

BCHR NEWSLETTER

Newsletter of the Network for Business, Conflict and Human Rights

WHAT'S INSIDE THIS ISSUE:

Call for submissions;
Events, workshops, and courses;
New Library Resources;
News on the United States, Hong Kong, Cambodia, and more.



The BCHR Network is pleased to present the BCHR Update Newsletter, which provides a host of insights into the work of the network and its members.

ABOUT THE BCHR NETWORK:

- Click [here](#) to learn more about the BCHR Network.
- Click [here](#) for a complete list of the BCHR Network members.

The main purpose of this newsletter is to

- a) share information about the work of the network and its members to a wider audience; and
- b) to strengthen co-operation and co-ordination between the network members themselves and with other interested parties.

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ANNOUNCEMENTS

CALL FOR PAPERS

Getting to Equal in a Changing World: Second Global Gender in Oil, Gas and Mining Conference

Deadline: October 31 2020

The World Bank's Extractive Global Programmatic Support (EGPS) Trust Fund and Inter-American Development Bank are pleased to solicit proposals for the second Global Gender Oil, Gas and Mining Conference to be held virtually on March 3-4 2021.

The Organizing Committee is hoping for innovative sessions exploring the theme of *Getting to Equal in a Changing World*. To that end, interested stakeholders are welcome to submit case studies, papers, presentations, and emerging data that explore one or more of the conference's sub-themes. Submissions may take the form of full papers, power point presentations, visual media, ted-style talks, or other creative forms. They should discuss innovative ways in which women's rights and gender equality are being advanced in the oil, gas and mining sector. The submission should also identify and discuss the challenges, opportunities, interventions, and lessons learned.

Sub-themes include how to address specific vulnerabilities to gender-based violence; women's decision-making, voice, and agency; the need for more and better sex-disaggregated data in the extractive sector to be able to identify and solve the most pressing issues for women; how efforts to decarbonize energy systems and the greening of economies affect women; gender-dimensions in times of crisis; and the gender-dimensions related to the changing nature of work in oil, gas, and mining in light of digital disruption, new technologies, and automation.

Those interested should submit a 500-word abstract by October 31 2020 to [wbextractives@worldbank.org](mailto:wextractives@worldbank.org). For more information on the conference and its sub-themes as well as submission instructions, click [here](#).

Human Enhancement and Advanced Technologies in Terrorism and Belligerencies

Deadline: November 19 2020

The Minerva Center for the Rule of Law under Extreme Conditions (RLEC) at the University of Haifa, Faculty of Law and the Geography and Environmental Studies Department, invite submissions for participation in the fourth young researchers' workshop on "Human Enhancement and Advanced Technologies in Terrorism and Belligerencies". The workshop will be held at the Minerva Center, University of Haifa from 6 – 18 June 2021. Papers on welcomed on the topics from a variety of perspectives, including history, philosophy, sociology, geography, technology, economics, and politics. The purpose of this workshop is to convene a group of scholars for a discussions on human enhancement and advanced technologies and their relation to law and policy regarding terrorism / belligerency. This workshop will offer participants a balanced combination of rigorous scholarly discussion and more relaxed social interaction. Submissions are invited from young researchers, namely PhD candidates, Post-Doctoral fellows, and scholars up to 5 years since the completion of their PhD. Interested scholars should email an abstract of up to 500 words along with current CV by 19 November to the following address: [minervaextreme\[at\]univ\[dot\]haifa\[dot\]ac\[dot\]il](mailto:minervaextreme@univ.haifa.ac.il).

For more information on the workshop as well as submission instructions, click [here](#).

