**Input from Swedwatch to the UN Special Rapporteur on human rights and the environment**

*For the report on “Women, Girls and the Right to a Clean, Healthy and Sustainable Environment”*

QUESTION 8. How can businesses best contribute to the realization of the right to a clean, healthy and sustainable environment, based on sex and gender?

SWEDWATCH’S ANSWER:

Swedwatch notes that risks and impacts on women and girls are often missed in the current risk assessments by businesses. While both men and women may be impacted by corporate activities, women and girls often experience these impacts differently and more severely than men. Duty bearers including both states and business actors must identify and mitigate gender-based risks and protect the right of women and girls to enjoy a healthy environment.

Women’s and girls’ right to a healthy environment can be impacted by businesses in a number of ways, some of which have been documented by Swedwatch in recent years. For example, women and girls in a reproductive age might be more vulnerable to health impacts by pollution from businesses causing negative effects on their reproductive system. Some examples include the pharmaceutical sector in India and the ICT sector on the Philippines leading to severe impacts on the health of women and girls. Another example is toxic mining waste containing heavy metals that are non-degradable and continue to cause damage over time, such as in the Arica case in Chile.

Women might also be particularly vulnerable to impacts on water, both water quality and quantity. In many contexts women and girls are responsible for household duties related to water such as fetching water, cleaning, cooking, washing children and small-scale farming. Lack of access to water will therefore increase the burden on women and girls and the time they put on getting access to water might impact their possibility to get paid employment, go to school or engage in civil society as well as it might impact their overall economy. This is the case for example in the water-scarce Ica valley in Peru where export agriculture cause water-related impacts on women both as workers and community members. Travelling longer distances to get water might also be connected to security risks. Where business operations cause negative impacts on water quantity and access to water this might particularly effect women and girls in terms of hygiene during menstruation.

In terms of occupation health and safety, Swedwatch also notes that women often lack access to sufficient safety gear and training. Due to limiting gender norms they may also face additional challenges in terms of engaging in labour unions or when they defend human rights or the environment in other ways. Women and men are also affected differently by many chemicals, a fact that is often overlooked. The most obvious case is chemicals that affect women's reproductive health, where exposure can have serious health consequences not only for female workers but also for their unborn children.

In order to adequately identify and address risks and impact on women’s and girls’ right to a healthy and sustainable environment, businesses should conduct gender-specific due diligence by:

* Integrating respect for women’s and girls’ right to a healthy environment in policies and risk management systems.
* Adding a gender perspective to risks and impacts already identified, including on climate-related risks.
* Raising awareness on gender and risks related to R2HE with own personnel and in the supply chain and communicating clearly both internally and externally to all relevant stakeholders on how such risks are identified and addressed.
* Seeking input and engaging in meaningful consultation with defenders working on issues relevant for the right to a healthy environment when identifying and addressing risks and impacts as well as during tracking of implementation and results. It is important to identify risks to women both as employees and community members. When identifying risks and addressing impacts, businesses should pay particular attention to women and girls from vulnerable and marginalised groups such as indigenous communities.
* Seeking to build leverage and work in cooperation with other stakeholders such as business peers and local and national authorities and civil society.
* Ensuring, together with relevant state actors, that women and girls whose right to a healthy environment has been impacted have access to just, credible, transparent and effective judicial and non-judicial grievance mechanisms.
* Being prepared to provide or help provide remedy and compensation to victims.

Beyond measures to be taken by the business sector itself, Swedwatch advocates for states to adopt strong legislations that enforce mandatory human rights and environmental due diligence by businesses. Legislations including the EU Corporate Sustainability Due Diligence Directive and in the OECD Guidelines for Multinational Enterprises should include gender perspectives in due diligence carried out by business actors.

Furthermore, Swedwatch strongly believes that it is essential for states and business actors to respect women human rights and environmental defenders who are raising these issues on behalf of local communities. We are particularly concerned about the increasing use of strategic lawsuits against public participation that threaten and attack human rights and environmental defenders.

States should develop clear guidance on how business actors should integrate measures to respect human rights and environmental defenders. States also need to establish effective judicial and non-judicial grievance mechanisms for human rights and environmental defenders and victims of business-related human rights and environmental impacts. Furthermore, states must ensure that trade promotion does not compromise their obligation to protect human rights inclusive of the right to a healthy environment. For example, export credit guarantees, and trade agreements should not be encouraged where and when human and environmental rights risks are deemed high. Finally, states through embassies and other diplomatic missions should ensure the protection of human rights and environmental defenders and provide guidance to businesses in line with the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for multinational enterprises.

Swedwatch publications that might be of particular interest:

Swedwatch 2021, [*Toxic tech:*](https://swedwatch.org/wp-content/uploads/2020/06/98_Filipinerna_200616_Uppslag.pdf) *Occupational poisoning in ICT manufacturing*

Swedwatch 2020, [*The health paradox:*](https://swedwatch.org/wp-content/uploads/2020/02/96_Pharma-report.pdf) *Environmental and human rights impacts from pharmaceutical production in India and the need for supply chain transparency*

Swedwatch 2018, [*To the last drop:*](https://swedwatch.org/wp-content/uploads/2018/11/92_To-the-last-drop_Full-report.pdf) *Water and human rights impacts of the agro export industry in Ica, Peru: the responsibility of buyers*