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Institutionalizing the UN Guiding Principles on Business and Human Rights in the Philippines.

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Abstract

Institutionalizing the UN Guiding Principles on Business and Human Rights (UNGPs) in the Philippines is a complex process that requires a multifaceted approach. This study explores the challenges, lessons, and recommendations for effectively integrating human rights standards into business practices in the Philippines. Key findings highlight the importance of robust legislation, clear enforcement mechanisms, and alignment with international standards. The study emphasizes centralized monitoring, human rights due and multi-stakeholder diligence requirements, collaboration to ensure accountability and compliance. Drawing insights from global practices and the country's National Action Plan, the research underscores the significance of enhancing regulatory frameworks and responsible business promoting practices. implementing the proposed recommendations, the Philippines can strengthen its commitment to respecting and protecting human rights in business, ultimately fostering a culture of corporate responsibility and accountability. The study contributes to the growing business and human rights discourse, offering valuable insights for policymakers, businesses, and civil society organizations.

Keywords: corporate accountability, human rights due diligence, multi-stakeholder collaboration, regulatory frameworks, National Action Plan



I. Introduction

Background of the UN Guiding Principles on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights (UNGPs), developed under the leadership of John Ruggie, the former UN Special Representative on Business and Human Rights, addresses the critical issue of the impact of corporate activities on human rights worldwide. Established in 2011, these principles define the dual responsibilities of states and businesses in protecting and respecting human rights, structured around three pillars: the state's duty to protect, the corporate responsibility to respect, and ensuring access to remedy for victims of business-related human rights abuses (UN, 2011). The creation of the UNGPs involved extensive multi-stakeholder consultations and garnered significant international consensus. The UN Human Rights Council's unanimous endorsement solidified the UNGPs as a crucial framework for promoting corporate accountability and respect for human rights (UNHRC, 2011).

Countries such as Thailand and France have made progress in implementing the UNGPs by adopting National Action Plans on Business and Human Rights. These plans outline government strategies to promote ethical business practices and strengthen human rights protections (GOT, 2019; GOF, 2017).

Drawing inspiration from these international models, the Philippines can tailor its National Action Plan to address its unique societal challenges. Institutionalizing the UNGPs can bridge the gap between economic activities and human rights safeguards, fostering an environment where human rights are integral to business operations (CHRP, 2018). As the Philippines integrates the UNGPs into its national agenda, it is crucial to evaluate the current landscape. Significant progress has been made in incorporating human rights into corporate legislation, contributing to the UN Working Group's report on the legislative integration of human rights, and increasing awareness in the business sector (UNWGBHR, 2016). However, the country still faces challenges, such as insufficient penalties for corporate human rights violations and gaps in labor legislation (CHRP, 2018). government's The Philippine commitment

developing a National Action Plan demonstrates its determination to tackle these issues and protect workers and vulnerable communities (GOP, 2021).

The Philippines can draw valuable lessons from the French Law on the Duty of Vigilance, which requires large French companies to identify and prevent human rights risks throughout their operations and supply chains (Savourey & Brabant, 2021). Thailand's National Action Plan on Business and Human Rights (NAPBHR), launched in 2019, is another point of reference detailing measures for promoting responsible business practices and enhancing human rights protection (GOT, 2019).

This essay is being written in this context. It assesses the Philippines' adoption of the UNGPs, concentrating on the legal context and the challenges of ensuring corporate accountability for human rights violations. The aim is to examine how the Philippine National Action Plan can better align with international standards to protect marginalized populations and promote responsible business conduct. This paper examines the National Action Plans of France and Thailand to identify lessons that can strengthen the Philippine approach. France's groundbreaking Duty of Vigilance Law and Thailand's comprehensive National Action Plan provide valuable frameworks for the Philippines to emulate.

Ultimately, the essay explores how the Philippines can effectively integrate human rights considerations into corporate practices by addressing current weaknesses, strengthening enforcement, and encouraging stakeholder involvement. Reinforcing the legislative framework, increasing business awareness, and ensuring the successful implementation of the National Action Plan are essential for the Philippines to contribute to a global movement towards a sustainable and rights-respecting business ecosystem.

