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PLASTICS TOOLBOX: BUSINESS, HUMAN RIGHTS, AND THE ENVIRONMENT

(August/November 2021)

Of good practices and cross-cutting guidance on a human rights-based approach to plastic pollution prevention and management with a focus on capacity building of governments and businesses in the East Asian Seas region

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INTRODUCTION

This toolbox¹ explores resources which integrate (or give context to) an environmental human rights-based approach to the problem of plastic pollution prevention and management.

Plastic pollution contributes to violations of many internationally recognized human rights including the rights to life, the highest attainable standard of health, a healthy environment, water and sanitation, and adequate food.² Failure to prevent and manage plastic pollution adversely affects rights to equality and non-discrimination, and the impacts of plastic pollution are exacerbated due to a lack of respect for procedural environmental human rights to information, participation, and access to effective remedy, as well as lack of support for environmental human rights defenders. While the plastics crisis is a global issue, its impacts are disproportionately felt by those at heightened risk of human rights violations, including workers, children, and people living in poverty, as well as local ecosystems.

Many of the resource included in this toolbox explore how taking a human rights and environment approach to plastic pollution requires examining the differential impacts of the plastics crisis. The resources highlight the need to recognize that vulnerable populations disproportionately experience the negative impacts of plastic production and plastic waste, and that some groups may be particularly vulnerable due to violation of their human rights. As a result, many resources demonstrate the necessity to focus on equality and inclusion while creating solutions/interventions to address plastic pollution which can be achieved by involving marginalized groups in decision making.

In order to address these disproportionate impacts, the resources additionally point to the need to ensure that those most responsible for the plastic pollution crisis bear the cost of remedy. Achieving this will require increasing accountability of major contributors to plastic pollution such as governments and businesses through partnerships and policy decisions.

¹ Developed by researchers at the Marine & Environmental Law Institute, Schulich School of Law, Dalhousie University, with the financial support from the Government of Norway through the United Nations Environment Programme's Asia and Pacific Office, in collaboration with COBSEA and SEA Circular project. Dalhousie Researchers who contributed to this project are: Ronny Bao (JD candidate); Veronica Dossah (LLM, MELAW researcher); Kevin Berk (PhD candidate); Akin Ogunranti (PhD candidate); and Hannah Mirsky (JD candidate). Research was conducted from April to August 2021, and supplemented in November 2021. Project partners who were consulted during the preparation of the toolbox included contacts at UNDP, OECD, OHCHR, and BHRRC.

² Marcos Orellana, *Report of the Special Rapporteur on the Implications for Human Rights of the Environmentally Sound Management and Disposal of Hazardous Substances and Wastes*, UNGA, Human Rights Council, 76th Sess, UN Doc A/HRC/76/207 (22 July 2021) at para 9.

Furthermore, many resources point to the need for an environmental human rights-based approach to plastic pollution to be integrated at each of three stages: production, use (including consumption and waste generation), and waste management (including collection, sorting, and recycling).

As awareness grows of the human rights dimensions of the problem of plastic pollution, a proliferation of resources, guidelines, tools, and trainings are emerging to fill the gap. As such, this Toolbox compiles existing resources, guidance, tools, and trainings related to human rights and the environment with a focus on plastic pollution for the purpose of awareness and capacity building training of government and business duty bearers in the East Asian Seas region. While the ultimate purpose is capacity building in the region, most of the materials in the toolbox are more generally applicable.

USING THE TOOLBOX

The toolbox includes UNEP and partner materials (OHCHR, UNDP, OECD, COBSEA Secretariat), as well as other grey literature that were identified as potentially useful by research team members.³ A key limitation of the toolbox is that the sources gathered here are those available in English. Embedded links are provided for easy access to each source available online.

The materials in the toolbox have been classified as follows:

Resources: background studies and reports that are designed to describe the problem of prevention and management of plastic pollution, and often include recommendations.

Guidance: international laws and international standards, whether aimed at states or businesses. These includes 'good practices'.

Tools: illustrating how to apply guidance to the address the problem, how to achieve the standards and practices

Trainings: these are existing educational initiatives, including those by project partners.

The Resources and Guidance sections have been further subdivided using subheadings.

A brief summary of each item is provided, with attention to the factors listed below as relevant.

- Does it provide factual background information regarding the problem?
- Does it consider the duties of states, or examples of good practices by states?

³ Traditional academic literature was not the subject of searches and has only selectively been included in the toolbox.

- Does it consider the responsibilities of businesses, or good practices by businesses?
- Does it consider circular economy and/or producer responsibility?
- Does it explicitly or implicitly integrate a human rights-based approach?
- Does it explicitly or implicitly adopt a gender lens? If so, is it best described as adopting an equality or empowerment lens? Does it adopt an intersectional lens?
- Does it make explicit reference to international law or international standards?
- Does it consider the Covid-19 context?

The contents of this version of the toolbox were gathered between May and July 2021 and key updates were added in November 2021. The toolbox will be updated periodically in 2022. An online repository of this toolbox has been created at : <https://digitalcommons.schulichlaw.dal.ca/bhreplastics/>

RESOURCES

Note: We have proposed sub-section headings for the resources section, but many resources cut across the sub-section headings.

INTRODUCTION TO THE PLASTICS PROBLEM

UNEP, FROM POLLUTION TO SOLUTION – A GLOBAL ASSESSMENT OF MARINE LITTER AND PLASTIC POLLUTION (2021) [WEBLINK](#)

Intended to inform discussions at the upcoming UNEA-5.2, this 151 page assessment is designed to provide evidence so as to enable policymakers and the public to understand the magnitude and severity of the effects and risks associated with plastics and microplastics as marine litter; to ‘identify gaps in knowledge; raise awareness of solutions; and help stimulate global interventions to control and prevent marine plastic pollution and to safeguard human and ecological health.’ It considers the impacts and risks, including environmental, social, economic, and health; sources and pathways of marine litter and plastic pollution; methods of monitoring, indicators, standards and programmes; and challenges, responses, solutions, innovations and opportunities – including governance and business solutions. An Annex introduces regional action plans. A synthesis report and [interactive](#) version are available as well as the graphics version described below. See also link to the Cleanseas [website](#).

UNEP, DROWNING IN PLASTICS – MARINE LITTER AND PLASTIC WASTE VITAL GRAPHICS. (2021) [WEBLINK](#)

This comprehensive yet compact resource introduces the key dimensions of the plastics problem in 27 chapters over 60 pages, accompanied by detailed yet easy to understand graphics. Developed in conjunction with the Secretariats of the Basel, Rotterdam and Stockholm Conventions, this resource covers a wide range of topics including the nature of the problem (production and consumption, life cycle, additives, waste generation, microplastics in packaging, agriculture, fisheries and aquaculture), further challenges (transboundary movements of plastic waste, natural disasters, COVID-19), the marine environment (pathways, impacts, health, economic costs), to solutions (prevention, collection, recycling, pros and cons of bioplastics) and other challenges (waste management in developing countries, gender). The final chapters consider key legal instruments (the Basel Convention, national policies, UNEA resolution, other initiatives, monitoring and assessment, and stock taking). The report does not refer explicitly to human rights.

INTRODUCTION TO A HUMAN RIGHTS APPROACH TO PLASTICS

UNEP, COBSEA, SWEDEN SVERIGE: SEA CIRCULAR ISSUE BRIEF 01 (2019) [WEBLINK](#)

This resource introduces a human rights-based approach to preventing plastic pollution. It summarizes several human rights frameworks, mandates, and documents related to the environment into two key points: why a human rights-based approach should be adopted and what a people-centered approach to preventing plastic pollution looks like. The HRBA framing includes: impact assessment; empowerment and participation; transparency and accountability. [This document may also be classified as a tool.]

UNEP, COBSEA, SEI: MARINE PLASTIC LITTER IN EAST ASIAN SEAS – GENDER, HUMAN RIGHTS AND ECONOMIC DIMENSIONS (2019) [WEBLINK](#) LEAD AUTHORS - MAY THAZIN AUNG, ANDREEA RALUCA TORRE, CANNELLE GUEGEUN-TEIL, AND BERNADETTE P. RESURRECCIÓN (SEI)

This study provides findings on the gender, human rights and economic dimensions of marine plastic litter to inform project design and activities and to ensure a fair, and ethically-sound course of action, that leads to more effective, appropriate and sustainable outcomes in the longer term. Specific reference is made to numerous sources of international human rights law as well as the SDGs and UNEA resolutions. Due to the recommendations on pp38-40, this may also be classified as a guidance.

UNEP, AZUL: NEGLECTED – ENVIRONMENTAL JUSTICE IMPACTS OF MARINE LITTER AND PLASTIC POLLUTION (2021) [WEBLINK](#) AUTHORS - JULIANO CALIL, STEFFANIE MUNGUÍA, CHRISTOPHER CHIN

This resource introduces environmental justice as a perspective pertaining to the impacts of marine litter and plastic pollution on vulnerable populations. Reference is made to international agreements and laws related to waste disposal and management, and consideration is given to the role businesses could play as producers and consumers of plastics. The report outlines the negative environmental ramifications of plastic and how such ramifications disproportionately affect vulnerable populations at each stage of its lifecycle. Gender and human rights including impacts on Indigenous peoples are considered. It also includes an analysis on findings on the effects of Covid-19 on plastic use and waste.

INTRODUCTION TO A CIRCULAR ECONOMY APPROACH TO PLASTICS

UNDP, GEF, SGP: UNITED NATIONS DEVELOPMENT PROGRAMME. 2019. PLASTICS AND CIRCULAR ECONOMY: COMMUNITY SOLUTIONS. (2019) [WEBLINK](#) LEAD AUTHOR – SULAN CHEN

This resource includes guidance and tools for a circular economy in plastics that is directed at governments and businesses. It introduces the concept and some good practices within a circular economy to minimize plastic waste pollution. This document highlights and shows how effective meaningful change that supports a human rights approach to environmental law can occur within community-based programs with small amounts of funding. Lastly, this document summarizes the lessons learned from all the projects with key focal points to target when implementing circular economy practices. Due to the recommendations on pages 48 – 51 this can also be classified as guidance. Some of the case studies outline replicable initiatives/projects on how to achieve certain good practices, this can be used as a teaching tool.

ILLEGAL PRACTICES AND TRADE OF PLASTICS

IPEN, THE ENTRY INTO FORCE OF THE BASEL BAN AMENDMENT: A GUIDE TO IMPLICATIONS AND NEXT STEPS (JANUARY 2020) – BASEL ACTION NETWORK [WEBLINK](#)

This resource concisely outlines the Basel Ban Amendment in the context of the rest of the Basel Convention. It summarizes what the Basel Ban Amendment is, the effects on parties that have both ratified and not ratified it, as well as the legal, political, and environmental impacts of the ban. This resource does not explicitly engage with human rights.

CIEL, LEGAL ANALYSIS OF THE CONSEQUENCES OF THE OECD NON-CONSENSUS DETERMINATION ON THE BASEL PLASTIC AMENDMENT (FEBRUARY 2021) CIEL [WEBLINK](#)

This resource analyzes the legal obligations of OECD members in trading plastic waste after the OECD was unable to reach a consensus on the incorporation of most of the Basel Plastic Amendments into the OECD Wastes Trade Decision. This resource does not explicitly engage with human rights.

INTERPOL, STRATEGIC ANALYSIS REPORT: EMERGING CRIMINAL TRENDS IN THE GLOBAL PLASTIC WASTE MARKET SINCE JANUARY 2018 (AUGUST 2020) ([STORY](#), [WEBLINK](#))

This resource outlines criminal trends and threats that have emerged in the plastic waste market following China's ban in January 2018 and recommends law enforcement and

policy responses that are needed to tackle these threats. It describes the illegal plastic waste sector as a growing global issue, sets out emerging criminal trends, and concludes with recommended solutions to address the risks and anticipated issues. This resource does not explicitly engage with human rights but implicitly supports an EHR approach to the issue as it outlines the issues that illegal plastic generates which would have disproportionate effects on marginalized populations.

GREENPEACE, “SOUTHEAST ASIA’S STRUGGLE AGAINST THE PLASTIC WASTE TRADE: A POLICY BRIEF FOR ASEAN MEMBER STATES” (JUNE 2019) [WEBLINK](#)

This policy brief is directed towards ASEAN member states and recommends that they work towards a ‘single-use-plastic-free world’ by: declaring an immediate ban on all imports of plastic waste even those meant for recycling, and ratify the Basel Ban Amendment; establish a holistic regional policy to massively reduce production of single-use plastic packaging and products while facilitating innovation on reusable packaging; and advance a zero waste sustainable and ethical circular economy to decouple growth from excessive resource extraction, production, consumption, and waste.

GAIA: DISCARDED – COMMUNITIES ON THE FRONTLINES OF THE GLOBAL PLASTIC CRISIS (APRIL 2019) [WEBLINK](#)

This report outlines research completed on the effects of China’s National Sword policy and the broader implications of plastic pollution as the global plastic waste trade industry adjusts to China’s policy. The resource summarizes case studies on three countries (Malaysia, Thailand, and Indonesia) that highlight the experiences of people in those countries who have been forced to the frontlines of the plastic issue. The resource itself does not explicitly engage with human rights but tangentially mentions rights of waste workers in its recommendations section.

LEGISLATIVE STUDIES

UNEP: LEGAL LIMITS ON SINGLE-USE PLASTICS AND MICROPLASTICS – A GLOBAL REVIEW OF NATIONAL LAWS AND REGULATIONS (2018) [WEBLINK](#)

This resource provides a global overview on the progress of countries in passing laws and regulations that limit the manufacture, import, sale, use and disposal of selected single-use plastics and microplastics which have a great impact in the production of marine litter. The report summarizes the scope and types of regulatory approaches policymakers are employing to address plastic pollution. This resource does not engage with human rights.