20 Years of UNSCR 1325 Women, Peace, and Security

Deadline: November 1 2020

The Journal of Regional Security seek contributions to address the current challenges and regional perspectives on the The UN Security Council Resolution "Women, Peace and Security" 1325 through the following thematic areas: (1) The theoretically informed analysis of the impact of the Resolution on international relations, regional security and peacebuilding including new perspectives deriving from men and masculinity studies, intersectionality, foresight studies and ethics of care approach to human security; (2) the impact of the UNSCR 1325 on post-conflict reconstruction and peacebuilding, security sector governance and women's rights in the Western Balkans and other conflict-affected regions. Empirical case studies of local, national and regional translation of the Resolution into the new practices, policies and approaches towards peace and security governance; and (3) gendered aspects of security concerning COVID 19 pandemic, including empirical and theoretical studies exploring the impact of the health crisis on women in the context of peace, conflict and post-conflict reconstruction.

For more information on submission instructions, click [here](#).

EVENTS, WORKSHOPS AND COURSES

PREVENTING CONFLICT: WHAT ROLE FOR THE GUIDING PRINCIPLES IN PEACE AND SECURITY

Date: November 18 2020

Time: 14:00 - 15:15 pm CET

Hosted by: UN Working Group on Business and Human Rights

This session is part of the 2020 UN Forum on Business and Human Rights. The prevention of business-related human rights abuses will be the Forum's central theme. The Forum agenda will seek to reinforce the message that strengthening prevention – by learning from both good practices and from when things have gone wrong, as well as by addressing systemic gaps – can help to build a sustainable future for people and the planet.

Register for the forum [here](#).

INTERNATIONAL HUMANITARIAN LAW AND NON-STATE ACTORS

Date: November 3 2020

Time: 6:00pm CET

Hosted by: HILAC and Asser Press

In recent times, international armed conflicts have declined in frequency, while non-international armed conflicts have increased and are now consistently in the majority. From armed conflicts in Syria to those of the Sahel region, Yemen, Ukraine, Colombia and Afghanistan, international humanitarian law (IHL) has long recognized the roles that multiple non-state actors play (such as non-State armed groups, individuals, the UN through its different agencies, the ICRC, humanitarian NGOs and human rights bodies) through interactions among themselves and with States on a daily basis and for a myriad of different reasons.

Ezequiel Heffes, Marcos D. Kotlik and Manuel J. Ventura explore some of these interactions in their co-edited volume *International Humanitarian Law and Non-State Actors* (Asser Press). This HILAC lecture will be the occasion to celebrate the publication of their book. They will discuss real-life challenges presented by non-State actors in conflict settings, and how (and to what extent) we can address them to affect the resolution of practical and theoretical problems in the realm of IHL.

Register for the lecture [here](#).

NEW LIBRARY RESOURCES

BUSINESS, HUMAN RIGHTS AND CONFLICT-AFFECTED REGIONS: TOWARDS HEIGHTENED ACTION

Published: July 21 2020

Source: United Nations Working Group on the issue of human rights and transnational corporations and other business enterprises

In the report, the Working Group clarifies the practical steps and outlines practical measures that States and business enterprises should take to prevent and address business-related human rights abuse in conflict and post-conflict contexts, focusing on heightened human rights due diligence and access to remedy.

States are asked to both develop policies, regulations and enforcement measures which effectively address the risk of gross human rights abuses for businesses operating in conflict situations and to break down their internal silos when dealing with this issue.

The United Nations' peace and security architecture is urged to incorporate businesses into their strategies and programs. The Working Group recommends that this architecture move beyond the static assumption that business is good for peace through its presence, and instead assess and act upon the impacts - both positive and negative - that business has in conflict and peace.

Businesses are called on to complement their human rights due diligence with a conflict sensitive approach, which involves gaining a sound understanding of the two-way interaction between activities and context, and acting to minimize negative impacts. The Working Group proposes that businesses focus on three main steps: (1) identifying the root causes of tensions and potential triggers affecting a conflict, and the real and perceived grievances that can drive conflict; (2) mapping the main actors in the conflict and their motives, capacities, and opportunities to inflict violence, including affected stakeholders to the conflict and those using grievances and resources to mobilize others either for violence or peaceful conflict resolution; and (3) identifying and anticipating the way the businesses' own operations, products or services impact upon existing social tensions and relationships between the various groups, and/or create new tensions or conflicts.

