Fourth Regional Consultation on Business and Human Rights for Latin America and the Caribbean. Looking ahead: Actions to Foster Responsible Business Conduct

Plenary Session

The Role of Business in Addressing Climate Change and Human Rights: Translating global agendas into practical action and scaling ambition

Venue: Santiago, Chile - United Nations Economic Commission for Latin America and the Caribbean (ECLAC)

Date: 3 September 2019

Time: 16:15 - 17:45

Organizers: OECD

Objective

This session explores business policies and tools that address both climate and human rights impacts, risks and positive contributions. Panellists will discuss the role of business in driving practical action to meet the goals of the Paris Agreement and addressing obligations with respect to the United Nations Guiding Principles on Business and Human Rights (UNGPs).

Background

Human rights and climate change: The intersection

Climate change is the most serious threat facing humanity. International human rights bodies have long recognised climate change as posing “immediate and far-reaching threat to people and communities around the world”.

All human beings depend on the core right to a safe, clean, healthy and sustainable environment. This right is integral to the full enjoyment of a wide range of human rights, including the rights to life, health, food, water and sanitation.

Climate change in particular, has vast implications with respect to a number of these “environmental rights”.

Under the Paris Agreement governments have committed to limit the global average temperature increase to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels.

At the heart of the Paris Agreement are the Nationally Determined Contributions (NDCs) or commitments from national governments on emission reductions and climate adaptation efforts.

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NDCs capture each country’s planned efforts on climate change, and will collectively determine whether the long-term goals of the Paris Agreement will be realised. In this regard, the Paris Agreement recognises the critical role played by non-state actors, including the private sector, in raising ambition and meeting the goals of the Paris Agreement.

With business responsible for the majority of global emissions, the private sector holds the primary responsibility for taking action to limit and address such impacts; including business driven impacts on climate and the impacts of climate on business operations and global supply chains.

**Responsible Business Conduct: Linking human rights and climate change impacts**

The Paris Agreement is the first international climate change agreement to expressly refer to human rights. Specifically, the preamble includes an acknowledgement “that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights...” However, the “rulebook” that has been developed to guide the practical implementation of the Paris Agreement does not carry through this reference.

Overall, there remains, at the international level, limited concrete guidance on how human rights can be systematically considered in the design and implementation of climate action, and vice versa. However, with respect to the role of business, the [OECD Guidelines for Multinational Enterprises](https://www.oecd.org/governance/mne/) (the Guidelines) offers a supportive framework.

The Guidelines are the most comprehensive government-backed instrument on responsible business conduct (RBC) representing international consensus on the responsibility of companies regarding impacts on people and the planet. Under the Guidelines, companies are expected to identify and address adverse impacts that they cause, contribute to, or are directly linked to. This includes, amongst others, human rights and climate change.

To help business implement the recommendations of the Guidelines, a range of practical tools have been developed, in close cooperation with business and other stakeholders. The [OECD Due Diligence Guidance for Responsible Business Conduct](https://www.oecd.org/governance/mne/due-diligence-guidance-for-responsible-business-conduct/) explains how to carry out due diligence across industry sectors, covering a vast range of risks, including climate-related and human rights risks. In addition, the OECD has developed [sector specific due diligence guidance](https://www.oecd.org/governance/mne/sector-specific-due-diligence-guidance/) to help business address climate related impacts in their specific sector (in addition to human rights and other risks), e.g., in the garment and footwear, agriculture and financial sectors.

**Structure**

- The session is divided into two parts – panellist presentations and audience Q&A – and will consist of a Davos-style seating.
- Power point presentations are discouraged.
- In the first part of the session (50-60 mins), each participant will respond to individual questions, based on the respective experience and expertise.
- In the second part of the session, the moderator will open the panel up to questions from the audience, allowing for a Q&A part of the session (15-25 min).
Speakers
Moderator: Cristina Tebar Less, Head Responsible Business Conduct, OECD

Panellists
- Lorena Recabarren, Undersecretary of Human Rights, Ministry of Justice and Human Rights, Chile
- Global Climate Action, UNFCCC
- Gonzalo Muñoz, Chile’s High-Level Climate Action Champion
- Claudio Seebach, executive director of the Association of Generators of Chile
- Paloma Muñoz Quick, Director of the Investor Alliance for Human Rights