UNITED NATIONS ENVIRONMENT PROGRAM (UNEP) AND THE WORLD RESOURCES INSTITUTE (WRI): TACKLING PLASTIC POLLUTION: LEGISLATIVE GUIDE FOR THE REGULATION OF SINGLE-USE PLASTIC PRODUCTS, 2020 ([WEBLINK](#))

This Guide is designed to help legislators and policymakers explore options for reducing the harmful impacts of single-use plastic products by regulating their production and consumption, promoting alternatives and/or improving the management, recycling and final disposal of single-use plastic waste. There is no reference to human rights, and only brief reference to gender. It does provide an overview of state obligations and legislative implications in relation to the Basel Convention. See extensive list of resources at the end of this document, including the **Global Plastic Reduction Legislative Toolkit**: [Link](#)

CASE STUDIES/CURRENT PRACTICES IN SEA PERTAINING TO PLASTICS

UNEP & COBSEA: NUS STATUS OF RESEARCH, LEGAL AND POLICY EFFORTS ON MARINE PLASTICS IN ASEAN+3 – A GAP ANALYSIS AT THE INTERFACE OF SCIENCE, LAW AND POLICY (2020) AUTHORS YOUNA LYONS, MEI LIN NEO, AMANDA LIM, YUKE LING TAY AND VU HAI DANG FROM NUS ([WEBLINK](#))

This report provides a systematic review of research on marine plastic pollution in the ASEAN+3 countries. It does not specifically adopt a human rights-based approach. Part 1 reviews the status of scientific research on pollution from marine plastics in ASEAN+3, then reviews and discusses the work by international and regional intergovernmental bodies, as well as regional public-private and private initiatives. Part 2 is a gap analysis between the scientific research and the information needs for policy-making, with a focus on the Regional Action Plan on Marine Litter (RAP MALI) of the Coordinating Body on the Seas of East Asia (COBSEA) and the ASEAN Framework of Action on Marine Debris (FAMAD). The work of other regional bodies is also considered, as well as regulatory approaches and obstacles to combat pollution from marine plastics based on four previous reviews. Recommendations are provided on additional research and ways to improve the science-policy-law interface.

BEATRIZ GARCIA, MANDY MENG FANG, JOLENE LIN, “MARINE PLASTIC POLLUTION IN ASIA: ALL HANDS ON DECK!”, (2019) CHINESE JOURNAL ON ENVIRONMENTAL LAW, OPEN ACCESS ([WEBLINK](#))

This academic article presents case studies of China and Indonesia, countries that face similar plastic pollution challenges, and suggests governance of marine plastics pollution requires multi-level and multi-actor solutions, especially as the sub-national level (state/provincial, local governments). The authors reference the creativity of some

private corporations in changing consumer behaviour and recommend engaging corporations to include reduction of plastics in their CSR policies. The article does not refer to human rights.

STOCKHOLM ENVIRONMENT INSTITUTE ASIA, “MICROPLASTICS: FROM OCEAN TO TABLE”, FEBRUARY 2021: ([WEBLINK](#))

This brief ‘photo story’ resource embeds links to external sources detailing the microplastic problem with reference to Thailand. It does not refer to human rights, although it does refer to international and domestic law, and health (including implications for salt consumption).

HEINRICH BOLL STIFTUNG, “PLASTIC ATLAS ASIA EDITION”, APRIL 2021, [WEBLINK](#)

This 20 chapter downloadable book covers many issues in chapters written by various authors including chapters on Covid-19, regulation, civil society, gender, food, tourism, bioo-plastics, clothing, and corporations. It does not explicitly incorporate reference to human rights.

WWF-PHILIPPINES, EXTENDED PRODUCER RESPONSIBILITY (EPR) SCHEME ASSESSMENT FOR PLASTIC PACKAGING WASTE IN THE PHILIPPINES. FULL REPORT (OCTOBER 2020) [WEBLINK](#)

Policy Brief [Weblink](#) This resource is drawn from the full report by WWF-Philippines on EPR Scheme Assessment for Plastic Packaging Waste in the Philippines. The document briefly outlines what is EPR and why it is relevant to the Philippines and its policymakers. It sets out the highlights of the proposed EPR Scheme from the full report and illustrates how to implement the proposals. While based upon a study conducted in the Philippines for the Philippines, it may be replicable in similar SEA countries. It does not specifically mention a human rights-based approach to plastic pollution.

Fact sheet brief [Weblink](#) This resource for governments provides a summary of the findings from the EPR Scheme Assessment for Plastic Packaging Waste in the Philippines report. May also be classified under guidance and tools, see pp5 – 6.

MONITORING AND ASSESSMENT PROGRAMME ON PLASTIC LITTER IN VIET NAM SHORELINE – REPORT 2019. (HANOI, VIET NAM. IUCN: VIET NAM COUNTRY OFFICE 2021) ([WEBLINK](#)) .

This resource provides guidance on how corporate and non-corporate actors can determine the composition and quantities of plastic waste and its origin. It also identifies waste pollution hotspots in Vietnam for local authorities and suggests safe waste

collection method to minimize adverse impacts on ecosystems and biodiversity during the cleanup event. The guidance recommends that corporations should effectively use human and financial resources to minimize and prevent the impacts of marine waste, and plastic pollution. The detailed government action plan for 2020-2030 on marine plastic waste management for the fisheries sector can be accessed [here](#).

GLOBAL PLASTIC ACTION PARTNERSHIP IN COLLABORATION WITH THE INDONESIA NATIONAL PLASTIC ACTION PARTNERSHIP, “RADICALLY REDUCING PLASTIC POLLUTION IN INDONESIA: A MULTISTAKEHOLDER ACTION PLAN: NATIONAL PLASTIC ACTION PLAN” (2020) INSIGHT REPORT, WORLD ECONOMIC FORUM ([WEBLINK](#))

This report provides background information to the plastic pollution crisis in Indonesia. The government of Indonesia partnered with the Global Plastic Action Partnership (a multistakeholder initiative set up by the World Economic Forum) to take unprecedented action in Indonesia to tackle plastic pollution. This initiative complements actions by sub-national governments, businesses, academia, non-governmental organizations, community and religious groups. It notes how plastic pollution also harms tourism and fisheries. It highlights how businesses could reconfigure their operations together with business models that will encourage reuse (plastics) and build a collective returnable packaging network to help prevent plastic waste. It suggests that businesses and government should have a dialogue regarding the implementation and funding of the Roadmap for Waste Reduction by Producers. Also suggests that a world leading packaging design program or institute in Indonesia should be developed to bring companies, government and academia together to help tailor needs of emerging-market waste collection and recycling systems. Discusses circular economy.

The report also proposes the need to advance gender equality and social justice for women, migrants and poor communities who are at higher risk for harm and exploitation. Although it does not analyze from a human rights perspective, it expressly identifies gender as critical lens for understanding the plastic pollution in Indonesia. It highlights some studies and initiatives that have adopted a gender perspective on solid waste management and informal-sector waste systems. (Ocean Conservancy and GA Circular (2019), The Role of Gender in Waste Management: Gender Perspectives on Waste in India, Indonesia, The Philippines and Vietnam; WIEGO Gender and Waste Toolkit; USAID Women’s Economic Empowerment and Equality (WE3) Technical Assistance Project).

Among its 10 critical accelerators to enable system change, it suggests how insights could be drawn from international best practices which could be tailored to the Indonesian

context in addressing the problem. It does not refer to any environmental conventions or agreements on the subject matter. No discussions on covid.

GLOBAL PLASTIC ACTION PARTNERSHIP, “FINANCING SYSTEM CHANGE TO RADICALLY REDUCE PLASTIC POLLUTION IN INDONESIA: A FINANCING ROADMAP DEVELOPED BY THE INDONESIA NATIONAL PLASTIC ACTION PARTNERSHIP” (2020) BRIEFING PAPER ([WEBLINK](#))

This Financing Roadmap details the actions the Financing Task Force will take to achieve the Indonesia National Plastic Plan goals. It outlines 3 cross-cutting recommendations on mobilizing financing to meet the marine plastic waste reduction target: incubating and scaling up innovations, ventures and project development at all stages of the plastic system; closing the operational financing gap for city-level waste collection and recycling systems and building institutional and technical capacity and; enabling capital investments in the after-use (waste and recycling system) through system changes, technology and blended finance approaches. The Indonesian government will soon enact new regulations to help local governments to calculate the appropriate fees for waste for both households and businesses. It encourages the government to develop policies on waste funding. It indicates how government policies could create investment-friendly ecosystem and bring more private funding into the system, example, through support and incentives for innovation, tax exemption for recycled materials and regulated extended producer responsibility (EPR). It suggests ways to encourage private-sector companies to help address the problem. It suggests that supply chain transparency and compliance with social and environmental standards (eg, worker safety and working conditions during the recovery of plastic waste and environmental pollution from some recycling facilities) could make this sector more attractive to international investors.

The report indicates that gender issues cannot be separated from waste management including plastics, and suggests that investments should encourage the participation of women and other vulnerable groups in informal-sector plastic collection or recycling processes. This may support sustainable development if women could actively participate in waste management and plastic reduction initiatives. However, no explicit discussion from human rights’ perspective, no reference to international treaties or to Covid.

SEA CIRCULAR, “COUNTRY PROFILE” (2020) [WEBLINK](#)

This resource provides a country profile of South Korea in relation to plastics and plastic packaging. It identifies government and private sector as key stakeholders for action on marine litter. It also refers to global frameworks and regional frameworks on marine litter, as well as a national policy framework on municipal (plastic) waste management. It

concluded that South Korea is one of the biggest producers and consumers of single-use plastic packaging items in the world. However, South Korea has a well-developed policy framework promoting an integrated approach to waste and material management, building on the principle of the pay-as-you-throw, 3Rs and EPR, to moving towards resource circulation and circular economy.

UNDP, “COMBATING MARINE PLASTIC LITTER IN CAMBODIA” (2021) NATIONAL COUNCIL FOR SUSTAINABLE DEVELOPMENT [WEBLINK](#)

This resource outlines a project on “Combating Marine Plastic Litter” in Cambodia by the National Council for Sustainable Development, that runs from January 2021 to December 2023. Its objective is to prevent and minimize plastic waste pollution on land and in the ocean through promotion of a 4R framework (refuse, reduce, reuse and recycle). Through this project, policies, regulations, public awareness, supporting the reduction of plastic waste, and the introduction and promotion of new technologies (recycling and plastic alternatives) are developed and implemented. It identifies potential impacts on gender equality, women’s empowerment and human rights through a risk analysis and provides countermeasures to be undertaken by the project. It seeks to mainstream gender and equality issues by incorporating several strategies and actions to ensure inclusion and involvement in relevant decision-making processes towards a circular economy among others.

C4 THE CENTER TO COMBAT CORRUPTION AND CRONYISM: MALAYSIA IS NOT A “GARBAGE DUMP” – CITIZENS AGAINST CORRUPTION, COMPLACENCY, CRIME, AND CLIMATE CRISIS (2021) [WEBLINK](#)

This resource examines the value chains of the import, transport, and processing of plastic waste in Malaysia by tracing the actors and agencies that are involved in the regulation of value chains. The report seeks to examine the illegal dimensions that surround plastic recycling in Malaysia, how it occurred, and the implications on the people of Malaysia’s rights to a safe, clean, healthy, and sustainable environment. The report concludes with recommendations after its key findings. It considers COVID-19.

FURTHER RESOURCES

INDIGENOUS PEOPLE AND PLASTICS

PLASTIC LEGACIES - POLLUTION, PERSISTENCE, AND POLITICS [WEBLINK](#)
CHAPTER 3: HOW SEABIRDS AND INDIGENOUS SCIENCE ILLUSTRATE THE LEGACIES OF PLASTICS POLLUTION BY STEPHANIE B. BORRELLE, JENNIFER F. PROVENCHER, AND TINA NGATA

This chapter is a resource directed at all who can benefit from Indigenous ways of knowledge including businesses and states. Chapter three of this book uses research of plastic pollution and accumulation in seabirds as a case study of how Indigenous science and ways of knowing can be invaluable in environmental pollution research. It also outlines cases where there were both successes and failures in Indigenous research partnerships and concludes with advocating for and recommendations on how to approach Indigenous research partnerships.

INDIGENOUS PEOPLE'S PACT (AIPP), THE INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS (IWGIA) AND ASIAN FORUM FOR HUMAN RIGHTS AND DEVELOPMENT (FORUM-ASIA), CHIANG MAI; ASEAN'S INDIGENOUS PEOPLE ASIA (2010)
[WEBLINK](#)

This is a resource outlines how the Indigenous people in South East Asia identify themselves. Specifically, it sets out characteristics and enshrined rights Indigenous people hold and how they are distinguished from ethnic minorities, a term often misused to describe Indigenous people in South East Asia.

OTHER RESOURCES FOR GOVERNMENTS

UNEP, TECHNOLOGY FOR ENVIRONMENT: SINGLE-USE PLASTICS – A ROADMAP FOR SUSTAINABILITY (2018) [WEBLINK](#)

The document provides a roadmap for a reduction in the usage of single use plastics directed at governments. The resource summarizes successful case studies that reduced single use plastics in their municipalities through various means. The resource offers key findings and recommendations on how to reduce single use plastics. It does not engage with human rights.

UNEP, IGES: STRATEGIES TO REDUCE MARINE PLASTIC POLLUTION FROM LAND-BASED SOURCES IN LOW AND MIDDLE – INCOME COUNTRIES (2019) AUTHORS - PREMAKUMARA JAGATH DICKELLA GAMARALALAGE & KAZUNOBU ONOGAWA [WEBLINK](#)

This document is directed towards low- and middle-income countries on strategies to reduce marine plastic pollution from land-based sources. It summarizes case studies to outline short term, medium term, and long-term strategy recommendations on reducing plastic pollution. Additionally, the document sets out interventions on how to implement strategies to reduce plastic pollution. It does not engage with human rights.

UNEP, COBSEA, SEA CIRCULAR, SWEDEN SVERIGE “SEA OF SOLUTIONS: PARTNERSHIP WEEK FOR MARINE PLASTIC POLLUTION PREVENTION” (NOVEMBER 2020) [WEBLINK](#)

This resource summarizes the 2020 SEA of Solutions, an annual convention to dialogue on solutions for marine plastic pollution. 2020 focused on plastic waste during the pandemic; financial analyses on risk and opportunities for investment in plastic pollution and marine litter reduction; as well as other current events/new findings that are relevant to solutions for marine plastic pollution. This resource engages with environmental human rights in the Covid-19 context.

