making efforts to obtain rights-holders consent
Accountability	Assessing (potential) adverse impacts of communicating data, particularly data collected directly from (potentially) affected rights-holders  Making appropriately anonymized data available and accessible for (potentially) affected rights-holders, civil society organizations, trade unions and community-based groups working with them to facilitate the development of accountability systems

867  
 868 When communicating your business' (potential) adverse human rights and environmental  
 869 impacts, particularly related to climate, and performance on preventing and addressing  
 870 them, increase both transparency and accountability of your communications, particularly  
 871 net-zero statements and pledges in line with UNHLEG recommendation #8 for  
 872 businesses among others<sup>76</sup>, including to reduce the risk of an accusation of  
 873 'greenwashing' and misleading claims or labels.

874 2. **Prioritize human rights and the environment over business confidentiality:**  
 875 communicate business' (potential) adverse human rights and environmental  
 876 impacts and performance to prevent and address them, recognizing that respect  
 877 for human rights and the environment must take priority over business  
 878 confidentiality;

879 3. **Prioritize communications with (potentially) affected rights-holders:** to  
 880 communicate business' (potential) adverse human rights and environmental  
 881 impacts and performance to prevent and address them to (potentially) affected

<sup>75</sup> Inspired by: OHCHR. A Human Rights-Based Approach to Data 'Leaving No One Behind in the 2030 Agenda for Sustainable Development, 2018. [Link](#).

<sup>76</sup> UNHLEG. 'Integrity Matters: Net-Zero Commitments by Businesses, Financial Institutions, Cities, and Regions', 8 November 2022. [Link](#).

882 rights-holders, ensure accessibility and language-, gender-, age-, culturally-,  
 883 disability-, literacy-sensitive, and trauma-informed content and formats of  
 884 communications beyond formal reporting;

885 4. **Focus on ‘impact materiality’ and salient human rights and environmental**  
 886 **issues in the content and frequency of communications:** to evaluate what  
 887 content and how often to communicate, apply the ‘impact materiality’ of double  
 888 materiality concept and severity of business’ (potential) adverse human rights and  
 889 environmental impacts (See Guidance Point 2.1) as opposed to ‘financial  
 890 materiality’ only.<sup>77</sup>

Double materiality	Includes interrelated: <ul style="list-style-type: none"> <li>• <b>Impact materiality:</b> (potential) adverse human rights and environmental impacts resulting from business’ own activities and the value chain</li> <li>• <b>Financial materiality:</b> sustainability-related risks or opportunities that influence business’ ‘development, financial position, financial performance, cash flows, access to finance, or cost of capital’</li> </ul>
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891

892 **PROCESSES:**

893 **Guidance Point 4.1:** Preparing to communicate

894 To prepare to communicate externally your business’ (potential) adverse human rights  
 895 and environmental impacts and performance to prevent and address them to (potentially)  
 896 affected rights-holders and other stakeholders, drawing on internal and/or external human  
 897 rights and environmental expertise, compile a minimum threshold of information across  
 898 10 areas.

899 The better documented your business’ human rights due diligence is, the more efficient it  
 900 will be to communicate about it.

901 **Box 22:** Minimum threshold of information\* on businesses’ adverse human rights and  
 902 environmental impacts and performance to prevent and address them to be made publicly  
 903 available

904 \* Businesses’ communications should work towards answering the guiding questions and improving the  
 905 quality of their responses to all questions over time.

Area	Guiding Question(s)
1. Time frame and general areas	What are the time frame and geographies, actors, categories of activities of the value chain, or other general areas selected to determine the focus of the human rights due diligence cycle?
2. (Potential) adverse impacts	What are (potential) adverse human rights and environmental impacts in your business’ own activities and the value chain?

<sup>77</sup> Shift. Double Materiality: What You Need to Know?, August 2023. [Link](#).