Understanding the UN Guiding Principles on Business and Human Rights

The UN Guiding Principles on Business and Human Rights (UNGPs) represent a groundbreaking milestone in the discourse on corporate accountability. Developed by John Ruggie and introduced in 2011, the UNGPs establish a global standard for addressing the complex interplay between corporate operations and human rights (Ruggie, 2011). The principles have gained widespread recognition for their universal applicability.





outlining three fundamental pillars: the state's duty to protect human rights, corporate responsibility to respect human rights, and the guarantee of access to remedy for victims of business-related abuses (UN, 2011). The evolution of the UNGPs has underscored the necessity for a cohesive approach to bridge the gaps in human rights safeguards within the corporate sphere, advocating for a significant shift towards responsible business conduct (Wettstein, 2015).

Countries such as the Philippines, in their endeavor to internalize these guidelines through a National Action Plan on Business and Human Rights, can benefit from the wealth of global experiences, learning to overcome challenges and enhance the impact of these principles in practice (GOP, 2021).

The foundational principles of the UNGPs are instrumental in shaping business practices and strengthening human rights norms. Their core essence lies in delineating state and corporate responsibilities in respecting, protecting, and fulfilling human rights (Nolan, 2013). The UNGPs emphasize human rights due diligence, the necessity of remedial measures, and the imperative for transparency within the business sector, thereby providing a comprehensive approach to integrating human rights into corporate policymaking (Ruggie, 2013). Moreover, the principles highlight the special considerations for vulnerable and marginalized groups, ensuring their rights receive attention in business activities (McCorquodale et al., 2017). Understanding and adhering to these principles are essential in fostering accountability, preventing human rights violations, and instilling a culture of respect for human dignity across the business landscape (Buhmann, 2016).

International Best Practices in Implementing the UN Guiding Principles

Case studies worldwide provide valuable lessons for the Philippines as it strives to adopt the UN Guiding Principles on Business and Human Rights (UNGPs). France's Law on the Duty of Vigilance is a noteworthy example. Certain large companies must conduct human rights due diligence supported by clear interpretative and enforcement mechanisms (Savourey & Brabant, 2021). This law obligates major French corporations to develop vigilance plans to identify and prevent human rights

risks within their operations and broader supply chains. Thailand's National Action Plan on Business and Human Rights (NAP), launched in 2019, offers another instructive model. It emphasizes stakeholder collaboration, sets objectives, and prioritizes responsible business practices (GOT, 2019). Thailand's NAP primarily focuses on strengthening measures to protect human rights defenders and improving access to remedies. By analyzing such precedents, the Philippines identify effective practices and overcome challenges, such as defining the scope of entities covered by the NAP, developing a robust framework that promotes human rights within the business context, aligns with international norms, and enhances accountability.

Implementing the UNGPs presents challenges, often stemming from the need for strong enforcement mechanisms and the difficulty of holding corporations accountable for human rights violations (McCorquodale et al., 2017). The complexity of global supply chains and the transnational nature of business activities further complicate efforts to ensure adherence to human rights standards (Ruggie, 2014). Moreover, challenges in securing remedies for victims of corporate misconduct, prioritizing profit over human rights considerations, and the reluctance of states to impose regulations on transnational corporations exacerbate these difficulties (Deva, 2012). To overcome these issues, countries must carefully balance the interconnected domains of human rights, economic progress, and corporate accountability. This balance is essential for effectively implementing the UNGPs and upholding human rights within the business sector (Wettstein, 2012).

II. Legal Framework for Business and Human Rights in the Philippines

Gaps and Challenges

The Philippines' legal framework highlights the state's commitment to protecting the rights of workers and vulnerable populations. The legal framework encompasses various statutes aimed at promoting safe workplaces, preventing abuse and human trafficking, and upholding human dignity, particularly for overseas Filipino workers (OFWs). However, challenges persist, such as limited penalties for corporate human rights violations and the need for more comprehensive labor legislation. Efforts like capacity-building initiatives and



awareness programs aim to mainstream the UN Guiding Principles on Business and Human Rights (UNGPs), aligning with international standards (OHCHR, 2011). In the global context, countries like France have adopted the Duty of Vigilance Law, mandating human rights due diligence for corporations and demonstrating a proactive approach to corporate accountability (Savourey & Brabant, 2021). The Philippines can draw lessons from such regulatory models to strengthen its legal framework and enhance protections for human rights in the business sector.