EU COMMISSION & ASEAN: CIRCULAR ECONOMY AND PLASTICS – A GAP ANALYSIS IN ASEAN MEMBER STATES (2019) [WEBLINK](#) LEAD AUTHORS - LEWIS AKENJI, MAGNUS BENGTTSSON

This resource includes guiding tools directed towards governments. It identifies the main gaps in plastics management across ASEAN Member States in four categories: Information and Knowledge; Policy and Governance; Technical Capacity; and Markets and Finance. It follows with five regional initiatives that can complement and strengthen the national actions of ASEAN states that address plastic pollution. The document ends with an outline of current practices and initiatives of ASEAN member countries as well as a gap analysis of those practices/initiatives. This resource does not engage with human rights.

OECD, PLASTICS MANAGEMENT: TRENDS, POLICY RESPONSES, AND THE ROLE OF INTERNATIONAL CO-OPERATIONAL AND TRADE 2018 ([WEBLINK](#))

Background report by OECD for G7 Environment, Energy and Oceans Ministers covering current plastics production and use, the environmental impacts it generates and explanation for low rates of recycling and possible policy responses.

UNEP, INTER-PARLIAMENTARY UNION: GREEN APPROACHES TO COVID 19 RECOVERY – POLICY NOTE FOR PARLIAMENTARIANS (2020) [WEBLINK](#)

This resource is a report directed towards governments that urges them to adopt a socially inclusive COVID-19 recovery that is in line with climate action and environmental protection. The report outlines good practices that are in line with the core elements of

a green economy approach. A green economy approach is recommended as a preventative measure to protect against future global emergencies such as pandemics that are often exacerbated by/linked to environmental issues.

EU, SECRETARIAT OF THE PACIFIC REGIONAL ENVIRONMENT PROGRAMME (SPREP), PACWASTEPLUS, SITUATIONAL ANALYSIS OF HUMAN RIGHTS ISSUES IN THE WASTE MANAGEMENT SECTOR: LITERATURE REVIEW (FEBURARY 2021); LEAD AUTHOR BASKUT TUNCAK [WEBLINK](#)

This literature review provides a detailed overview of state obligations in Pacific states in the waste management sector. There is no specific discussion of plastics, but there is good consideration of gender, workers, children, and culture. (The lead author is the former special rapporteur on toxic substances).

ENVIRONMENTAL INVESTIGATION AGENCY: PLASTIC POLLUTION PREVENTION IN PACIFIC ISLAND COUNTRIES – GAP ANALYSIS OF CURRENT LEGISLATION, POLICIES AND PLANS (2020) [WEBLINK](#)

This report is directed towards governments. It identifies current limitations in national plastic pollution policy for preventing plastic pollution. It also explores the potential to implement best practices in the reduction of plastic pollution and the promotion of a safe circular plastics economy. The report develops an analytical framework to examine national legislation, policies, strategies and plans relevant to plastic pollution in each of the countries examined. This resource does not engage with human rights.

OTHER RESOURCES FOR BUSINESSES (AND GOVERNMENTS)

ELLEN MACARTHUR FOUNDATION AND UNEP, THE GLOBAL COMMITMENT 2020 PROGRESS REPORT ([WEBLINK](#))

500 signatories comprised of business and governments, committed to ambitious plastics reduction targets and transparent progress reporting. The report highlights key trends, progress and areas needing improvement. It provides useful background information on plastics pollution. It also provides illustrative examples of good business practices in select sectors. Finally, it provides concrete recommendations to reduce plastics waste and transition to a circular economy. See update: **Ellen MacArthur Foundation and UNEP, The Global Commitment 2021 Progress Report [Weblink](#)** – including Progress Reports, Sector Insights, and Signatory Reports

THE BUSINESS CASE FOR A UN TREATY ON PLASTIC POLLUTION (2020). WWF, THE ELLEN MACARTHUR FOUNDATION AND BCG, PUBLISHED IN OCTOBER 2020 BY WWF. [WEBLINK](#)

This document is a resource directed at both governments and businesses. It reports findings that support a business case for a UN Treaty on plastic pollution. The report outlines initiatives that attempt to address the global plastic pollution problem but ultimately fall short. A case is made for a global response in the form of a UN Treaty and an outline is made of what the UN Treaty would cover. This resource does not engage with human rights.

THE MINDEROO FOUNDATION: THE PLASTIC WASTE MAKERS INDEX – REVEALING THE SOURCE OF THE SINGLE-USE PLASTICS CRISIS. 2021 LEAD AUTHORS: DOMINIC CHARLES, LAURENT KIMMAN, NAKUL SARAN [WEBLINK](#)

This report is directed at governments and businesses on single-use plastics. The report summarizes 5 key findings: the largest producers of single use plastic; which global investors and banks that enable the single-use plastic crisis; the failure of the industry to transition away from fossil-fuel-based feedstocks; the threat that virgin polymer production capacity creates against a circular plastics economy; and how single-use plastic waste is an entrenched geopolitical problem. It follows with recommendations for main stakeholders. This resource does not engage with human rights.

THE PEW CHARITABLE TRUSTS, SYSTEMIQ: BREAKING THE PLASTIC WAVE – A COMPREHENSIVE ASSESSMENT OF PATHWAYS TOWARDS STOPPING OCEAN PLASTIC POLLUTION 2020 [WEBLINK](#)

This report summarizes findings on current practices of governments and businesses pertaining to plastic pollution. It also outlines good practices and recommendations on how to address gaps in interventions/actions towards plastic pollution. The report does not specifically identify human rights as a part of the approach to address plastic pollution.

PRI, UNEP FINANCE INITIATIVE, UN GLOBAL COMPACT: THE PLASTICS LANDSCAPE – RISKS AND OPPORTUNITIES ALONG THE VALUE CHAIN (2019); LEAD AUTHOR: GEMMA JAMES (PRI) [WEBLINK](#)

This is a resource directed towards businesses, specifically investors. It outlines plastic pollution as a systemic issue, providing a technical overview of plastics and the plastic market, and explores common concepts. It also helps businesses to identify where and how their portfolios might be exposed to plastic, allowing them to analyze relevant sectors and engage at the corporate and policy levels. This resource does not engage with human rights.

UNDP & BHR ASIA: PROGRESS REPORT 2020 BUSINESS AND HUMAN RIGHTS IN ASIA (2020) [WEBLINK](#) SEAN LEES – PROJECT MANAGER, LIVIO SARANDREA – PROJECT ADVISOR

This resource reports on the progress of B+HR Asia directed towards businesses and governments. B+HR Asia is a joint action between the EU and UNDP that promotes and facilitates the implementation of the UNGPs while contributing to the amelioration of human rights conditions, inclusive economic growth, and environmental sustainability. The project is implemented over the period of 48 months starting from January 2020. The countries it includes are India, Indonesia, Malaysia, Myanmar, Sri Lanka and Thailand. This progress report covers the period from August 4th 2020, to December 31st 2020, the end of the financial reporting period. This resource explicitly engages with human rights but there is only one brief reference to plastics, and none to toxic substances.

ADDITIONAL GENDER RESOURCES

UNDP, “MAINSTREAMING GENDER INTO UNDP-GEF PROJECTS ON CHEMICALS AND WASTE” (2017) [WEBLINK](#)

This resource focuses on toxic chemical release from plastics. It provides guidance on how gender should be mainstreamed into projects supported by UNDP and financed by the Global Environmental Facility (GEF). Chapter 5 of this document provides some lists of gender issues to be considered during projects evaluation. Its Annex 2 provides examples for activities and indicators in this context. It also highlights e-waste collection, artisanal recycling. It incorporates human rights approach in tackling plastic related issues through a gender lens by adopting both equality and empowerment approaches. It refers to some international treaties regarding the subject area.

UNEP & OCEAN CONSERVANCY ET AL, “THE ROLE OF GENDER IN WASTE MANAGEMENT: GENDER PERSPECTIVE ON WASTE IN INDIA, INDONESIA, THE PHILIPPINES AND VIETNAM” (2019) [WEBLINK](#)

This report considers how gender roles influence waste management. It indicates that how gender analysis could serve as a tool for policymakers and program developers to help improve and develop the waste sector. Implicitly integrating human rights approach to solving the issue. It considers circular economy. It describes some good practices some companies have undertaken to help address the plastic waste problem. No reference to international environmental laws and treaties.

UNEP, “GENDER AND MARINE POLLUTION” 2016/2017 (RESOURCE) [WEBLINK](#)

This brief note highlights UNEP's aim of engaging public and private sector in the fight against marine litter. It also considers how women are differently vulnerable to marine plastic pollution and encourages the incorporation of traditional knowledge of women in achieving solutions to plastic pollution. Thus, implicitly focusing on human rights-based approach to plastic pollution through a gender lens.

UNEP, "GENDER EQUALITY AND THE ENVIRONMENT: A GUIDE TO UNEP'S WORK" (2016)
WEBLINK

This guide indirectly provides background information on gender and plastics. It discusses polluted sewage (including microplastics) and highlights people who make a living through informal recycling businesses and recyclers who work in hazardous and unsanitary conditions who are socially and economically marginalized, including women's participation in solid waste management as informal recyclers in plastic waste management (p31). It implicitly adopts a human rights-based approach to solving environmental problems through a gender lens and outlines the linkages between gender equality and the environment, the impacts of gender inequality, how unequal participation in policy-and decision-making stymie effective action on tackling environmental challenges and opportunities to unlock the untapped potential of both men and women in confronting such problems. It also discusses how hazardous chemicals and waste negatively affects human health and considers circular economy, and international environmental laws including BRS Conventions as the leading multilateral environment agreements on chemicals and waste management.

UNEP, "GENDER AND ENVIRONMENT: SUPPORT KIT FOR UN ENVIRONMENT STAFF" 2017 WEBLINK

This document supports the relevance of gender inclusion and consideration in UNEP's project. It highlights some contributions of gender inequalities in negative environmental impacts and how gender responsiveness is necessary for environmental management. It discusses gender issues related to air quality and marine litter. It suggests how "designs to alter plastic use, production or waste management require a gender perspective." It further suggests that "actions to address marine litter through regulation or actions in line with the waste hierarchy, will also require consideration of gender as well as labor-related human rights aspects." Also suggests that the rapid proliferation of microplastics can be understood as part of a gender-consumption nexus. Further, suggests gender as a critical component in national strategies and plans seeking to manage chemical waste, and improved air quality. It highlights some national duties and responsibilities to mainstream gender concerns in all phases of project lifecycle. It discusses some good practices of using human rights to protect the environment. It discusses the proposed

National Gender Mainstreaming Specialist in Pakistan, whose duties and responsibilities will be to mainstream gender concerns in all phases of project cycle. It also lists some sources of gender tools. It refers to some international environmental laws and treaties including the Basel, Rotterdam and Stockholm Conventions in promoting gender issues in hazardous chemicals and waste management at the national and regional levels. Specifically, the BRS Gender Action Plan which encourages that gender equality should be an integral part of the implementation of the Conventions and Secretariat activities.

OECD, “GENDER AND THE ENVIRONMENT: BUILDING EVIDENCE AND POLICIES TO ACHIEVE SDGS” (21 MAY 2021) [WEBLINK](#)

This report examines nine environment-related SDGs (2, 6, 7, 9, 11, 12 and 15) through a gender-environment lens, using available data, case studies, surveys and other evidence. It shows that women around the world are disproportionately affected by climate change, deforestation, land degradation, desertification, growing water scarcity and inadequate sanitation, with gender inequalities further exacerbated by COVID-19. The report concludes that gender-responsiveness in areas such as land, water, energy and transport management, amongst others, would allow for more sustainable and inclusive economic development, and increased well-being for all. Recognising the multiple dimensions of and interactions between gender equality and the environment, it proposes an integrated policy framework, taking into account both inclusive growth and environmental considerations at local, national and international levels. Chapters of particular relevance: 5. Towards a Joint Gender and Environment Agenda (2021) [Weblink](#) 11. Women and SDG 12: Responsible Consumption and Production: Ensure Sustainable Consumption and Production Patterns” (2021) [Weblink](#)

WOMEN ENGAGE FOR A COMMON FUTURE (WECF), “PLASTICS, GENDER AND THE ENVIRONMENT: FINDINGS OF A LITERATURE STUDY ON THE LIFECYCLE OF PLASTICS AND ITS IMPACTS ON WOMEN AND MEN, FROM PRODUCTION TO LITTER” (2017) [WEBLINK](#)

This resource is directed at states and businesses. It discusses plastics and microplastics and noted that five Asian countries contribute to more than half of the marine litter. It seeks to understand the overall dimensions of gender in plastic production and consumption, the global annual consumption of plastics per capita, and the gender dimensions of expenditures on consumer goods. The resource considers an overview of hazardous chemicals in plastics and their impact on women’s and men’s health. The document discusses the opportunities available to women and men to be agents of change. It refers to some international environmental laws including Basel and Stockholm Conventions.

OECD, “ISSUES NOTE: SESSION 5: GENDER-SPECIFIC CONSUMPTION PATTERNS, BEHAVIORAL INSIGHTS, AND CIRCULAR ECONOMY” 2020 MAINSTREAMING GENDER AND EMPOWERING WOMEN FOR ENVIRONMENTAL SUSTAINABILITY [WEBLINK](#)

This issues note is directed at states and businesses. It summarizes the discussions at the 2020 Global Forum on Environment which focused on mainstreaming gender and empowering women for environmental sustainability. The issues note discusses the essence of promoting women’s role in the circular economy in cities; it identified women as promoters, facilitators and enablers of the circular economy. The document emphasizes that transitioning from a linear to a circular economy is a shared responsibility across governments and a wide range of stakeholders, including women. It also notes that although women are in a unique position to support a circular economy in plastics, due to consumer goods commonly used by women, they are also more vulnerable to the negative ramifications of such products. No reference to relevant international treaties or conventions. No discussion of Covid.

SOURCES OF INTERNATIONAL LAW

In addition to sources of international human rights law that support a human rights-based approach to plastics, there are many international treaties that are relevant to state obligations, even if they do not explicitly incorporate a human rights-based approach. A number of resources listed above provide an introduction and overview of relevant international law. The recent report on plastics of the Special Rapporteur on toxic substances provides a particularly useful overview (see below under expert clarifications of international law).