	How were they identified?
3. Salient issues	What are the salient human rights and environmental issues in your business' own activities and the value chain? How were they prioritized?
4. (Potentially) affected rights-holders	Who are rights-holders (potentially) adversely affected by your business' own activities and the value chain? How were they identified? Who among them are at heightened risk of vulnerability and marginalization?
5. Rights-holder engagement	Which (potentially) affected rights-holders and other stakeholders did your business consult, and why? How did your business consult (potentially) affected rights-holders and other stakeholders? How did the inputs by (potentially) affected rights-holders and other stakeholders influence your business' understanding of each (potential) adverse human rights and environmental impact and response?
6. Involvement in (potential) adverse impacts	What is the way of your business' involvement in each (potential) adverse human rights and environmental impact?
7. Response to (potential) adverse impacts	What appropriate actions, including leverage, have your business been taking to prevent and address each (potential) adverse human rights and environmental impact? What actors involving in (potential) adverse human rights and environmental impacts were determined crucial and your business have continued the relationships with? What actions have been taken to prevent and address their impacts and influence overall practices?
8. Tracking response's effectiveness	What is the base year/month, and rational for choosing it? Based on your business' performance indicators, what progress has your business made in comparison to the base year/month? What progress have your business' value chain actors made in comparison to the base year/month?
9. Verification process	How was the data on your business' human rights and environmental performance verified?
10. Feedback channel	How can feedback to your business' human rights due diligence be provided?

906

907 **Guidance Point 4.2:** Communicating with (potentially) affected rights-holders

908 Human rights due diligence encompasses a much wider array of ways to convey  
909 information on your business' (potential) adverse human rights and environmental  
910 impacts and performance to prevent and address them than formal reporting (See  
911 Guidance Point 4.3) alone. Some stakeholders, particularly (potentially) affected rights-  
912 holders, may not be in a position to read lengthy reports, lack access to the Internet, or

913 may struggle to interpret technical human rights and environmental documents. Formal  
 914 reports also may not always reach rights-holders (potentially) affected in the value chain  
 915 beyond your business' top tier. Therefore, drawing on internal and/or external  
 916 communications and stakeholder engagement expertise, including local experts, civil  
 917 society organizations, trade unions, and community-based groups, identify the best  
 918 means and channels of your communications and adapt them for each intended  
 919 audience.

920 (Potentially) affected rights-holders should be a primary target audience of your business'  
 921 communication efforts as part of human rights due diligence, especially where they need  
 922 to be notified about potential adverse human rights and environmental impacts in your  
 923 business' own activities and the value chain.

924 When communicating with (potentially) affected rights-holders, assess the context to  
 925 ensure accessibility and language-, gender-, age-, culturally-, disability-, literacy-  
 926 sensitive, and trauma-informed content and formats. Consider consulting (potentially)  
 927 affected rights-holders directly (See Guidance Point 1.5) about how they prefer to receive  
 928 communications from your business.

929 **Box 23:** Examples of human rights due diligence communications formats

Rights-Holders	Format
Traditional households, farmers, fisherpersons	<ul style="list-style-type: none"> <li>• In-person meetings with storyboards, cartoons, or plays</li> <li>• Peer exchanges</li> <li>• Local TV, (community) radio, newspapers</li> <li>• Social media</li> <li>• Hotlines, chatbots, and two-way SMS</li> <li>• Community-based groups (e.g., within women's groups, faith-based groups, student-led groups)</li> <li>• Community-based information points/signboards</li> <li>• Community volunteers</li> </ul>
Workers in waste management	
People living in close proximity to landfills/dumpsites	
People living in low-lying areas, coastlines, areas prone to severe storms, and in close proximity to large infrastructure	
People living in close proximity to permafrost	
Tourism workers and operators	
Students	
Forcibly displaced persons	All the above formats, including within camps and shelters
Own workers	<ul style="list-style-type: none"> <li>• Internal newsletters and FAQs</li> <li>• In-person team meetings</li> <li>• Trade unions, workers' councils, or workers' committees</li> </ul>
Environmental human rights defenders	<ul style="list-style-type: none"> <li>• In-person bilateral and group meetings</li> <li>• Peer exchanges and peer-learning forums</li> </ul>
Consumers	<ul style="list-style-type: none"> <li>• Information in stores and/or attached to products</li> <li>• Website and social media (e.g., for users of online services)</li> <li>• Clients'/consumers' visits</li> </ul>