Several key deficiencies emerge when examining gaps in the current legal framework regarding business and human rights in the Philippines. Firstly, the lack of severe penalties for corporations involved in human rights violations presents a significant challenge to accountability and deterrence (Cassel, 2020). Additionally, the limited scope of labor legislation addressing worker rights leaves gaps in protection and enforcement that must be addressed to ensure comprehensive safeguarding of labor rights (Serrano, 2014). Moreover, the absence of robust mechanisms for holding corporations accountable for their actions further exacerbates the vulnerability of marginalized populations and undermines efforts to promote human dignity and social justice (Ruggie, 2013). These gaps underscore the urgent need for legislative reforms that align with international standards and best practices to strengthen the Philippines' legal framework and enhance protections for all stakeholders involved in business activities.

Recommendations for legal reforms in the Philippines should focus on increasing penalties for human rights violations by corporations, strengthening labor legislation, and promoting greater accountability. In line with international standards, the legal framework should ensure that businesses face significant consequences for disregarding human rights (OHCHR, 2011). Expanding labor laws to encompass a broader range of workers' rights, including protections for OFWs, is crucial (Battistella & Asis, 2011). Implementing measures to prevent child labor, combat gender discrimination, and promote mental health support in the workplace should be prioritized (ILO, 2019). Furthermore, aligning the Corporation Code with the UNGPs and

creating a robust National Action Plan emphasizing transparency and accountability will be essential for institutionalizing human rights protections in business practices (BHRRC, 2021). By adopting these reforms, the Philippines can fortify its legal framework to protect human rights better and hold corporations accountable for their actions.

Role of Government in Implementing the UN Guiding Principles

The government plays a crucial role in promoting business respect for human rights through a multifaceted approach that includes regulatory frameworks, enforcement mechanisms. and capacity-building initiatives. By establishing clear expectations for businesses to uphold human rights standards and enforcing laws that mandate compliance, government lays a critical foundation for corporate responsibility (UN, 2011). Moreover, through proactive engagement with stakeholders, the government can raise awareness of human rights principles within the business sector, fostering a culture of respect and accountability (OECD, 2018). Efforts to integrate human rights considerations into procurement processes, support for small and medium enterprises (SMEs), and mechanisms for access to remedy highlight the government's commitment to ensuring that businesses operate in alignment with international human rights norms (ILO, 2019). Collaborative partnerships with civil society and international actors further enhance the government's ability to drive positive change and promote a business environment that prioritizes human rights alongside economic success (BHRRC, 2021).

Government initiatives and programs related to business and human rights play a vital role in shaping the regulatory framework and nurturing a culture of corporate responsibility. In the Philippines context, these initiatives encompass a range of measures to promote the protection of human rights within the business sector. initiatives include the establishment Such comprehensive laws and acts to safeguard the rights of workers, particularly overseas Filipino workers (OFWs), focusing on ensuring safe working environments and combating abuse and trafficking (Battistella & Asis, 2011). Additionally, the government is developing a National Action Plan on





Business and Human Rights (NAP) to enhance protections for vulnerable populations further and align with international standards (CHRP, 2019). By incorporating lessons from countries with successful implementations, the Philippines can strengthen its institutional mechanisms and enforcement procedures to uphold human rights in the business domain effectively (Morris et al., 2018).

Collaboration with stakeholders is essential to implement the National Action Plan on Business and Human Rights in the Philippines and ensure its success and comprehensive coverage. Engaging with diverse stakeholders, including government agencies, civil society organizations, businesses, and affected communities, fosters a holistic approach to addressing human rights concerns (UNWGBHR, 2016). By incorporating perspectives from various sectors, the NAP can be tailored to address specific challenges and opportunities within the country's context. Stakeholder collaboration enhances accountability, transparency, and inclusivity in the implementation process, creating a robust framework for monitoring and evaluation (Morris et al., 2018). Furthermore, active engagement with stakeholders facilitates the exchange of best practices, lessons learned, and innovative solutions, enriching the effectiveness and impact of the NAP over time (Morris et al., 2018). Embracing a collaborative approach underscores the interconnectedness of human rights and business practices, fostering a culture of shared responsibility and sustainable progress.