BASEL CONVENTION (1989) FOR THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTE, PLASTIC WASTE AMENDMENTS [WEBLINK](#) AND Q&A [WEBLINK](#)

The amendment to Annex VIII (A3210) clarifies the scope of plastics to be presumed hazardous and therefore subject to PIC (prior informed consent) procedures. The amendment to Annex IX (B3011) clarifies the types of plastic wastes that are presumed to not be hazardous and, as such, not subject to the PIC procedure. The wastes include: a group of cured resins, non-halogenated and fluorinated polymers, provided the waste is destined for recycling in an environmentally sound manner and almost free from contamination and other types of wastes; mixtures of plastic wastes consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET) provided they are destined for separate recycling of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes. The amendment to Annex II (Y48) introduces coverage of plastic waste, including mixtures of such wastes unless they are hazardous or presumed non-hazardous. Decision BC-14/13 further action to address plastic pollution – reduce, increase reusability, recyclability and durability, and reduce hazardous additives.

Basel Plastic Waste Partnership (PWP) to mobilize government and business (launched November 2019) [Weblink](#)

The goal of the PWP is to improve and promote the environmentally sound management of plastic waste at the global, regional and national levels. It also seeks to prevent and minimize the generation of plastic waste as a part of a larger goal to significantly reduce and in the long-term eliminate the discharge of plastic waste and microplastics into the environment, in particular the marine environment.

STOCKHOLM CONVENTION (2004) ON PERSISTENT ORGANIC POLLUTANTS (BANS SOME OF MOST TOXIC CHEMICALS INCLUDING THOSE USED IN PLASTICS; ENDORSES POLLUTER PAYS)

ROTTERDAM CONVENTION (2004) (PIC FOR TRADE IN HAZARDOUS CHEMICALS)

UNFCCC, PARIS AGREEMENT (ON CLIMATE CHANGE, BUT AS 99% OF PLASTICS DERIVE FROM FOSSIL FUELS, PLASTIC PRODUCTION PRODUCES SUBSTANTIAL GHGS, AND GHGS ARE EMITTED DURING WASTE MANAGEMENT PROCESS)

VIENNA CONVENTION, AND MONTREAL PROTOCOL (SOME OZONE DEPLETING SUBSTANCES SUBJECT TO PHASE OUT/ELIMINATION ARE PLASTICS)

UNCLOS, MARPOL CONVENTION (INCLUDING ANNEX V – PROHIBITING THE DISCHARGE INTO THE SEA OF ALL PLASTICS), **LONDON CONVENTION & PROTOCOL**, ETC

UNEA RESOLUTIONS

Some resolutions from the United Nations Environment Assembly (UNEA) held in 2019 address plastics and related issues. See generally [Weblink](#) and select resolutions below.

UNEA RESOLUTION 4/6 (UNEP/EA.4/RES.6), “MARINE PLASTIC LITTER AND MICROPLASTICS”, 2019 ONLINE: [WEBLINK](#)

Resolution calling upon member states to address the issue of microplastics and marine litter.

UNEA RESOLUTION 4/7 (UNEP/EA.4/RES.7), “ENVIRONMENTALLY SOUND MANAGEMENT OF WASTE”, 2019 ONLINE: [WEBLINK](#)

Resolution recognizing the role of waste management in addressing plastic pollution.

UNEA RESOLUTION 4/8 (UNEP/EA.4/RES.8), “SOUND MANAGEMENT OF CHEMICALS AND WASTE”, 2019 ONLINE: [WEBLINK](#)

Resolution urging states, the private sector, and scientific community to intensify efforts to manage chemicals and waste, underlining the importance of waste prevention and minimization at source, and minimizing the use of hazardous substances in material cycles.

UNEA RESOLUTION 4/9 (UNEP/EA.4/RES.9), “ADDRESSING SINGLE-USE PLASTIC PRODUCTS POLLUTION”, 2019 ONLINE: [WEBLINK](#)

Resolution calling upon member states to address single use plastics pollution.

UNEA RESOLUTION 4/17 (UNEP/EA.4/RES.17), “PROMOTE GENDER EQUALITY, AND THE HUMAN RIGHTS AND EMPOWERMENT OF WOMEN AND GIRLS IN ENVIRONMENTAL GOVERNANCE”, 2019 ONLINE: [WEBLINK](#)

Resolution inviting member states to take a suite of suggested actions to ensure that environmental governance is responsive to the human rights of women and girls.

UNEA RESOLUTION 3/4 (UNEP/EA.3/RES.4), “ENVIRONMENT AND HEALTH”, 2018 [WEBLINK](#)

UNEA 3 Resolution recognizing the connection between the environment and health, which also sets out key actions to minimize impacts on human health. Includes actions to be taken to address the impacts of “chemicals and waste.”

UNEA RESOLUTION 2/16 (UNEP/EA.2/RES.16), “MAINSTREAMING OF BIODIVERSITY FOR WELL-BEING”, 2016 ONLINE: [WEBLINK](#)

UNEA 2 Resolution recognizing the importance of biodiversity for maintaining human well-being. Does not explicitly mention plastics.

HRC RESOLUTIONS

Resolutions of the Human Rights Council sometimes explicitly consider matters relevant to the plastics problem. Below are some key examples. See generally: [Weblink](#)

HRC RESOLUTION A/HRC/RES/48/13 THE HUMAN RIGHT TO A CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT 2021 [WEBLINK](#)

Resolution recognizing the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights; noting that it is related to other rights and existing international law; and affirming that the promotion of this right requires full implementation of MEAs under principles of international environmental law. The preamble recalls the responsibility of businesses under the UNGPs, including with regard to the rights of environmental human rights defenders.

HRC RESOLUTION A/HRC/RES/46/7, “HUMAN RIGHTS AND THE ENVIRONMENT”, 2021 [WEBLINK](#)

Resolution renewing and updating the mandate of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. Does not explicitly include any guidance for work on plastics.

HRC RESOLUTION A/HRC/RES/45/8, “THE HUMAN RIGHTS TO SAFE DRINKING WATER AND SANITATION 2020 [WEBLINK](#)

Human rights council resolution reaffirming the recognition of access to safe drinking water and sanitation as a human right. Outlines calls for action for states but no reference to business (or pollution or plastics)

HRC RESOLUTION A/HRC/RES/45/30, “RIGHTS OF THE CHILD: REALIZING THE RIGHTS OF THE CHILD THROUGH A HEALTHY ENVIRONMENT” 2020 [WEBLINK](#)

Resolution recognizing and affirming the differentiated impact of environmental harms on children. Explicitly notes the impact on the HR of children posed by pollution. Provides guidance for both states and business (“urges” action).

HRC RESOLUTION A/HRC/RES/40/11 “RECOGNIZING THE CONTRIBUTION OF ENVIRONMENTAL HUMAN RIGHTS DEFENDERS TO THE ENJOYMENT OF HUMAN RIGHTS, ENVIRONMENTAL PROTECTION, AND SUSTAINABLE DEVELOPMENT” 2019 [WEBLINK](#)

Resolution expressing grave concern over the situation of EHRDs, and calling upon states to take multiple actions; also underscores the responsibility of business enterprises to respect the rights of EHRDs as essential to the protection of all human rights, and encourages business enterprises to share best practices as part of due diligence under the UNGPs.

EXPERT CLARIFICATIONS OF INTERNATIONAL LAW

OHCHR EXPERT CLARIFICATIONS

The mandate of expert mechanisms of the OHCHR including special rapporteurs is to provide clarifications of international human rights law. The work of the special rapporteur on toxic substances ([Link](#)) and the work of the special rapporteur on human rights and the environment ([Link](#)) are particularly relevant, among others.

OHCHR, SPECIAL RAPPOREUR ON TOXIC SUBSTANCES AND HUMAN RIGHTS, *THE STAGES OF THE PLASTICS CYCLE AND THEIR IMPACTS ON HUMAN RIGHTS*, 2021, A/76/207, [WEBLINK](#)

This comprehensive report by the SR toxic substances details human rights impacts of each stage of the plastics life cycle (extraction and refining, production, transport, use, waste) as well as the impacts on human rights of toxic additives in plastics. It then examines the impacts of plastics on persons in vulnerable situations (workers – including those in petrochemical and plastics manufacturing industries and waste pickers; children; women; persons of African descent; Indigenous peoples and coastal communities; people living in poverty; and future generations). Next, the report examines international

instruments relevant to the plastics cycle (MEAs including the Basel Convention, Stockholm Convention, MARPOL Convention, the SDGs) and discussions on a new plastics treaty. Part V introduces *Principles of a human rights-based approach for a chemically safe circular economy for plastics* including: the right to information on the hazards of plastics, the right to participation in decision-making on plastics policy, accountability and access to effective remedies, prevention and precautionary approaches to risks and harms from plastics (including assessment and product design), and polluter-pays principle and extended producer-responsibility. The report concludes with recommendations for states, businesses, and international bodies.

SUBMISSIONS, “THE LIFECYCLE OF PLASTICS AND HUMAN RIGHTS” OHCHR MANDATE OF THE SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, [WEBLINK](#)

The OHCHR has made the submissions received for the SR’s report on plastics publicly available. Many NGOs submitted report. Key themes from these reports with regards to human rights seem to coalesce around the need for the ultimate report of the Special Rapporteur to bring attention to the link between plastics and the human rights to life, adequate food, and health. The reports further highlight the lack of access to information, remedy, and decision making about plastics as a human rights problem. Finally, the reports repeatedly highlight the differential impact that plastics have on vulnerable populations such as youth, women, indigenous peoples, the elderly, and economically challenged coastal communities.

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *RIGHT TO SCIENCE IN THE CONTEXT OF TOXIC SUBSTANCES*, 2021, A/HRC/48/61, [WEBLINK](#)

This report draws attention to the science/human rights connection and dangers posed by hazardous substances at the science/policy interface. It first describes science and scientific evidence, then explores the normative content of the right to science and its relationship to other human rights, including with reference to the CESCR’s general comment No 25 (2020) on the right to science, and the importance of the right to participation in public affairs under ICCPR Article 25. The report then clarifies how best available science and the precautionary principle together with an effective science-policy interface platform could ensure law and policy on toxics accords with the right to science. The report then confronts threats against science and scientists including greenwashing, conflicts of interest, harassment, and disinformation. The conclusions offer recommendations for states as well as businesses in accordance with the UNGPs.

OHCHR, SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS, *FINAL WARNING: DEATH THREATS AND THE KILLINGS OF HUMAN RIGHTS DEFENDERS*, 2020, A/HRC/46/35 [WEBLINK](#)

Report highlighting the prevalence of killings of human rights defenders. Highly relevant as the report highlights that these human rights defenders who are subject to threats and murder are often protecting environmental rights. Provides calls to action for both states and businesses to take action to halt the trend, and provides recommendations on how to do so.

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *DUTY TO PREVENT EXPOSURE*, 2019, A/74/380: [WEBLINK](#)

Highly relevant report which details the scope of a duty to prevent exposure to toxics as a HR issue. Contains a short section dedicated to Plastics which recognizes that “The entire lifecycle of plastic production, use and disposal results in adverse impacts on multiple human rights, which can constitute violations and abuses by involved States and businesses” (pg 20). Focuses on the primary “duty” being on states, while acknowledging businesses and other non-state actors as having corresponding “responsibilities.”

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *PRINCIPLES ON THE PROTECTION OF WORKERS FROM EXPOSURE TO TOXIC SUBSTANCES*, 2019, A/HRC/42/41 : [WEBLINK](#)

Report outlining practices to ensure that the HR of workers are not violated through both preventing and addressing exposure to toxic substances. Less relevant to plastics than the “guidelines for good practices for disposal of toxics” report from the same SR. However, provides further support for the general OHCHR approach of ensuring both substantive rights (i.e. exposure prevention) and procedural rights (i.e. access to information and remedy) in a comprehensive approach.

OHCHR, SPECIAL RAPPORTEUR ON THE ISSUES OF HUMAN RIGHTS AND THE ENVIRONMENT, *HEALTHY AND SUSTAINABLE FOOD: REDUCING THE ENVIRONMENTAL IMPACTS OF FOOD SYSTEMS ON HUMAN RIGHTS*, 2021, A/76/179: [WEBLINK](#)

This report examines healthy and sustainable food as an element of a substantive environmental human rights approach. It considers the catastrophic environmental and health consequences of industrial food systems, unhealthy diets and food waste, and the associated consequences for the enjoyment of human rights, with disproportionate adverse effects on vulnerable and marginalized groups. The role of plastics is considered in the industrial food system, including in croplands, as packaging and in abandoned fishing gear (para 26). Reference is also made to microplastics in food (para 32), and to concerns raised by children in submissions to the report over plastic packaging. Business

responsibilities are clarified (paras 77-78) including the implementation of systems that reduce pollution.

OHCHR, SPECIAL RAPPOREUR ON THE ISSUES OF HUMAN RIGHTS AND THE ENVIRONMENT, *HUMAN RIGHTS AND THE GLOBAL WATER CRISIS: WATER POLLUTION, WATER SCARCITY AND WATER-RELATED DISASTERS*, 2021, A/HRC/46/28: [WEBLINK](#)

This report examines safe and sufficient water as one component of a substantive environmental human rights approach. It considers the causes and consequences of the global water crisis, including the negative impacts of water pollution due to microplastics (para 13) on the enjoyment of human rights, disproportionately effecting vulnerable and marginalized groups. Good practices are identified, and a seven-step process for implementation of state obligations is proposed. Business responsibilities are clarified (paras 81-83, 90), including to contribute to and support efforts to ensure safe and sufficient water for all by shifting to a pollution-free circular economy.