930

931 **Guidance Point 4.3:** Formal reporting<sup>78</sup>

932 When producing a formal report as part of your business' human rights due diligence:

- 933 • **Set business context** by providing information on the business model,  
934 organizational structure, governance, strategy, operations, and value chain:
- 935 ○ If your business' human rights and environmental reporting is included in  
936 the annual report, integrated report, sustainability report, or similar, you may  
937 already be providing this information;
  - 938 ○ If you produce stand-alone reporting on human rights and the environment,  
939 include such information or clearly indicate where it can be found easily;
- 940 • **Meet the minimum threshold of information** by providing substantive responses  
941 to the guiding questions in Box 22;
- 942 • **Showcase ongoing improvement** by demonstrating how your business has  
943 progressed in respecting human rights and the environment while **being**  
944 **transparent on where there is no improvement** and how you intend to continue  
945 to improve;
- 946 • **Focus on the respect for human rights and the environment** by providing  
947 relevant information on how your business has been preventing and addressing  
948 (potential) adverse human rights and environmental impacts rather than social  
949 investment or philanthropic activities to support or promote human rights and the  
950 environment, with the focus on women, girls, gender-diverse, and transgender  
951 people and others most vulnerable and marginalized.

952 If you wish to report on initiatives that support or promote human rights and the  
953 environment but are unrelated to preventing and addressing (potential) adverse  
954 human rights and environmental impacts, ensure that this does not obscure or  
955 detract from your business' responses to the guiding questions in Box 22;

- 956 • **Address salient human rights and environmental issues** by focusing the report  
957 on your business' most severe (potential) adverse impacts on human rights and  
958 the environment (See Guidance Point 2.1) rather than solely on risks to your  
959 business;
- 960 • **Provide specific examples** of how (potential) adverse human rights and  
961 environmental impacts have occurred and been prevented and addressed.

962 Where this requires the selection of general areas (See Guidance Point 1.4) to  
963 focus the human rights due diligence cycle such as geographies, actors, or  
964 categories of activities of the value chain, prioritize those where (potential) adverse  
965 human rights and environmental impacts are the most severe (See Guidance Point  
966 2.1).

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<sup>78</sup> See comprehensive frameworks that provide further guidance to report on business' human rights and environmental performance, including:

- UNGPs Reporting Framework: [Link](#).
- Global Reporting Initiative Standards: [Link](#).
- European Sustainability Reporting Standards: [Link](#).

967 Taken together, examples should be balanced and broadly representative of your  
968 business' performance; if they are not, explain why;

- 969 • *(In exceptional circumstances where it may not be possible for your business to*  
970 *disclose certain information that is required to meet the minimum threshold [See*  
971 *Box 22], e.g., legal, rights-holders security and privacy reasons, unavailability or*  
972 *insufficiency of reliable indicator-based data) **Explain any omission of important***  
973 **information** by indicating the nature of the information and reasons for the  
974 omission.<sup>79</sup>

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<sup>79</sup> Shift. UNGPs Reporting Framework, February 2015. [Link](#).

977 **Annex 1:** Correlation between the four\* essential components of human rights due diligence per the UNGPs and the steps in other  
 978 due-diligence-related guidelines, frameworks, and assessments

979 \* In practice, four essential components of human rights due diligence per the UNGPs cannot be carried out in the absence of policy commitment, embedding,  
 980 and remediation.

<b>UNGPs</b>	Adopt and embed a policy commitment	<b>1. Identify and assess</b>				<b>2. Integrate and act</b>	<b>3. Track</b>		<b>4. Communicate</b>		Provide for or cooperate in remediation
<b>OECD</b>	1. Embed RBC into policies and management systems	2. Identify and assess adverse impacts				3. Cease, prevent, or mitigate	4. Track		5. Communicate		6. Provide for or cooperate in remediation
<b>TNFD 'LEAP' Approach</b>	—	0. Scope	1. Locate	2. Evaluate	3. Assess	4. Prepare to respond and report				—	
<b>SBTN</b>	—	1. Assess		2. Interpret and prioritize		3. Measure, set, and disclose		4. Act	5. Track		—
<b>SBTi</b>	1. Commit	—	—	—	—	2. Develop	3. Submit	4. Communicate	5. Disclose	—	

981

982 **Annex 2:** Glossary (in order of appearance)

983 **Human rights:** rights inherent to all human beings, regardless of nationality, sex, national  
984 or ethnic origin, color, religion, language, or any other status. Human rights are not  
985 granted by any state

986 Human rights are all:

- 987 • **Universal:** all human beings are equally entitled to human rights;
- 988 • **Inalienable:** human rights should not be taken away, except in specific situations  
989 and according to due process;
- 990 • **Indivisible and interdependent:** one set of rights cannot be enjoyed fully without  
991 the other;
- 992 • **Equal and non-discriminatory:** all human beings are equal in their dignity and  
993 rights; freedom from discrimination ensures this equality.