Corporate Responsibility and Accountability

Corporate obligations under the UN Guiding Principles are essential for respecting human rights in business operations. These principles outline the responsibility of corporations to uphold human rights, encompassing a tripartite framework of the state's duty to protect, the corporate responsibility to respect, and avenues for remediation (UN, 2011). This framework requires businesses to conduct due diligence to identify, prevent, and mitigate human rights abuses within their supply chains (OECD, 2018). By adhering to these principles, corporations fulfill legal requirements and contribute to sustainable, responsible business practices safeguarding human rights (Ruggie, 2013). Implementing such obligations in the Philippines can

draw from the experiences of other nations in adopting National Action Plans to institutionalize and regulate corporate compliance with human rights standards, paving the way for a more rights-centric landscape (BHRRC, 2021). Corporate social responsibility (CSR) practices in the Philippines have evolved significantly in recent years, aligning with global business and human rights standards. The country has introduced various laws and regulations to promote responsible business conduct, including protecting preventing discrimination, workers' rights, addressing labor violations (Atienza et al., 2020). For instance, the Philippines has implemented initiatives to prevent child labor, promote mental health in the workplace, and ensure gender equality through expanded maternity leave provisions (ILO, 2019). Moreover, the Securities and Exchange Commission (SEC) has issued Sustainability Reporting Guidelines for publicly listed companies, emphasizing the importance of social topics like human rights in business operations (SEC, 2019). By enhancing transparency and accountability, these practices aim to embed respect for human rights into corporate strategies, echoing the principles outlined in the UN Guiding Principles on Business and Human Rights (UNGPs). As the Philippines works to institutionalize these principles through its National Action Plan, it can draw valuable other lessons from countries' experiences implementing similar measures to strengthen protections for vulnerable populations (Morris et al., 2018).

Mechanisms for holding corporations accountable for human rights violations play a crucial role in ensuring adherence to ethical practices and respecting the rights of individuals affected by business operations. These mechanisms encompass legal and non-legal avenues, including judicial and non-judicial remedies and regulatory frameworks that set clear expectations for corporate behavior (Ruggie, 2013). In cases of human rights abuses, establishing responsibility and providing avenues for remedy are essential steps towards justice and redress for affected communities (OHCHR, 2011). Robust enforcement mechanisms are necessary to uphold accountability standards, promote transparency, and instill a culture of ethical conduct within corporations (Nolan, 2017). By implementing mechanisms for holding corporations effective accountable for human rights violations, states can reinforce the importance of respecting human



rights in business practices and contribute to a more sustainable global economic landscape (UN, 2011).

Civil Society Engagement and Advocacy

Civil society organizations are crucial in advancing human rights norms within business practices. Through advocacy, awareness campaigns, and monitoring corporate behavior, these organizations serve as critical watchdogs, holding businesses accountable for upholding human rights standards (Ruggie, 2013). In the context of implementing the UN Guiding Principles on Business and Human Rights (UNGPs) in the Philippines, civil society organizations can offer valuable expertise and grassroots connections to drive meaningful change (CHRP, 2019). Their engagement fosters transparency, empowers affected communities, and pushes for legislative reforms to business operations with human rights imperatives (FIDH, 2021). By learning from successful models in other countries where civil society has effectively influenced corporate behavior and policy frameworks, the Philippines can enhance its National Action Plan's effectiveness in promoting ethical business conduct and safeguarding human rights across industries (Morris et al., 2018).