OHCHR, SPECIAL RAPPOREUR ON THE ISSUES OF HUMAN RIGHTS AND THE ENVIRONMENT, *HUMAN RIGHTS DEPEND ON A HEALTHY BIOSPHERE*, 2020, A/75/161: [WEBLINK](#)

This report confirms that healthy ecosystems and biodiversity are vital elements of substantive environmental human rights. It emphasizes the need for urgent action to conserve, protect and restore the biosphere on which all species depend, including humans, and illustrates the crucial role of human rights in catalysing action to safeguard nature. The obligations of States and the responsibilities of businesses and civil society organizations are clarified, and practical recommendations are offered to conserve, protect and restore healthy ecosystems and biodiversity. The report observes that there is a need for states to create new laws to address emerging challenges such as plastic pollution (para 71). Business responsibilities are clarified (paras 75-77) including the need to reduce adverse impacts on nature from the use of their products.

OHCHR, SPECIAL RAPPOREUR ON THE ISSUES OF HUMAN RIGHTS OBLIGATIONS RELATING TO THE ENJOYMENT OF A SAFE, CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT, *RIGHT TO A HEALTHY ENVIRONMENT: GOOD PRACTICES*, 2019, A/HRC/43/53: [WEBLINK](#)

Guide of good practices for the implementation of both substantive and procedural aspects of the human right to a safe, clean, healthy and sustainable environment. Highly relevant with explicit references to plastic pollution. The document however is more focused on actions that states can take than what other actors including businesses can do. [See also UNEP & UN Human Rights Special Procedures: Right to a healthy environment: good practices (2019) [Weblink](#)]

OHCHR, SPECIAL RAPPORTEUR ON THE ISSUES OF HUMAN RIGHTS AND THE ENVIRONMENT, *FRAMEWORK PRINCIPLES ON HUMAN RIGHTS AND THE ENVIRONMENT*, A/HRC/37/59, 2018 ONLINE: [WEBLINK](#)

The Framework Principles draw upon previously conducted mapping reports to clarify the nature of state obligations in relation to procedural and substantive environmental human rights, with cross-cutting attention to non-discrimination and vulnerability. This is an important contribution that is useful for determining the range of actions necessary to holistically implement a human rights-based approach to environment. While the document focuses primarily on state action, it identifies the business responsibility to respect human rights as an independent responsibility that requires the conduct of human rights impact assessment and human rights due diligence.

OHCHR, SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS TO SAFE DRINKING WATER AND SANITATION, *THE PRINCIPLE OF ACCOUNTABILITY IN THE CONTEXT OF THE HUMAN RIGHT TO SAFE DRINKING WATER AND SANITATION*, 2018, A/73/162: [WEBLINK](#)

Report on the scope of accountability for safe drinking water and sanitation. Although plastics are not the focus, the report recognizes that “business enterprises that may have an impact on the enjoyment of the human rights to water and sanitation in the course of their operation” (pg. 6) are accountable. Can be connected to the report by the SR on toxic and human rights “duty to prevent exposure” which explicitly notes the impact of microplastics on drinking water.

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *GUIDELINES FOR GOOD PRACTICES FOR DISPOSAL OF TOXICS*, 2017, A/HRC/36/41: [WEBLINK](#)

Report outlining good practices in a HR focused approach to dealing with hazardous substances. Not explicitly focused on plastics however the approach taken is highly relevant. In depth discussion of good practices for both states and businesses and distinguishing the “responsibilities” of businesses as opposed to the “duties” of states.

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *RIGHTS OF THE CHILD AND HAZARDOUS SUBSTANCES AND WASTES*, 2016, A/HRC/33/41: [WEBLINK](#)

Report discussing the unique impact of exposure to hazardous substances and wastes on the rights of children. Additionally discusses the differential impacts of exposure based on race, poverty, and gender. Outlines states “obligations” and business “responsibilities.”

OHCHR, SPECIAL RAPPORTEUR ON TOXICS AND HUMAN RIGHTS, *RIGHT TO INFORMATION ON HAZARDOUS SUBSTANCES AND WASTES*, 2015, A/HRC/30/40: [WEBLINK](#)

Report discussing the importance of the procedural right to information in relation to toxic waste. Highly relevant and useful for giving a full picture of a dimension of human rights that is generally more briefly addressed in OHCHR documents. Once again frames the discussion around the “obligations of states” and the “responsibilities of businesses.”

OHCHR & UNEP KEY MESSAGES

OHCHR & UNEP, *KEY MESSAGES: HUMAN RIGHTS AND HAZARDOUS SUBSTANCES*, 2021: [WEBLINK](#)

This highly relevant message provides an overview of the UN’s approach to integrating a human rights approach in addressing the impact of hazardous substances. The guidance within is firm when discussing what states “must” do, but permissive with regard to what businesses “should” do.

OHCHR & UNEP, *KEY MESSAGES: HUMAN RIGHTS, THE ENVIRONMENT AND COVID-19*, 2021: [WEBLINK](#)

While tangential to plastics, these messages provide general guidance to both states and businesses for how to respond to the COVID-19 pandemic in manner which respects human rights, especially that of a safe, clean and healthy environment.

OHCHR & UNEP, *KEY MESSAGES: HUMAN RIGHTS AND BIODIVERSITY*, 2021: [WEBLINK](#)

Although not exclusively related to plastics this message is important as it discusses biodiversity loss, climate change, and pollution as interrelated environmental harms that need to be addressed together through transforming humanity’s relationship with nature. The document gives guidance to both states (duties) and businesses (expectations).

EXPERT CLARIFICATIONS ON BUSINESS AND HUMAN RIGHTS IN INTERNATIONAL LAW

Especially since the endorsement in 2011 by the Human Rights Council (resolution 17/4) of the United Nations Guiding Principles on Business and Human rights (UNGPs), OHCHR experts including the UN Working Group on Business and Human Rights (UN WGBHR) have continued to provide clarification of the international law expectation that businesses will respect human rights ([Link](#)).

REPORT OF THE SPECIAL REPRESENTATIVE OF THE UN SECRETARY GENERAL, *UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS*, ANNEX, 2011, A/HRC/17/31 ([WEBLINK](#))

The UNGPs are comprised of three pillars that reflect international human rights law obligations of states and global social expectations of businesses, as well as the interdependent importance of access to remedy. Pillar two (Principles 11-24) provides that ‘business enterprises should respect human rights’, that is, ‘avoid infringing on the human rights of others; and ‘address adverse human rights impacts with which they are involved’. This do no harm responsibility applies to all human rights, and requires businesses to avoid causing or contributing to human rights impacts through their own activities, and to seek to ‘prevent or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships’ irrespective of whether they contributed to these harms. The business responsibility to respect human rights requires the conduct of human rights due diligence (HRDD).

REPORT OF THE UN WGBHR, 2018, A/73/163, ([WEBLINK](#))

This Report describes elements to be included in a HRDD. The HRDD should be undertaken first and foremost to prevent adverse human rights impact. Second, the HRDD should be commensurate with the severity and likelihood of the adverse impact and be tailored to specific risks and they affect different groups. Third, HRDD should be ongoing, in recognition of the fact that the risks to human rights may change over time as operations and operating context evolve.

UN WGBHR, COMPANION NOTE I TO 2018 REPORT TO THE GENERAL ASSEMBLY (A/73/163): CORPORATE HUMAN RIGHTS DUE DILIGENCE – BACKGROUND NOTE ELABORATING ON KEY ASPECT (2018) ([WEBLINK](#))

This note explains and highlights emerging good practices of HRDD for companies in various sectors (finance, banks, institutional investors and minority shareholders, state-owned enterprises, and export credit agencies). It references the OECD’s Due Diligence Guidance (see below) and other responsible business conduct (RBC) instruments of the OECD. The Report notes that understanding human risk to operations enables companies to assess human risks related to the environment.

REPORT OF THE UN WGBHR, *GENDER DIMENSION OF THE GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS*, 2019, A/HRC/41/43 ([WEBLINK](#))

This report highlights the differentiated and disproportionate impact of business activities on women and girls. The Gender Framework for the UNGPs proposes gender guidance specific to each of the 31 Principles. The framework describes three steps/pillars: gender-

responsive assessment, gender-transformative measures, and gender transformative needs. The UN WGBHR hopes the framework will be applied by states and private enterprises in creating and revisiting gender equality and other relevant initiatives in complying with their human rights obligations.

REPORT OF THE UN WGBHR: *CONNECTING THE BUSINESS AND HUMAN RIGHTS AND THE ANTI-CORRUPTION AGENDAS, 2020, A/HRC/44/43* ([WEBLINK](#))

This report examines how the business and human rights agenda, expressed in the UNGPs, and the anti-corruption efforts, are interconnected. It examines the good practices that states, businesses, and civil society can undertake to address corruption when it has negative impacts on human rights in the context of business-related activity with a view to preventing such negative impacts and to ensuring access to remedy. It also demonstrates how measures driving responsible business practices in relation to business and human rights and anti-corruption efforts, can re-enforce each other to ensure coherent policy.

REPORT OF THE UN WGBHR: *GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS AT 10: TAKING STOCK OF THE FIRST DECADE, 2021, A/HRC/47/39* ([WEBLINK](#))

This report examines the progress and challenges of implementing the UNGPs by states and business since its endorsement by the UN Human Rights Council in 2011. The report provides the baseline for the Working Group's forthcoming report--“Road map for the next decade”--which will set out more detailed recommendations, goals and targets for States, business, and other actors such as civil society organizations, labour unions, indigenous groups, professional associations and international organizations, all of whom have a key role in a broader and wider implementation of the UNGPs over the next decade and beyond.

The stocktaking includes an assessment of progress, gaps, and challenges, as well as obstacles and opportunities for advancing more robust policy action and change in the coming years. It will be followed by a “roadmap for the next decade”, with forward-looking recommendations for State actors and business, as well as other stakeholders who have a role to play in promoting implementation of the UNGP.

REPORT OF THE UN WGBHR: *TAKING STOCK OF INVESTOR IMPLEMENTATION OF THE GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS, 2021, A/HRC/47/39/ADD. 1* ([WEBLINK](#))

This Report provides a summary of what rights-respecting investment entails, based on the expectations of the Guiding Principles. It outlines how enabling environments have fostered investors’ respect for human rights and summarizes signs of progress, as well as

major gaps and barriers to future progress. It then recommends an increasing investor action that upholds the dignity and wellbeing of individuals and communities.

REPORT OF THE UN WGBHR, *GUIDANCE ON ENSURING RESPECT FOR HUMAN RIGHTS DEFENDERS*, 2021, A/HRC/47/39/ADD.2 [WEBLINK](#)

This Report report highlights the need to address the adverse impact of business activities on human rights defenders. It unpacks for States and business the normative and practical implications of the UNGPs in relation to protecting and respecting the vital work of human rights defenders.

REPORT OF THE UN WGBHR, *ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN FACILITATING ACCESS TO REMEDY FOR BUSINESS-RELATED HUMAN RIGHTS ABUSES*, 2021, A/HRC/47/39/ADD.3 ([WEBLINK](#))

This Report proposes ways in which national human rights institutions (NHRIs) could facilitate access to remedy for business-related human rights abuses. It also highlights NHRIs' critical role in the following three illustrative areas: collaboration with other judicial and non-judicial remedy mechanisms, cooperation amongst NHRIs in cross-border and transnational cases and protecting civil society organisations and human rights defenders. Although the document does not address sector-specific plastic and climate change concerns, it gives an example of how NHRIs can facilitate remedy for those exposed to harmful effects of waste products. Also, it provides examples of how NHRIs can protect human rights defenders and civil society organizations in some states, including Ecuador ([weblink](#)), Bangladesh ([weblink](#)), and Philippines ([weblink](#)). These examples serve as good practices for other states.

NATIONAL ACTION PLANS

There has been an uptake of business and human rights National Action Plans from states in different continents, including, Asia-Pacific, Europe, Africa and, Latin America. Some of the national action plans contains references to the environment and pollution. A sample of these National Actions Plans are discussed below.

THAILAND'S FIRST NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS (2019–2022) ([WEBLINK](#))

This NAP reiterates Thailand's Department of Industrial Works Direction that the location of factories location should be away from public places or communities. It identifies the responsibilities of companies to observe safety measures as well as identify, assess, and mitigate risks to the environment, including pollution through environmental impact exercise. The NAP also enjoins corporations to conduct public hearings in their

environmental impact exercise. However, there is no reference to specific plastic waste management practices for companies.

INDONESIA NATIONAL ACTION PLAN, 2017 ([WEBLINK](#))

Indonesia adopts the principle of ecological justice (p11), using the framework of human rights norms and corporate responsibility. However, the NAP does not explicitly explore how plastic waste pollution contributes to ecological injustice. Three contexts for the NAP are outlined: decentralization (regional autonomy); the importance of micro, small and medium enterprises; and the role of state-owned enterprises.

JAPAN NATIONAL ACTION PLAN 2020 ([WEBLINK](#))

The National Action Plan incorporates gender perspectives and child rights issues. The NAP promotes equality before the Law, especially persons with disabilities, women, persons of diverse sexual orientation and gender identity. The Japanese government expressed commitment to work with other organizations, including the OECD, to promote responsible business conduct. Particularly, Japan hopes to pay attention to the perspectives of gender and respect for human rights in supply chains. However, there is no reference to how sector specific situations, especially in plastic pollution, affect the rights of women and children who are often vulnerable to harms arising from plastic waste and pollution.

REGIONAL EXPERT CLARIFICATIONS OF INTERNATIONAL LAW

UNEP AND UN ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC (ESCAP), AN ASSESSMENT OF ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND ACCESS TO JUSTICE IN ENVIRONMENTAL DECISION-MAKING IN ASIA-PACIFIC: TECHNICAL BRIEFING PAPER PREPARED FOR THE EXPERT MEETING ON HUMAN RIGHTS AND THE ENVIRONMENT (APRIL 2021) ([WEBLINK](#))

While many good practices in the region are emerging, many countries face challenges in implementing Principle 10; a regional approach could pave the way to safeguard procedural environmental rights drawing upon experiences from other regions; there is an opportunity to support governments in strengthening environmental governance in the region to ensure full exercise of environmental rights.

ASEAN DISCUSSION BRIEF NO. 5, *THE RIGHT TO A HEALTHY ENVIRONMENT IN SOUTHEAST ASIA*, 2020 ([WEBLINK](#))

Discussion Brief prepared for ASEAN by the Raoul Wallenberg Institute (Sweden). Adopts a useful approach by first identifying where the right can be located within ASEAN

frameworks, good practices by ASEAN, and examples of collaboration by ASEAN bodies. The report then briefly recommends how ASEAN can improve their efforts to advance the RtHE.