994 States have obligations and duties to respect, protect, and fulfill human rights. Under the  
995 duty to protect, they must protect against human rights abuses by third parties, including  
996 businesses. In turn, businesses have a responsibility to respect human rights.

997 **Right to a clean, healthy, and sustainable environment:** a human right added to the  
998 library of internationally recognized human rights by the UN Member States in 2022.  
999 While its universally agreed definition is still evolving, it is generally understood to  
1000 include the following substantive and procedural elements<sup>80</sup>:

Substantive Rights	Procedural Rights
Safe climate Clean air Healthy ecosystems and biodiversity Safe and sufficient water Healthy and sustainable food Non-toxic environment	Access to information Public participation Access to justice

1001  
1002 Like all other human rights, States have obligations and duties to respect, protect, and  
1003 fulfill the right to a clean, healthy, and sustainable environment, including by adopting and  
1004 enforcing appropriate constitutional, legislative, and policy reforms. Businesses have a  
1005 responsibility to respect this right, including by integrating it into human rights due  
1006 diligence.

1007 **Adverse human rights and environmental impacts:** in the context of this Guide,  
1008 adverse impacts on the environment and adverse impacts on human rights resulting from  
1009 environmental harms that remove or reduce the ability of rights-holders, individually or  
1010 collectively, to exercise and enjoy their human rights. Adverse human rights and  
1011 environmental impacts can be:

- 1012 • **Potential:** adverse impacts that may occur but have not yet done so;

<sup>80</sup> OHCHR, UNEP, and UNDP. Information Note: What is the Right to a Healthy Environment?, January 2023. [Link](#).



1013 • **Actual:** adverse impacts that have occurred or are occurring.

1014 **UN Guiding Principles on Business and Human Rights (UNGPs):** set of 31 principles  
 1015 directed at States and businesses that clarify their duties and responsibilities to protect  
 1016 and respect human rights in the context of business activities and to ensure access to an  
 1017 effective remedy for individual persons, groups, or peoples affected by such activities

1018 **Activities:** in the context of this Guide, both actions and omissions

1019 **Business relationships:** in the context of this Guide, relationships with business  
 1020 partners, value chain actors, and any other non-State or State actors

1021 **Internationally recognized human rights:** an authoritative list of the core internationally  
 1022 recognized human rights contained in:

1023 • [Universal Declaration of Human Rights](#);

1024 • [International Covenant on Civil and Political Rights](#);

1025 • [International Covenant on Economic, Social, and Cultural Rights](#);

1026 • [ILO Fundamental Conventions](#);

1027 • [ILO Declaration on Fundamental Principles and Rights at Work](#).

1028 **Stakeholders:** individual persons, groups, or peoples who may have an interest in  
 1029 business' activities and/or ability to influence their outcomes, either positively or  
 1030 negatively. Stakeholders may include shareholders, investors, insurers, value chain  
 1031 actors, government policy-makers, and regulatory authorities, other businesses, as well  
 1032 as (potentially) *affected* rights-holders and civil society organizations, trade unions, and  
 1033 community-based groups working with them

1034 **Environmental human rights defenders:** individual persons, groups, or peoples who,  
 1035 in their personal or professional capacity and in a peaceful manner, strive to protect and  
 1036 promote human rights relating to the environment, including water, air, land, flora, and  
 1037 fauna

1038 **Additional human rights standards:** depending on the circumstances, businesses may  
 1039 need to consider human rights additional to those contained in the Universal Declaration  
 1040 of Human Rights, International Covenant on Civil and Political Rights, International  
 1041 Covenant on Economic, Social, and Cultural Rights, ILO Fundamental Conventions, and  
 1042 ILO Declaration on Fundamental Principles and Rights at Work, such as those found in  
 1043 [International Humanitarian Law](#), [Core International Human Rights Instruments](#), and other  
 1044 [Universal Human Rights Instruments](#)

1045 **Rights-holders:** all human beings, individually or collectively

1046 **(Potentially) affected rights-holders:** individual persons, groups, or peoples whose  
 1047 ability to exercise and enjoy their human rights is removed or reduced, including by  
 1048 business activities

1049 **Impact drivers:** physical conditions (e.g., incidents, events, extremes) that affect (an  
 1050 element of) the environment and/or society. Depending on system tolerance, impact  
 1051 drivers can be adverse, beneficial, neutral, or a mixture of each