Advocacy efforts and campaigns related to business and human rights play a pivotal role in driving awareness and accountability in corporate practices. These initiatives aim to hold businesses responsible for respecting and protecting human rights, addressing and providing avenues for redress violations, Through 2021). targeted advocacy (BHRRC, campaigns, civil society organizations can raise public consciousness, mobilize support for legislative changes, and push for corporate responsibility (Morris et al., 2018). Such efforts bridge the gap between international guidelines, like the UNGPs, and their practical implementation within national contexts. By actively engaging in advocacy and campaigns, stakeholders can push for systemic changes, promote transparency, and ensure that human considerations are embedded in corporate decisionmaking processes (UN, 2011). This proactive approach is essential for fostering a culture of respect for human rights within the business sector and holding entities accountable for their

impacts on society and the environment. Collaboration between civil society and government for policy influence is crucial in advancing the implementation of the UNGPs in the Philippines. Civil society actors bring essential grassroots perspectives, expertise, advocacy to policymaking, ensuring that human rights considerations are embedded in legislation and enforcement mechanisms (UNWGBHR, 2016). Civil society organizations can amplify their impact by working with the government and holding businesses accountable for respecting human rights throughout their operations (Morris et al., 2018). This collaborative fosters transparency, approach inclusivity, accountability in policy development, ultimately strengthening the protection of human rights in the business sector (OECD, 2018). As seen in other countries, such partnerships have proven instrumental in shaping effective legal frameworks and mechanisms to address corporate human rights obligations, providing valuable insights for successfully institutionalizing the National Action Plan in the Philippines (Atienza et al., 2020).

Human Rights Impact Assessments and Due Diligence

Human rights impact assessments (HRIAs) for businesses cannot be overstated in the context of institutionalizing the UN Guiding Principles on Business and Human Rights (UNGPs) in the Philippines. Conducting thorough assessments enables companies to identify, prevent, and mitigate potential human rights risks associated with their operations, supply chains, and business relationships (UN, 2011). These assessments are a proactive mechanism to ensure compliance with human rights standards, prevent harm to stakeholders, and uphold ethical business practices (Morris et al., 2018). By integrating robust HRIAs into their strategies, businesses in the Philippines can proactively address and remediate human rights violations, contributing to a more sustainable and responsible business environment (CHRP, 2019). Furthermore, such assessments align with the core principles of the UNGPs, emphasizing the importance of due diligence and accountability in business operations (Ruggie, 2013).

Due diligence processes are crucial in identifying and addressing human rights risks within business operations, particularly in the Philippines' processes involve comprehensive risk assessments to understand the potential impacts of corporate activities on human rights (OECD, 2018). Utilizing frameworks like the UNGPs can assist in developing effective due diligence mechanisms that identify, prevent, mitigate, and account for adverse impacts on human rights (BHRRC, 2021). By integrating human rights decision-making considerations into processes, businesses can align their operations with international standards and local legal requirements, fostering a culture of respect for human rights (Atienza et al., 2020). In this regard, the Philippines can draw valuable lessons from global best practices in due diligence implementation to enhance the effectiveness of its National Action Plan on Business and Human Rights (Morris et al., 2018).

Integrating human rights considerations into business operations is essential for upholding ethical standards and ensuring social responsibility. This paradigm shift necessitates a holistic approach that embeds respect for human rights at the core of business practices (Morris et al., 2018). By aligning with the UNGPs, businesses can proactively identify, prevent, and mitigate potential human rights risks across their operations and supply chains (FIDH, 2021). This proactive stance enhances their corporate reputation and fosters sustainable relationships with stakeholders. Adopting due diligence processes based on the UNGPs empowers businesses to uphold human rights standards, thereby contributing to a more ethical and accountable business environment (UNWGBHR, 2016). Institutionalizing human rights considerations in business operations is essential for catalyzing positive social impact and fostering a culture of respect for human dignity within the corporate sphere.

Access to Remedy for Victims of Business-Related Human Rights Violations

Victims of human rights abuses face immense challenges in accessing remedies, a critical aspect of ensuring accountability and justice. These challenges are multifaceted, encompassing legal, financial, and logistical barriers that often impede victims from seeking redress for the harm inflicted upon them (Ruggie, 2013). A key issue lies in the asymmetry of

power between corporate affected individuals, where legal mechanisms may favor the former, making it arduous for victims to navigate the complex

terrain of seeking justice (Morris et al., 2018). Moreover, the lack of awareness about available remedies and limited resources and support systems for victims further exacerbates the difficulty in accessing effective remedies (FIDH, 2021). Addressing these challenges requires robust legal frameworks and comprehensive support mechanisms to empower victims and facilitate their access to justice (UN, 2011).