MULTI-STAKEHOLDER BUSINESS AND HUMAN RIGHTS GROUP, *GUIDANCE DOCUMENT ON BUSINESS AND HUMAN RIGHTS*, COMMISSION ON HUMAN RIGHTS OF THE PHILIPPINES, 2020 [WEBLINK](#)

Drafted by the multi-stakeholder BHR group in the Philippines (including UN Women), this guidance document is designed to assist advocates in implementation of business respect for human rights in the Philippine business setting. It emphasizes the importance of a gender perspective, and that gender is a cross-cutting concern in securing a better future for people, planet and prosperity. In keeping with the principle of non-discrimination, the rights and needs of vulnerable or marginalized populations, such as indigenous peoples, must be given due regard in the application of the UNGP- BHR. Recommendations are offered to all stakeholders on action necessary to deepen the BHR discourse and ensure business respect for human rights in the country. There is no mention of plastics, but environment is frequently referenced.

UNEP, ASIA PACIFIC ISSUE BRIEF: SDG 16, HUMAN RIGHTS AND THE ENVIRONMENTAL RULE OF LAW, MARCH 2021 [WEBLINK](#)

This summary brief considers the link between HR and a clean, healthy, and sustainable environment, with reference to procedural environmental rights, the impact of the COVID-19 pandemic on HR and environmental rule of law (ERL), and attention to the role of environmental human rights defenders (ERHDs) in the Asia-Pacific region in avenues for sustainable post-pandemic recovery. Key messages: (1) critical importance of ERL; (2) EHRDs play a key role in upholding, implementing and advancing the ERL; (3) ERHDs require urgent legal protection in the region; (4) environmental harm disproportionately impacts individuals, groups and peoples living in vulnerable situations including women, poor, etc; and (5) Covid-19 exacerbates existing inequalities coupled with triple environmental crisis of climate change, biodiversity loss & pollution. The poor and marginalized are most impacted. Note Indonesian constitution access to information article; Philippines draft EHRD bill. Concludes with recommendations.

SOURCES INFORMED BY INTERNATIONAL LAW AND RELATED INITIATIVES FOR STATES AND BUSINESSES

UN GLOBAL COMPACT, *TEN PRINCIPLES* ([WEBLINK](#))

The UN Global Compact describes itself as the world’s largest sustainability initiative. Its Ten Principles (on human rights, environment, labour, and anti-corruption) are derived

from existing international law and provide a principles-based approach for doing business. ‘By incorporating the Ten Principles of the UN Global Compact into strategies, policies and procedures, and establishing a culture of integrity, companies are not only upholding their basic responsibilities to people and planet, but also setting the stage for long-term success.’ Local Networks advance the Principles in different countries ([link](#)) including Indonesia. Many guidance documents are available on specific areas, including on promoting anti-corruption. Business alignment with the SDGs is a key component of the UNGC agenda ([link](#)).

UN GLOBAL COMPACT, PRACTICAL GUIDANCE FOR THE UN GLOBAL COMPACT: SUSTAINABLE OCEAN PRINCIPLES 2020 ([WEBLINK](#))

The working document provides guidance on how companies can integrate material ocean-related risks and opportunities into their corporate strategy, risk management and reporting procedures. It will be updated periodically. There are several references to plastics (p8), largely in relation to Principle 3 on pollution prevention (p15 – efforts to reduce plastics use in supply chains, recycling and investing in solutions, and reporting plastic use).

OECD RESPONSIBLE BUSINESS CONDUCT (RBC) INSTRUMENTS ([WEBLINK](#))

The OECD MNE Guidelines describe themselves as the only government-backed responsible business conduct (RBC) instruments. The OECD MNE Guidelines and related RBC guidance tools are discussed below. In December 2021, the OECD released a paper outlining the role of OECD instruments in relation to environmental objectives. Plastics are noted 3 times: in relation to circular economy (p12), reduction of microplastics in the garment and footwear sector (p36), and France’s Anti-Wastage & Circular Economy Law (p40). References to hazardous substances, pollution, and waste management appear throughout the document.

OECD (2021), *The role of OECD instruments on responsible business conduct in progressing environmental objectives* ([WEBLINK](#))

OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES, 2011 ([WEBLINK](#))

Chapter IV of the OECD MNE Guideline advises enterprises to respect human rights, avoid causing or contributing to adverse human rights impacts and address such impacts when they occur, seek ways to prevent or mitigate adverse human rights impacts that are directly linked to their business operations, products or services by a business relationship, even if they do not contribute to those impacts, have a policy commitment to respect human rights, carry out human rights due diligence as appropriate to their size, the nature and context of operations and the severity of the risks of adverse human rights

impacts, provide for or co-operate through legitimate processes in the remediation of adverse human rights impacts where they identify that they have caused or contributed to these impacts

Chapter VI of the OECD MNE Guideline urges enterprises to take due account of the need to protect the environment by establishing and maintaining a system of environmental management appropriate to the enterprise, sharing information relating to the impacts of industrial activities on the environment with local communities, and performing due diligence or preparing environmental impact assessments to avoid or prevent environmental hazards. The Chapter also urges business enterprises to maintain contingency plans to mitigate or minimize environmental risks and in the event of accidents, to establish mechanisms for immediate report to competent authorities. Finally, it urges businesses to continually seek to improve corporate environmental performance at the level of the enterprise and, where appropriate, at the supply chain level.

Although the chapter VI does not exclusively refer to plastic wastes, paragraphs 6(b) and 6(d) of the chapter is relevant for safe disposal and management of plastic waste. Other chapters of the OECD MNE Guidelines may also be relevant, including the chapter on employment, disclosure, and consumer interests.

Overall, the 2011 edition of the OECD MNE Guideline provides an overarching human rights and environmental guidance which is elaborated upon in other OECD RBC guidance in specific contexts and industries. These include the OECD Due Diligence Guidance for responsible business conduct, OECD Stakeholder Engagement for Extractive Industries, OECD Due Diligence Guidance for Responsible Supply Chains, and OECD-FAO Guidance for Responsible Agricultural Supply Chains. Some of these specific guidelines are examined in turn to tease out business responsibilities to respect and support environmental human rights through sustainable plastic practices.

OECD-FAO GUIDANCE FOR RESPONSIBLE AGRICULTURAL DIMENSION 2016 ([WEBLINK](#))

The guidance tool notes that corporations can contribute to health and safety risks if they do not recognize physical hazards, including filth, pests, hair, or plastic. In effect, the guidance treats plastic waste as health and safety risks.

OECD DUE DILIGENCE FOR RESPONSIBLE SUPPLY CHAINS IN THE GARMENT AND FOOTWEAR SECTOR 2018 ([WEBLINK](#))

The Guidance tool does not explicitly address plastics although environmental and health and safety impacts of hazardous chemicals are considered (Modules 8 and 5). Modules 8-

11 provide guidance on environmental due diligence with regard to raw material production and manufacturing in the supply chain. The Guidance encourages re-using and recycling of company products and identifies environmental risk factors in the materials used to produce some textile products and how companies can mitigate the risks. It also encourages companies to monitor the environmental impact of its supply chain activities on the environment, especially water. The guidance considers impacts in four key areas: Hazardous chemicals, Water consumption, Water pollution, and Greenhouse Gas (GHG) emissions. For example, through a waste-water management process, the guidance prescribes how companies can identify, investigate, and mitigate water pollution risks. Module 11 addresses bribery and corruption issues including as gateway crimes for violation of environmental standards.

OECD DUE DILIGENCE GUIDANCE FOR MEANINGFUL STAKEHOLDER ENGAGEMENT IN THE EXTRACTIVE SECTOR 2017 ([WEBLINK](#))

There is no reference to plastics; however, it is relevant to the plastic production phase.

OECD DUE DILIGENCE GUIDANCE FOR RESPONSIBLE SUPPLY CHAINS OF MINERALS FROM CONFLICT AFFECTED AND HIGH-RISK AREAS 2016 ([WEBLINK](#)).

There is no reference to plastics; however, it may be relevant to the plastic production phase.

OTHER INTERNATIONAL SOURCES OF GUIDANCE ON PLASTICS FOR BUSINESSES AND/OR STATES

OECD, *CONTROL SYSTEM FOR WASTE RECOVERY* 2009 ([WEBLINK](#))

Guidance addresses exportation of hazardous plastic waste i.e. for recycling between OECD countries. Guidance, aimed at states, hopes to facilitate environmentally safe and economically efficient trade of waste between countries, using simplified procedures and a risk-based approach. In 2021, the OECD adopted amendments (closely aligned with Basel Convention amendments) adopting an updated list of hazardous wastes (Note: may be updates to consider) ([Amendments](#)).

UNEP AND CONSUMERS INTERNATIONAL — “CAN I RECYCLE THIS?” A GLOBAL MAPPING AND ASSESSMENT OF STANDARDS, LABELS, AND CLAIMS ON PLASTIC PACKAGING 2020 ([WEBLINK](#))

This guidance tool maps out global assessment of standards, labels and claims on plastic packaging, regarding information about materials, production, recyclability, and disposal.

UNEP, *SUSTAINABILITY AND CIRCULARITY IN THE TEXTILE VALUE CHAIN: GLOBAL STOCKING 2020* ([WEBLINK](#))

The document provides guidance on how corporation apply an evidence-based, value chain approach to identifying the hotspots and priority actions needed to advance sustainability and circularity in textile value chain, while giving examples of the many initiatives that are already being undertaken.

UNEP FINANCE INITIATIVE & PRINCIPLES FOR SUSTAINABLE INSURANCE, UNWRAPPING THE RISK OF PLASTIC POLLUTION TO THE INSURANCE INDUSTRY: THE FIRST GLOBAL INSURANCE INDUSTRY STUDY ON MANAGING THE RISKS ASSOCIATED WITH PLASTIC POLLUTION, MARINE PLASTIC LITTER AND MICROPLASTICS, 2019. ([WEBLINK](#))

This study identifies how plastic pollution contributes to risks in the insurance sector. It prescribes how insurers can take an active role in addressing the risks related to plastic pollution. This refers to some international treaties. It discusses health impacts of microplastics on humans. Also refers to UNEP's Principles for Sustainable Insurance Initiative (PSI), which serves as a global framework for the insurance industry to address environmental, social, and governance risks and opportunities as well as to strengthen the industries inclusiveness in sustainable communities and economies. It highlights some good practices. It considers human rights and gender concerns as well as child labor.

UNIDO, *ADDRESSING THE CHALLENGE OF MARINE PLASTIC LITTER USING CIRCULAR ECONOMY METHODS: RELEVANT CONSIDERATIONS 2019* ([WEBLINK](#))

The document provides guidance on how circular economy practices could be applied through the product design, production, use, and disposal stages to short-lived and fast-moving plastic products and packaging. It also proffers strategies on how actors can close gaps in a circular plastics economy.

INTERNATIONAL STANDARD (ISO 15270) 2008 ([WEBLINK](#) THIS LINK IS ONLY A PREVIEW OF THE DOCUMENT.)

This document provides guidance for the development of standards and specifications covering plastics waste recovery, including recycling. The standard establishes the different options for the recovery of plastics waste arising from pre-consumer and post-consumer sources. [update?]

WORLD WILDLIFE FUND, *NO PLASTIC IN NATURE: A PRACTICAL GUIDE FOR BUSINESS ENGAGEMENT 2019* ([WEBLINK](#))

The guidance prescribes actions that business can take to address the plastic pollution crisis, such as how to create effective engagement strategies and design concrete actions along the plastic life cycle.

GREENPEACE, *GUIDE TO GREENER ELECTRONICS*, 2017 ([WEBLINK](#))

This provides guidance on how companies in the electronic industry can carry out product design and responsible supply chain management. It uses some leading companies in the industry as case studies. There are multiple references to plastics.

WORLD ECONOMIC FORUM, *GUIDE TO ENSURE GENDER-RESPONSIVE ACTION IN ELIMINATING PLASTIC POLLUTION: GUIDANCE DOCUMENT*, 2021, [WEBLINK](#)

Developed by the Global Plastic Action Partnership (GPAP), this guidance is designed to support actors in the plastics value chain and plastic pollution action community to adopt a gender-sensitive approach. The guidance outlines gender mainstreaming principles for this sector, along with detailed guidance made specific to a variety of stakeholders, including policy-makers, industry and business leaders, innovators, civil society organizations and academia. 'Gender equality is an important human right in itself, but it is also widely acknowledged as a basis for sustainable development, particularly in environmental protection. Given women's central role in entrepreneurship, resource management, waste disposal and unpaid household labour and informal sector work, policies that aim to support women's rights and livelihoods should naturally complement efforts to transition to a more sustainable and circular plastics economy.' An extensive definition of gender-mainstreaming is provided, and a detailed case study serves to clarify why gender and inclusion are key to plastic action.

CEFLEX, *TECHNICAL REPORT AND EXECUTIVE SUMMARY REPORT* ([WEBLINK](#))

CEFLEX (Circular for Flexible Packaging) is a coalition of European companies and other actors from across the flexible packaging supply chain. The design guidelines (comprised of a technical report and executive summary) aim to achieve the following: act as a resource for actors across value chain; increase collection, sorting and recycling; foster the production of higher quality recycled materials. The guidelines are intended to be a practical resource, that can yield waste reductions without compromising product functionality.

OCEANSASIA, *MASKS ON THE BEACH: THE IMPACT OF COVID-19 ON MARINE PLASTIC POLLUTION*; AUTHORS PHELPS BONDAROFF, TEALE AND SAM COOKE (DECEMBER 2020) ([WEBLINK](#))

This report provides an overview as to scale, sources, and negative impacts of marine plastic pollution, with a particular focus on marine plastic pollution resulting from the increased use of personal protective equipment (PPE) resulting from COVID-19. It recommends that, when possible, individuals should choose to wear reusable masks and masks made from sustainable materials. Masks should always be disposed of responsibly. In general, the guidance recommends that individuals should strive to reduce their consumption of unnecessary single-use plastic, purchase from companies that offer these alternatives, and encourage other companies to reduce their use of plastic.