1052 **‘Sacrifice zones’**: extremely contaminated areas where vulnerable and marginalized  
1053 rights-holders bear a disproportionate burden of human rights and environmental  
1054 consequences of exposure to land pollution and hazardous substances<sup>81</sup>

1055 **‘Greenwashing’**: practice of conveying a false impression or misleading information  
1056 (e.g., by advertising or labels) about the environmental benefits of operations, products,  
1057 services, or overall practices of a business or another entity

1058 **Public ‘watchdogs’**: individual persons, groups, or peoples, including environmental  
1059 human rights defenders, who are monitoring the activities of governments, businesses,  
1060 courts, or other entities and alerting the public and/or taking legal actions when their  
1061 activities appear to have adverse impacts

1062 **Metadata**: information that describes and explains data

1063 **Paradata**: information that describes the process by which the data were collected

1064 **Annex 3**: Acronyms (in alphabetical order)

<b>AEPW</b>	Alliance to End Plastic Waste
<b>As</b>	Arsenic
<b>Ba</b>	Barium
<b>CBD</b>	Convention on Biological Diversity
<b>Cd</b>	Cadmium
<b>CIEL</b>	Center for International Environmental Law
<b>CO</b>	Carbon monoxide
<b>CO<sub>2</sub></b>	Carbon dioxide
<b>Cr</b>	Chromium
<b>Cu</b>	Copper
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organization
<b>FAQ</b>	Frequently asked questions
<b>GEO-BON</b>	Group on Earth Observations Biodiversity Observation Network
<b>GPAP</b>	Global Plastic Action Partnership
<b>h</b>	Hour
<b>ha</b>	Hectare
<b>Hg</b>	Mercury
<b>HRDD</b>	Human rights due diligence
<b>HRDD+E</b>	Human rights due diligence with an environmental perspective
<b>ILO</b>	International Labour Organization

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<sup>81</sup> Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy, and Sustainable Environment. Report A/HRC/49/53 ‘Non-Toxic Environment to Live, Work, Study and Play’, 12 January 2022. [Link](#).

<b>IMM</b>	Impact measurement and management
<b>IOM</b>	International Organization for Migration
<b>IUCN</b>	International Union for Conservation of Nature
<b>kg</b>	Kilogramme
<b>km</b>	Kilometer
<b>L</b>	Liter
<b>LEAP</b>	Listen-Empathize-Agree-Partner Approach
<b>M</b>	Million
<b>m</b>	Meter
<b>mg</b>	Milligramme
<b>mm</b>	Millimeter
<b>Mn</b>	Manganese
<b>N</b>	Nitrogen
<b>N<sub>2</sub>O</b>	Nitrous oxide
<b>NAAT</b>	Notre Affaire à Tous
<b>NASA</b>	National Aeronautics and Space Administration
<b>NHO<sub>3</sub></b>	Nitric acid
<b>NO</b>	Nitrogen oxides
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>P</b>	Phosphorus
<b>Pb</b>	Lead
<b>PM<sub>10</sub>, PM<sub>2.5</sub></b>	Particulate matter
<b>SBTi</b>	Science Based Targets Initiative
<b>SBTN</b>	Science Based Targets Network
<b>SDGs</b>	Sustainable Development Goals
<b>SMEs</b>	Small and medium-sized enterprises
<b>SMS</b>	Short messaging service
<b>SO<sub>2</sub></b>	Sulfur dioxide
<b>SO<sub>2</sub></b>	Sulphur dioxide
<b>SOMO</b>	Centre for Research on Multinationals
<b>t</b>	Ton
<b>TCFD</b>	Taskforce on Climate-Related Financial Disclosures
<b>TNFD</b>	Taskforce on Nature-related Financial Disclosures
<b>TV</b>	Television
<b>UN</b>	United Nations

<b>UNCTAD</b>	United Nations Conference on Trade and Development
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme
<b>UNEP-WCMC</b>	World Conservation Monitoring Center of the United Nations Environment Programme
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNGC</b>	United Nations Global Compact
<b>UNGPs</b>	United Nations Guiding Principles on Business and Human Rights
<b>UNHLEG</b>	United Nations High-Level Expert Group on Net-Zero Emissions Commitments of Non-State Entities
<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>UNWG</b>	UN Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises
<b>WHO</b>	World Health Organization

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