Legal avenues available for victims in the Philippines play a pivotal role in ensuring accountability and redress for human rights violations by businesses. Victims have recourse to judicial and non-judicial mechanisms to seek remedy and justice (CHRP, 2019). The legal framework in the Philippines includes provisions for filing complaints with the Commission on Human Rights, engaging in civil litigation against corporations for damages, and accessing labor tribunals for disputes related to worker rights violations (Atienza et al., 2020). Additionally, victims can seek assistance from NGOs and civil society organizations that provide legal support and advocacy (BHRRC, 2021). These avenues reflect the commitment of the Philippines to uphold human rights and provide avenues for victims to seek redress. By leveraging these legal mechanisms effectively, victims can hold businesses accountable for their actions and promote a culture of respect for human rights within the corporate sector (Morris et al., 2018).

Recommendations for improving access to remedy in the context of business and human rights entail a multifaceted approach. Firstly, enhancing judicial and non-judicial grievance mechanisms is crucial to ensure that affected individuals have avenues to seek redress (UNWGBHR, 2016). Legal aid and support for vulnerable groups, such as migrant workers, is essential to overcome barriers to accessing remedies (OECD, 2018). Secondly, promoting transparency and accountability in supply chains through mandatory human rights due diligence can prevent rights violations and facilitate easier identification of harms (Morris et al., 2018). Additionally, fostering collaboration between businesses, civil society, and government bodies is vital to streamlining remedy processes and ensuring effective enforcement of human rights protections (Morris et al., 2018). Implementing



these recommendations can bolster the effectiveness of the National Action Plan on Business and Human Rights in the Philippines and elevate the country's commitment to upholding human rights standards in the business sector.

Monitoring and Evaluation of the National Action Plan (NAP)

Monitoring and evaluation mechanisms are crucial in ensuring the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) in the Philippines. By establishing robust frameworks, the government monitoring systematically track progress, identify areas of improvement, and address challenges in upholding human rights standards within business operations (UN, 2011). Evaluation mechanisms provide the necessary feedback to adapt policies and interventions, accountability and transparency enhancing promoting corporate responsibility (Morris et al., 2018). Learning from international practices, such as the French Law on the Duty of Vigilance, which emphasizes the importance of monitoring human rights due diligence for corporations, the Philippines can strengthen its National Action Plan (NAP) by incorporating comprehensive monitoring and evaluation strategies (Morris et al., 2018). This proactive approach will enhance compliance and foster a culture of continuous improvement in business practices to uphold human rights standards (Morris et al., 2018).

When evaluating the effectiveness of the NAP on Business and Human Rights in the Philippines, the measuring impact indicators for must comprehensive and multifaceted. Firstly, key metrics should encompass the extent to which the NAP's objectives have been achieved, such as promoting decent work, protecting children's rights, and enhancing human rights due diligence (CHRP, 2019). Monitoring the government's actions as a regulator and a promoter of corporate responsibility, explicitly examining measures related to supply chains and access to remedies, will be crucial indicators of success (BHRRC, 2021). Additionally, assessing stakeholder engagement, transparency, and accountability in implementing the NAP will be vital for measuring effectiveness (Atienza et al., 2020). These indicators collectively provide a robust

framework for analyzing the NAP's impact on business practices and human rights in the Philippines, ensuring accountability and progress toward aligned international standards (OECD, 2018).

Stakeholder involvement in the monitoring process is pivotal in ensuring the effectiveness and accountability of the NAP on Business and Human Rights in the Philippines. Engaging a diverse range of stakeholders, including civil society organizations, trade unions, and affected communities, enhances transparency, fosters collaboration, and promotes inclusivity in monitoring mechanisms (Ruggie, 2013). These stakeholders serve as valuable sources of information and feedback, aiding in identifying gaps, assessing progress, and addressing emerging issues promptly (FIDH, 2021). Moreover, their active participation helps hold the government and businesses accountable for their actions, aligning initiatives with the principles of the UNGPs (UNWGBHR, 2016). By incorporating stakeholder inputs into the monitoring process, the NAP can cultivate a culture of shared responsibility and continuous improvement, ultimately enhancing the protection of human rights within the business sphere.