UNWTO (WORLD TOURISM ORGANISATION) *GLOBAL TOURISM PLASTICS INITIATIVE*

[WEBLINK](#)

With UNEP and the Ellen MacArthur Foundation, the UNWTO is an initiative within the One Planet Sustainable Tourism Programme's framework. Signatories (over 90 as of July 2021) are to make concrete and actionable commitments by 2025 including to eliminate or reduce plastic packaging and increase recycling and recycled content across plastic packaging, etc.

BUSINESS AND HUMAN RIGHTS RESOURCE CENTER & INTERNATIONAL SERVICE FOR HUMAN RIGHTS, *SHARED SPACE UNDER PRESSURE: BUSINESS SUPPORT FOR CIVIC FREEDOMS AND HUMAN RIGHTS DEFENDANTS—GUIDANCE FOR COMPANIES 2018* ([WEBLINK](#)).

This guidance advises companies as they address the challenges as well as opportunities to support civil society and HRDs. It explains the normative framework, the business case and the moral choice that should inform company engagement and action.

AMNESTY INTERNATIONAL, *HUMAN RIGHTS DEFENDERS UNDER THREAT: A SHRINKING SPACE FOR CIVIL SOCIETY 2017* ([WEBLINK](#))

The report highlights the additional violence women human rights defenders face beyond attacks other HRDs might experience, including the use of sexual violence, threats and harassment as well as defamation campaigns linked to their gender. It concludes with a series of recommendations to state and non-state actors, as well as regional and international bodies, which must be urgently addressed in order to reverse the ongoing attempts to shrink the space in which HRDs and civil society operate.

JEROEN VOS, *FIGHTING CORRUPTION IN THE WATER SECTOR: METHODS, TOOLS, AND GOOD PRACTICES* (UNITED NATIONS DEVELOPMENT PROGRAM, 2011) [WEBLINK](#)

This Study addresses corruption and mismanagement in the water sector to sustain achievements toward the Millennium Development Goals. This study maps corruption risks in the water sector (including irrigation and hydropower) and presents methods and

tools to measure corruption in the sector. It also presents good practices in improving oversight and promoting better water resource management. The ideas in this report could help to inform addressing corruption in the plastics recycling sector.

ETHICAL TRADING INITIATIVE: *HUMAN RIGHTS DUE DILIGENCE FRAMEWORK* ([WEBLINK](#))

This document is based on the UNGPs' HRDD provisions with a labour focus. It identifies various sector specific risk, including construction, care, cleaning, hospitality, Apparel and Industry, Food and Farming, and hard goods/general merchandize/surgical supplies. There is no reference to plastics or pollution.

ACTIONAID, WE MEAN BUSINESS: *PROTECTING WOMEN'S RIGHTS IN GLOBAL SUPPLY CHAINS*, 2020 ([WEBLINK](#))

This paper argues that corporations' activities/relationships leading to pollution, land grabbing, exploitation of workers, violence against human rights defenders and misconduct have disproportionate effects on women. It, therefore, explains how states and companies can integrate gender-responsive human rights due diligence into existing and emerging efforts in the area of business and human rights.

UNICEF, BHR ASIA, UNDP, *HUMAN RIGHTS DUE DILIGENCE AND COVID-19: A RAPID SELF-ASSESSMENT FOR BUSINESS (2021 UPDATE VERSION)* ([WEBLINK](#))

This document provides guidance to businesses who are seeking to manage the human rights impacts of their operations during the Covid-19 pandemic. The C19 Rapid Self-Assessment is offered to companies as a partial but informative view of human rights actions in the specific context of COVID-19. The listed actions are based on relevant provisions of UN Human Rights Treaties, the ILO Fundamental Conventions, and the UNGPs. It is organized to present key actions or considerations along three stages of the COVID-19 crisis period: Prepare, Respond and Recover. However, as stated in the document, the C19 Rapid Self-Assessment should not be used as a comprehensive human rights due diligence tool as prescribed under the UNGPs.

TOWARDS A MANDATORY EU SYSTEM OF DUE DILIGENCE FOR SUPPLY CHAINS (EU PARLIAMENT BRIEFING 2020) ([WEBLINK](#))

The document is directed to governments—it maps out possible approaches to enacting EU mandatory human rights due diligence legislation for supply chains. It proposes a Directive on sustainable corporate governance that would also cover human rights and environmental due diligence.

SHIFT, *RESPECTING HUMAN RIGHTS THROUGH GLOBAL SUPPLY CHAINS* (SHIFT WORKSHOP REPORT NO 2, OCTOBER 2012) ([WEBLINK](#))

This Report is a product of a 2012 workshop that explored challenges and generated practical guidance for companies regarding respect for human rights through supply chains. Many of the issues raised in the workshop are labour rights within a broader scope of human rights. There is no reference to plastics or pollution.

SHIFT, *HUMAN RIGHTS DUE DILIGENCE IN HIGH-RISK CIRCUMSTANCES: PRACTICAL STRATEGIES FOR BUSINESSES* (2015) ([WEBLINK](#))

This report presents learning and insights from business practitioners regarding the strategies and practices they have found most effective when conducting human rights due diligence in high-risk circumstances. There is no reference to plastics or pollution.

NORWEGIAN MINISTRY OF FOREIGN AFFAIRS & ETHICAL TRADING INITIATIVE NORWAY, *A GUIDE TO HUMAN RIGHTS DUE DILIGENCE IN GLOBAL SUPPLY CHAINS*, 2013 ([WEBLINK](#))

This Guide is based on the requirements, standards and recommendations of the United Nations and the International Labour Organizations. It provides advice and recommendations on how Norwegian companies, including small and medium-sized enterprises, can carry out human rights due diligence to avoid, mitigate and remedy negative human rights impacts. There is no reference to pollution or plastics.

INTERNATIONAL COCOA INITIATIVE, *HUMAN RIGHTS DUE DILIGENCE IN SUPPLY CHAINS: A REVIEW OF LEGISLATION AND GUIDELINES THROUGH THE LENS OF THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS* (ICI REVIEW OCTOBER 2019) ([WEBLINK](#))

This review analyzes the current due diligence and transparency legislation through the lens of the UN Guiding Principles. It seeks to support its member to get an overview of the fast-moving regulatory environment and to help define its members' human rights diligence strategies in light of current and upcoming legislations and guidance, as well as against the general framework of the UNGPs. There is no reference to pollution or plastics.

TOOLS

HEINRICH BOLL STIFTUNG, “PLASTIC, WASTE AND ME”, JUNE 2021: [WEBLINK](#)

This book was written by and for international youth, and is available as a PDF, and in a digital website edition. It is accompanied by an online presentation about the book, and a video of members of the global youth advisory board explaining the problem.

GLOBAL PLASTIC REDUCTION LEGISLATIVE TOOLKIT: [LINK](#)

OTHER LAW AND POLICY TOOLKITS RELATING TO PLASTICS: [LINK](#)

Including ([Link](#)) (community waste management in low- and middle-income countries)

PLASTIC OCEAN INTERNATIONAL, A PLASTIC OCEAN EDUCATION AND DISCUSSION GUIDE ([WEBLINK](#))

This guidance tool helps educators to teach students how to create potential solutions to plastic pollution.

BASEL ACTION NETWORK (BAN): MAIN SITE: [[WEBLINK](#)]

The Basel Action Network is an organization that seeks to champion global environmental health and justice by ending toxic trade, catalyzing a toxics-free future, and campaigning for everyone’s right to a clean environment. The organization’s work currently focuses on the three toxic waste streams covered by the Basel convention. The link to the resource hub is a tool that offers sources relating to both the BAN amendment and plastic waste: Link to resource hub: [[Link](#)]

UNEP FACTSHEETS: MARINE LITTER, PLASTICS AND HUMAN RIGHTS [WEBLINK](#)

These factsheets (from November 2021) provide information on various impacts of marine litter and plastic pollution from climate change to human rights in the Pacific states. The factsheets can be used by national level decision makers to strengthen national legislation, strategies, plans, policies, monitoring, and reporting to prevent the harmful impacts of plastic pollution and marine litter.

- A safer circular economy for plastics in the Pacific Region [Link](#)
- Plastics Pollution Policy Gaps in the Pacific Region [Link](#)
- Plastics, Marine Litter and Climate Change in the Pacific Region [Link](#)

- Plastics Impacts on Human Health in the Pacific Region [Link](#)
- The Business of Plastics: The impacts of plastics pollution on human rights in the Pacific Region [Link](#)

OHCHR, “THE CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS: AN INTERPRETIVE GUIDE” ([WEBLINK](#))

Interpretive guide intended to provide additional background explanation to the UN Guiding Principles on Business and Human Rights. No specific reference to plastics or pollution.

ENVIRONMENT-RIGHTS.ORG [WEBLINK](#)

A collaborative resource portal for environmental human rights defenders, designed as a ‘living’ platform that is constantly updated and expanded; includes introduction to Geneva roadmap for environmental human rights defenders ([weblink](#)), inspiring stories ([weblink](#)), along with news & articles ([weblink](#))

BUSINESS & HUMAN RIGHTS RESOURCE CENTRE, *HUMAN RIGHTS DEFENDERS & CIVIC FREEDOMS PORTAL* ([WEBLINK](#))

Online portal which recognizes the crucial role of human rights defenders in ensuring corporate responsibility and accountability, and as such collects news related to human rights defenders, as well as maintains a database of attacks on human rights defenders.

ZERO TOLERANCE INITIATIVE, COLLECTIVE PROTECTION RESOURCES: [WEBLINK](#)

87 resources (as of Aug 2021) for community-led strategies for collective protection and violence prevention, many of which are of general application, while a small number have an Asian focus (Malaysia, Southeast Asia); some focus on Indigenous rights, land rights and/or gender intersections.

UN GLOBAL COMPACT: ENHANCED LIBRARY [WEBLINK](#)

Online library of sustainability sources for businesses – however, there appear to be few resources specifically addressing plastics.

VIDEOS

DAVID KATZ, “THE SURPRISING SOLUTION TO OCEAN PLASTIC” (2018) [WEBLINK](#)

This video is a guiding tool of a replicable good practice pertaining to a circular economy for plastics. It introduces a replicable project that takes place in various communities that

formalizes informal waste work while giving plastic waste a new value that supports consumerism shifts in a circular economy for plastics.

KURZESAGT, “PLASTIC POLLUTION: HOW HUMANS ARE TURNING THE WORLD INTO PLASTIC” (2018) [WEBLINK](#) [UNEP & CLEAN SEAS COLLABORATION]

This video explains the concept of plastics in simple terms and how it becomes an environmental problem in regard to pollution. It is directed at informing the general public and is therefore directable towards both businesses and governments.

JAMES ROBERTS, “A PLASTIC WAVE: A DOCUMENTARY FILM ON PLASTIC POLLUTION” (2018) [WEBLINK](#)

This video is a brief documentary on the effects of plastic pollution. It introduces plastic pollution and shows scientific research on its micro and macro impacts and how it disrupts the livelihood of people around the world. It also shows local initiatives to combat the issue of plastic pollution.

EMMA BRYCE, “WHAT REALLY HAPPENS TO THE PLASTIC YOU THROW AWAY” (2015) [WEBLINK](#)

This video is a resource that describes the three main passageways that can be taken by plastic waste after being discarded. It is an informational video directed at the public and can be used as education for both governments and businesses.

ELLEN MACARTHUR FOUNDATION, UPSTREAM INNOVATION, A GUIDE TO PACKAGING SOLUTIONS 2020 ([WEBLINK](#))

Practical guidance for actors seeking to achieve circular economy for packaging. This resource also contains useful case studies on effective, sustainable packaging innovations. [Video + online guidance]

ASIA-EUROPE ENVIRONMENT FORUM, “ONLINE WORKSHOP SERIES ON CIRCULAR PLASTIC USE: INNOVATE AND CHANGE TO CLOSE THE LOOP”, 2021

- Background paper on single use plastics [Weblink](#)
 - o Includes human rights and gender dimensions
- Tackling the Challenge: Forum Summary [Weblink](#)
- Case Studies [Weblink](#)

UN, INFORMEA LEARNING, “INTRODUCTORY COURSE TO THE BASEL CONVENTION (HAZARDOUS WASTES)” [WEBLINK](#)

Online course which teaches the user about the needs and origins for the Basel convention as well as the mechanisms within the convention itself. See also introductory Informea courses on the Rotterdam and Stockholm conventions.

UN, INFORMEA LEARNING, “INTRODUCTORY COURSE TO HUMAN RIGHTS AND THE ENVIRONMENT” [WEBLINK](#)

Online course which teaches the basis for the connection between human rights and the environment. The course additionally outlines the range of substantive and procedural obligations related to environmental human rights, and provides examples of good practices and existing environmental human rights guarantees from states.

UN, INFORMEA LEARNING, “MINI COURSE ON ENVIRONMENTAL DEFENDERS” [WEBLINK](#)

Online course which aims to expose the learner to the crisis of violence against environmental defenders. The course highlights several examples of environmental defenders who were subjected to violence, the existing obligations of states to protect these defenders, and the work the UN is doing to denounce and stop these human rights violations.

UNEP & COBSEA: E-LEARNING COURSE ON CITIES AND MARINE PLASTIC POLLUTION, MODULE 5: HOW DO WE ENGAGE WITH THE INFORMAL WASTE SECTOR? (LAUNCHED JUNE 2021) [WEBLINK](#)

Training module which highlights the role that the informal waste sector has on the plastic problem. Highlights the benefits of integrating informal sectors and the need to respect the both the substantive and procedural human rights of waste pickers.

UNEP & COBSEA: E-LEARNING COURSE ON CITIES AND MARINE PLASTIC POLLUTION, MODULE 6: ENGAGING STAKEHOLDERS TO REDUCE PLASTIC POLLUTION (LAUNCHED JUNE 2021) [WEBLINK](#)

Training module which highlights the differential contributions and potential interventions from the public sector, private sector, and civil society. Advocates for a recognition that each sector has a responsibility to address the plastic pollution problem, and that this responsibility is most effectively met when actions are undertaken by multiple stakeholder groups.

