

SDG 13: ENSURING ACCOUNTABILITY FOR SDG 13 THROUGH HUMAN RIGHTS PRINCIPLES (Commission on the Human Rights of the Philippines)



The Carbon Majors Database²⁶ records corporate links to greenhouse gas emissions. In 2017, it attributed 923 billion tonnes of CO₂ emissions to 100 fossil fuel producers. Of these 100 companies were 41 public investor-owned companies, 16 private investor-owned companies, 36 state-owned companies and 7 state producers.

SDG 13 calls for action to combat climate change and its impacts. In fact, SDG 13 has a cross-cutting relevance for several SDGs as the world increasingly experiences climate-related hazards and natural disasters. This also includes severe impacts on the enjoyment of people's basic human rights reflected in the SDGs, including food production and access to food (SDG 2), air and water quality that affect people's health (SDG 3), destruction of human settlements (SDG 11) and increased inequalities (SDG 10). Among other actions, corporate accountability is imperative to combat climate change and its impacts.

In September 2015, a group of Filipino citizens and civil society organisations filed a petition before the Commission on Human Rights of the Philippines (CHRP),²⁷ requesting that the Commission investigate the responsibility of 'Carbon Majors' for human rights abuses or threats of abuses resulting from the impacts of climate change. The petition alleges that the "Carbon Majors" companies²⁸ breached the corporate responsibility to respect human rights, as articulated in the United Nations Guiding Principles on Business and Human Rights (UNGPs), through the contribution of their products and production processes to greenhouse gas emissions.

In 2016, the Commission commenced its inquiry, thus setting an important precedent for investigations by NHRIs into the corporate responsibility to respect human rights, resulting from transboundary harm. The Commission served copies of the petition to the 47 'Carbon Majors', seeking their response to the allegations within 45 days. Most of the companies did not respond. Those that did respond questioned the Commission's jurisdiction to handle the case.

In 2018, the Commission held hearings in Manila, New York, and London. The Commission concluded its public inquiry with two days of public hearings in Manila. The hearings included testimonies from world-renowned climate and human rights experts, and the accounts of residents from communities in the Philippines suffering most from the impacts of climate change. None of the respondent 'Carbon Majors' formally appeared in any of the hearings. The Commission plans to conclude its investigations and issue its findings in 2019.

The Philippine NHRI is performing an innovative leadership role in bringing accountability for SDG 13 on the basis of human rights principles. The outcome of this initiative will add clarity to the urgent need to take action to combat climate change and its impact on the environment and human rights.

²⁶ Read more: <https://bit.ly/2u4yfgv>

²⁷ This case has been published in detail at the report 'Remedy in Business and Human Rights Cases: the Role of National Human Rights Institutions', available at: <https://bit.ly/2FF2xeB>

²⁸ The 'Carbon Majors' are 47 investor-owned oil, gas and cement companies including Shell, BP, Chevron, Total, and Anglo American.