III. Conclusion

A summary of key findings and insights reveals the intricate landscape of institutionalizing the UN Guiding Principles on Business and Human Rights (UNGPs) in the Philippines. The country's efforts underscore the importance of embedding human rights within business operations to ensure accountability and respect (UN, 2011). Challenges such as limited penalties for violations necessitate a broader scope of legislation to safeguard vulnerable populations, including overseas Filipino workers (Atienza et al., 2020). Lessons drawn from initiatives like the French Law on the Duty of Vigilance emphasize the need for clear interpretation and enforcement mechanisms to achieve effective compliance (Morris et al., 2018). Aligning with international standards, mainly through the National Action Plan (NAP), the Philippines seeks to enhance worker protection and address human rights abuses comprehensively (CHRP, 2019). By learning from global practices and enhancing regulatory frameworks, the Philippines can advance its commitment to promoting responsible business





practices and upholding human rights standards (Morris et al., 2018). Several recommendations can be proposed to institutionalize the UNGPs in the Philippines effectively. First, establishing a centralized monitoring body dedicated to overseeing the implementation of the UNGPs within businesses across various sectors could enhance accountability and compliance (Morris et al., 2018). This would involve regular assessments, reporting mechanisms, and remedial actions for non-compliance. Second, integrating human rights due diligence requirements into existing legislation and regulatory frameworks could provide a solid foundation for upholding the UNGPs in business operations (OECD, 2018). This entails aligning national laws with international standards to ensure consistency and coherence in protecting human rights (Ruggie, 2013). Third, fostering multi-stakeholder collaboration, including government bodies, businesses, civil society, and international organizations, is crucial for promoting dialogue, sharing best practices, and addressing challenges collectively (BHRRC, 2021; FIDH, 2021; UNWGBHR, 2016). By implementing recommendations, the Philippines can strengthen its commitment to respecting and protecting human rights in the business sphere.

REFERENCES

- Atienza, M. E., Eadie, P., & Tan-Mullins, M. (2020). Urban poverty in the wake of environmental disaster: Rehabilitation, resilience and typhoon Haiyan (Yolanda). Routledge.
- Battistella, G., & Asis, M. M. B. (2011). Protecting Filipino transnational domestic workers:
 Government regulations and their outcomes.

 Discussion Paper Series No. 2011-12, Philippine Institute of Development Studies.
- Buhmann, K. (2016). Neglecting the Proactive Aspect of Human Rights Due Diligence? A Critical Appraisal of the EU's Non-Financial Reporting Directive as a Pillar One Avenue for Promoting Pillar Two Action. Business and Human Rights Journal, 1(1), 23-45. https://doi.org/10.1017/bhj.2015.1
- Business & Human Rights Resource Centre (BHRRC). (2021). National action plans on business and human rights.

- https://www.business-humanrights.org/en/bigissues/un-guiding-principles-on-business-humanrights/implementation-toolsexamples/implementation-by-governments/by-typeof-initiative/national-action-plans/
- Cassel, D. (2020). Corporate human rights due diligence: Emerging practices, challenges and ways forward. *Business and Human Rights Journal*, 5(2), 255-274. https://doi.org/10.1017/bhj.2020.8
- Commission on Human Rights of the Philippines (CHRP). (2018). *National Baseline Assessment on Business and Human Rights*. Quezon City, Philippines: Commission on Human Rights of the Philippines.
- Commission on Human Rights of the Philippines (CHRP). (2019). *The national action plan on business and human rights: A primer*. http://chr.gov.ph/wp-content/uploads/2020/06/NAPBHR-Primer-rev2.pdf
- Department of Trade and Industry (DTI) (2021). DTI leads development of National Action Plan on Business and Human Rights. Retrieved from https://www.dti.gov.ph/news/dti-leads-development-of-national-action-plan-on-business-and-human-rights/
- Government of France (GOF). (2017). National Action Plan for the Implementation of the United Nations Guiding Principles on Business and Human Rights. Ministry for Europe and Foreign Affairs, France.
- Government of the Philippines (GOP). (2021). *Philippines'*National Action Plan on Business and Human

 Rights. Retrieved from

 https://globalnaps.org/country/philippines/
- Government of Thailand (GOT). (2019). First National Action Plan on Business and Human Rights (2019-2022). Ministry of Justice, Thailand.
- International Federation for Human Rights (FIDH). (2021).