[Other COBSEA Sea Circular events [Link](#)]

OECD E-LEARNING ACADEMY:

The first course on *The Essentials of OECD Due Diligence for RBC* is available for anyone to register for, download and follow. There is no fee. The course is in English. It provides a good introduction to what RBC is and the fundamentals of OECD due diligence. The target audience is business, but other stakeholders may find it useful. Modules specific for the Garment and Footwear sector, Agri business and Electronics sectors are forthcoming.

- OECD RBC Centre webpage with description of the e-learning Academy, registration link, terms of use, FAQ: [Weblink](#)
- OECD e-learning Academy's registration page [Weblink](#)

UNDP BUSINESS AND HUMAN RIGHTS IN ASIA, *HUMAN RIGHTS DUE DILIGENCE (HRDD) TRAINING FACILITATION GUIDE (2021)* (SEAN LEES) [WEBLINK](#)

This HRDD Guide provides training modules which clarify what is required to conduct HRDD. It adopts internationally agreed principles and widely understood terminology. By applying a step-by-step approach, this allows for businesses to embark on HRDD as a stand-alone effort or as part of a preexisting assessment process. Brief reference is made to pollution and toxics (p14, 17, 57, 59) but not to plastics.

ISSUES BRIEFS (KEY TEACHING TOOLS)

UNEP & COBSEA, SEA CIRCULAR, “ADVANCING WOMEN’S RIGHTS AND TACKLING MARINE PLASTIC POLLUTION IN SOUTH-EAST ASIA” (2020) [WEBLINK](#)

Brief news post highlighting and affirming the disproportionate impact of plastic pollution on the human rights of women. Calls for action plans from both states and businesses to adopt a gender lens.

UNEP & COBSEA, “SEA CIRCULAR ISSUE BRIEF 01: GENDER EQUALITY AND PREVENTING PLASTIC POLLUTION” 2020 [WEBLINK](#)

Highly relevant analysis of how gender equality is impacted by plastic pollution, and how to better empower women to meaningfully participate in pollution prevention.

UNEP & COBSEA, “SEA CIRCULAR ISSUE BRIEF 02: A HUMAN RIGHTS-BASED APPROACH TO PREVENTING PLASTIC POLLUTION,” 2020 [WEBLINK](#)

Highly Relevant analysis of the need for a human rights approach to plastic pollution accompanied by a brief discussion of what such an approach would entail. Names both states and business as accountable for taking such an approach.

OTHER FORMATS

UNEP, *GENDER AND WASTE NEXUS: EXPERIENCES FROM BHUTAN, MONGOLIA AND NEPAL* 2019 [WEBLINK](#)

Comprehensive report using case studies to highlight how waste production and management exasperates existing gender inequalities. Report concludes by providing concrete steps that both business and states can take to create gender responsive waste management programs.

Report has an accompanying video series that works well as a teaching tool. The videos highlight both the extent of the problem (see “gender and waste nexus”; “gendered state of waste management”) as well as how to move forward to remedy these inequities (see “empowering women in the waste sector”; “towards gender responsive policies in waste management”).

- Links:

- [Empowering women in the waste sector](#)
- [Towards gender responsive policies in waste management](#)
- [Household’s role in waste management](#)
- [Gendered state of waste management](#)
- [Gender and waste nexus](#)

WOMEN IN INFORMAL EMPLOYMENT: GLOBALIZING AND ORGANIZING (WIEGO), FROM THEORY TO ACTION: GENDER AND WASTE RECYCLING: A TOOLKIT FOR TEACHERS, RESEARCHERS AND PRACTITIONERS

This toolkit has been divided into 3 parts/books to help integrate a variety of different focuses and resources so that it can be used by multiple audiences). It implicitly adopts human rights approach to addressing waste problem through a gender lens. No references to international treaties or laws.

Book 1: “Theoretical Considerations on Gender, Empowerment and Waste”

[Weblink](#)

This explores theoretical concepts women’s empowerment and bridging the gaps in literature between gender and waste recycling. It also provides links to further insights into gender and recycling.

Book 2: “Project Design, Tools and Recommendations” [Weblink](#)

Here, experiences with exploratory workshops with women waste pickers have been highlighted. Also included links to other resources which help to expand the scope.

Book 3: “Resources” (2015) [Weblink](#)

This toolkit focuses on informal workers including women and children in waste management systems in developing countries. It examines some challenges faced by these workers, especially women. It considers the lack of gender dynamics in waste picking activities.

BUSINESS AND ORGANIZED CRIME (UNODC) [WEBLINK](#)

This teaching module is a tool that provides a brief outline of the business model of organized crime. The tool explains fundamental drivers of organized crime such as economic incentives and the demand for illegal goods. It briefly compares the business models of organized crime and legal businesses.

UNEP/GNHRE SUMMER/WINTER SCHOOL (JUNE 2021):

Resources and recorded videos of teachings, including on Business, Human Rights, and the Environment [Weblink](#) (Sara Seck, with Surya Deva). Other relevant sessions (select [Weblink](#): Environmental defenders in times of pandemic; Marine environment, marine litter & human rights; Environmental crime, waste pollution & human rights

PANEL DISCUSSIONS

UNDP, LET'S TALK PLASTICS SESSION 9: TACKLING PLASTICS POLLUTION IN THE ASIA PACIFIC REGION [WEBLINK](#)

Highly relevant panel session which details systemic approaches to the plastic problem. Many intervention points in circular economy plans are discussed. Case studies from Vietnam, Cambodia, Japan, and Philippines are explored. Details (to differing extents) actions to be taken by states, businesses, and civil society. Civil society is discussed the least but identified as a key in terms of creating demand for plastics solutions. The need for businesses to invest in plastics solutions is discussed with a particular emphasis on the need for not just late stage investment from large corporations, but also the need for creative financing from businesses to provide catalytic investment which allow innovative projects to reach the later stages of development. State actions are further discussed with an emphasis on the need for policy/regulation which creates an environment conducive to innovation.

- Vietnam's case study focused on a pilot project that used a systemic design to tackle plastic pollution using a twofold approach that focused on context within the plastics issue and development challenges that addressed mutual blaming within the public and private sectors.
- Japan's case study focused on Japan's marine plastic initiative following the Osaka Blue Ocean Vision shared at the G20 Osaka Summit, an initiative that supports developing countries and their efforts in the area of waste management
- Cambodia's case study focused on a systemic approach to tackle marine plastic pollution using a 4R framework

GENEVA ENVIRONMENT NETWORK, HIGH LEVEL DIALOGUES:

- "Plastics and Human Rights" (January 2021) [Weblink](#)
- Beat Plastic Pollution (March 2021) [Weblink](#)

UNEP & COBSEA: UNEP HUMAN RIGHTS IMPLICATIONS OF PLASTIC POLLUTION IN SOUTH ASIA (2021)

This presentation is aimed at governments and businesses. It briefly summarizes and outlines some of the key findings in UNEP's study on environmental justice and plastic pollution. Specifically, the human rights implications of plastic pollution in South Asia. [Presentation](#) recording: Begins 23:11

UN RESPONSIBLE BUSINESS AND HUMAN RIGHTS FORUM, ASIA AND THE PACIFIC 2021, COUNTERING CORPORATE STRATEGIES TO AVOID RESPONSIBILITY FOR HUMAN RIGHTS ABUSE ([WEBLINK](#))

This session features presentation detailing the [Mind the Gap](#) Project. The Project seeks to expose corporate strategies which allow corporations to evade responsibility for the human rights implications of their activities, including by undermining defenders and communities. As well, the speakers discuss working examples of methods for countering these harmful strategies as well as policy developments in the area of human rights and environmental due diligence legislation.

UN RESPONSIBLE BUSINESS AND HUMAN RIGHTS FORUM, ASIA AND THE PACIFIC 2021, BUSINESS AND HUMAN RIGHTS IN ASIA: FROM THE FIRST DECADE TO THE NEXT ([WEBLINK](#))

Presentation of UNDP's Human Rights in Asia: From the First Decade to the Next Report. The report details how the United Nations Guiding Principles (UNGPs) have been applied and the implications for rights holders throughout the past decade. The speakers discuss trends, challenges, and opportunities for Asia's BHR movement in the coming decade.

UN RESPONSIBLE BUSINESS AND HUMAN RIGHTS FORUM, ASIA AND THE PACIFIC 2021, BUSINESS RESPONSIBILITY AND COLLECTIVE ACTION TO UPHOLD ENVIRONMENTAL RIGHTS ([WEBLINK](#))

A discussion about business practices which serve to protect both people and the planet as well as businesses' responsibilities to respect international human rights and environment standards.

UN RESPONSIBLE BUSINESS AND HUMAN RIGHTS FORUM, ASIA AND THE PACIFIC 2021, BUSINESS ACTION TO AVERT THE CLIMATE CRISIS UNGC MALAYSIA, ESCAP, UNWG, UNEP-FI, UNICEF, UNW ([WEBLINK](#))

This session explores businesses' responsibility to recognize and respond to vulnerable populations in creating and implementing climate and sustainability plans. Some trends discussed include banks and insurance companies creating ESG standards for clients.

UN RESPONSIBLE BUSINESS AND HUMAN RIGHTS FORUM, ASIA AND THE PACIFIC 2021, SAFEGUARDING CIVIC SPACE: BUSINESS SUPPORTING HUMAN RIGHTS DEFENDERS TO SAFEGUARD THE ENVIRONMENT ([WEBLINK](#))

This session explores the crucial role that human rights defenders (HRDs) play in protecting environmental human rights as well as serious threats to their safety. More

specifically, the speakers demonstrate that various actors including financial institutions, investors, and businesses have both the responsibility and capacity to defend HRDs in the public sphere.

DEC 2020 TRAINING MATERIALS (SELECT, ON FILE)

UNDP & BHR ASIA: UNGPS AND MARINE PLASTIC LITTER PRESENTATION (2020):
PRESENTER: SEAN LEES UNDP ASIA PACIFIC BUSINESS AND HUMAN RIGHTS

OHCHR SOUTHEAST ASIA OFFICE, RESPONSIBLE BUSINESS PRACTICES, HUMAN RIGHTS
AND PLASTIC POLLUTION: HUMAN RIGHTS AND BUSINESS ACCOUNTABILITY OHCHR
PRESENTATION: ROMCHAT WACHIRARATTANAKORNKUL, OHCHR

OECD DUE DILIGENCE FOR RESPONSIBLE BUSINESS CONDUCT, INTERNATIONAL TRAINING
CENTRE OF THE ILO (12 NOVEMBER 2020) TRAINING SLIDES

COBSEA & UNEP, SEA CIRCULAR, TRAINING: RESPONSIBLE BUSINESS PRACTICES, HUMAN
RIGHTS AND PLASTIC POLLUTION

UNEP & AZUL, VIDEO: IMPACTS OF PLASTICS TO VULNERABLE POPULATIONS, PRESENTED
AT SEA OF SOLUTIONS 2020, [WEBLINK](#)

TEACHING TOOLKIT ON THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

ANTHONY P. EWING, “TEACHING NOTE: INTRODUCING THE UN GUIDING PRINCIPLES ON
BUSINESS AND HUMAN RIGHTS,” IN *TEACHING BUSINESS AND HUMAN RIGHTS
HANDBOOK* (TEACHING BUSINESS AND HUMAN RIGHTS FORUM, 2016) ([WEBLINK](#)).

DOROTHEE BAUMANN-PAULY, MICHAEL POSNER, DAN LECLAIR, THE CASE FOR HUMAN
RIGHTS IN BUSINESS EDUCATION—A TOOL KIT (NOVEMBER 2020) ([WEBLINK](#)).

NATIONAL ACTION PLANS ON BUSINESS AND HUMAN RIGHTS TOOLKIT 2017 EDITION
(THE DANISH INSTITUTE FOR HUMAN RIGHTS AND THE INTERNATIONAL CORPORATE
ACCOUNTABILITY ROUNDTABLE) ([WEBLINK](#))

VIDEOS

CARNEGIE COUNCIL FOR ETHICS IN INTERNATIONAL AFFAIRS, **JOHN RUGGIE, BUSINESS
AND HUMAN RIGHTS** (NOVEMBER 2008) (2:52), AVAILABLE AT:
[HTTPS://YOUTU.BE/NF06AE5JK5G](https://youtu.be/NF06AE5JK5G).

DANISH INSTITUTE OF HUMAN RIGHTS, **THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS: AN INTRODUCTION** (JANUARY 2015) (3:36), AVAILABLE AT: <HTTP://YOUTU.BE/BCOL6JVZHRA>.

INTERNATIONAL BAR ASSOCIATION, **A CONVERSATION WITH JOHN RUGGIE** (2013) (1:10:17), AVAILABLE AT: <HTTP://WWW.IBANET.ORG/CONFERENCES/JOHNRUGGIE2013.ASPX>.

PLATFORMS

[UN GUIDING PRINCIPLES PORTAL](#), BUSINESS AND HUMAN RIGHTS RESOURCE CENTRE

WGBHR OHCHR, “FREQUENTLY ASKED QUESTIONS ABOUT THE GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS” ([ONLINE](#))

BUSINESS AND HUMAN RIGHTS IN ASIA, PORTAL: <HTTPS://BIZHUMANRIGHTS.ASIA-PACIFIC.UNDP.ORG/CONTENT/BIZHUMANRIGHTS/EN/HOME.HTML>

OECD RESPONSIBLE SUPPLY CHAINS IN ASIA
<HTTP://MNEGUIDELINES.OECD.ORG/RESPONSIBLE-SUPPLY-CHAINS-ASIA/>

[UN WORKING GROUP](#)

[BUSINESS AND HUMAN RIGHTS JOURNAL](#) (SEE DEVELOPMENTS IN THE FIELD)

[HUMAN RIGHTS AND BUSINESS DILEMMAS FORUM](#)

[INSTITUTE FOR HUMAN RIGHTS AND BUSINESS](#)

INTERNATIONAL BAR ASSOCIATION, [TRAINING LAWYERS ON BUSINESS AND HUMAN RIGHTS](#)

[SHIFT](#)

[TEACHING BUSINESS AND HUMAN RIGHTS FORUM](#)