 Corporate accountability for human rights abuses:

 A guide for victims and NGOs on recourse mechanisms.
 - https://www.fidh.org/IMG/pdf/corporate_accountabi lity_guide_version_web.pdf
- International Labour Organization (ILO). (2019). Ending child labour, forced labour and human trafficking in global supply chains.
 - https://www.ilo.org/ipec/Informationresources/WC MS_716930/lang--en/index.htm
- McCorquodale, R., Smit, L., Neely, S., & Brooks, R. (2017). Human Rights Due Diligence in Law and Practice: Good Practices and Challenges for Business Enterprises. *Business and Human Rights Journal*, 2(2), 195-224. https://doi.org/10.1017/bhj.2017.2
- McCorquodale, R. (2009). Corporate Social Responsibility and International Human Rights Law. *Journal of Business Ethics*, 87(2), 385-400.





https://doi.org/10.1007/s10551-009-0296-5

- Morris, Daniel, Lukas Bogner, Lison Daubigeon, Claire Methven O'Brien, Elin Wrzoncki (2018). National action plans on business and human rights: An analysis of plans from 2013-2018. The Danish Institute for Human Rights. https://globalnaps.org/wpcontent/uploads/2018/11/nap-analysis-fullreport.pdf
- Nolan, J. (2013). The Corporate Responsibility to Respect Human Rights: Soft Law or Not Law? In S. Deva & D. Bilchitz (Eds.), Human Rights Obligations of Business: Beyond the Corporate Responsibility to Respect? (pp. 138-161). Cambridge University Press.
- Organisation for Economic Co-operation and Development (OECD) (2018). OECD due diligence guidance for responsible business conduct. https://www.oecd.org/investment/due-diligenceguidance-for-responsible-business-conduct.htm
- Office of the High Commissioner for Human Rights (OHCHR) (2011). Guiding principles on business and human rights: Implementing the United Nations "Protect, Respect and Remedy" framework. https://www.ohchr.org/documents/publications/gui dingprinciplesbusinesshr en.pdf
- Ruggie, J. (2013). Just business: Multinational corporations and human rights. W. W. Norton & Company.
- Ruggie, J. (2014). Global Governance and "New Governance Theory": Lessons from Business and Human Rights. Global Governance, 20(1), 5-17.
- Ruggie, J. (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. United Nations Human Rights Council, A/HRC/17/31.
- Savourey, E., & Brabant, S. (2021). The French Law on the Duty of Vigilance: Theoretical and Practical Challenges Since Its Adoption. Business and Human Rights Journal 6, 141-152.
- Securities and Exchange Commission (SEC). (2019). Sustainability reporting guidelines for publiclylisted companies. https://www.sec.gov.ph/wpcontent/uploads/2019/10/2019MCNo04.pdf
- Serrano, M. R. (2014). Between flexibility and security: The rise of non-standard employment in selected ASEAN countries. Friedrich-Ebert-Stiftung. https://library.fes.de/pdffiles/bueros/singapur/10792.pdf

- United Nations (UN). (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework.
- New York and Geneva: United Nations.
- United Nations Human Rights Council (UNHRC). (2011). Resolution 17/4: Human rights and transnational corporations and other business enterprises. A/HRC/RES/17/4.
- United Nations Working Group on Business and Human Rights (UNWGBHR). (2016). The Philippine
- contribution to the report of the Working Group on the issue of human rights and transnational corporations and other business enterprises. A/HRC/32/45/Add.1. Retrieved from https://documents-ddsny.un.org/doc/UNDOC/GEN/G16/095/96/PDF/G16 09596.pdf?OpenElement
- Wettstein, F. (2012). CSR and the Debate on Business and Human Rights: Bridging the Great Divide. Business Ethics Quarterly, 22(4), 739-770. https://doi.org/10.5840/beq201222446
- Wettstein, F. (2015). Normativity, Ethics, and the UN Guiding Principles on Business and Human Rights: A Critical Assessment. Journal of Human Rights, 14(2), 162-182. https://doi.org/10.1080/14754835.2015.1005733