The report also highlights the importance of post-conflict reconstruction and peace-building phases and the involvement of states and businesses in these processes. It identifies business participation in transitional justice processes as vital in these phases.

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INTERNATIONAL NEWS

TESLA URGED TO RESPECT INDIGENOUS RIGHTS IN SUPPLY CHAIN BY NOT SOURCING FROM NORILSK NICKEL

Published: September 22 2020

Source: Business & Human Rights Resource Center

Over 70 NGOs have signed on to a letter urging Tesla to respect Indigenous rights in its supply chain, by not sourcing nickel mined by Nornickel (Norilsk Nickel), until the company makes effort to address the minimum standards set out by the UN Declaration on the Rights of Indigenous Peoples.

This request comes after major environmental disasters linked to Nornickel operations in the Arctic, including a 20,000 ton diesel spill which prompted the Russian President to declare a national emergency back in June.

The Business & Human Rights Resource Centre invited Tesla and Nornickel to respond. The companies did not.

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JCB TO BE INVESTIGATED AFTER UK GOVERNMENT BODY ACCEPTS LPHR COMPLAINT IS MATERIAL AND SUBSTANTIATED RELATING TO INVOLVEMENT IN ISRAEL'S HUMAN RIGHTS VIOLATIONS AGAINST PALESTINIANS

Published: October 12 2020

Source: Lawyers for Palestinian Human Rights

The UK-based construction equipment company, JCB, is to be investigated after a UK Government body found today that key aspects of a human rights complaint by the UK legal charity Lawyers for Palestinian Human Rights (LPHR) are “material and substantiated”, in relation to the use of its heavy machinery in Israel’s illegal demolitions and settlement construction in the occupied Palestinian territory that result in serious human rights violations.

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OECD COMPLAINT FILED AGAINST GLENCORE UK FOR TOXIC SPILL IN CHAD

Published: September 10 2020

Source: RAID

Three human rights groups today filed a complaint with the Organization for Economic Co-operation and Development (OECD) detailing environmental and human rights harms at Glencore's Badila oil operations in Chad. Glencore is one of the world's largest natural resource companies and is listed on the London Stock Exchange. The filing marks the first time that Glencore is facing an OECD complaint in the UK. The OECD filing comes on the two-year anniversary of a toxic wastewater spill on 10 September 2018 when a basin that was holding produced water, a by-product of crude oil production, collapsed at the Badila oilfield in southern Chad. Eighty-five million litres of wastewater (the equivalent of 34 Olympic-sized swimming pools) flooded agricultural fields before pouring into the local Nya Pende River. According to residents, the basin had been leaking weeks before it collapsed, but Glencore failed to properly address the problem or to warn local residents about the impending danger. A few weeks later, local residents also reported an oil pipe leak.

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COMPANIES MUST TAKE ACTION TO RESPECT THE RIGHTS OF COMMUNITIES AT RISK IN EAST AFRICA'S OIL FRONTIER

Published: September 10 2020

Source: Oxfam

In research released today alongside FIDH and partner organizations, Oxfam highlighted the major risks of oil projects led by French energy giant Total in Uganda and Tanzania, which would require over 12,000 families to lose land and endanger sensitive and vital ecosystems.

Two new community-based human rights impact assessments highlight serious, ongoing challenges and future risks linked to these projects. While independent research pieces, both reports offer community-driven recommendations urging oil companies and governments, who are on the verge of making their final investment decision, to take urgent measures to avoid a human and environmental disaster.

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MYANMAR: JAPANESE COS. ALLEGEDLY ENGAGED IN HIGH-END COMMERCIAL DEVELOPMENT ON LAND OWNED BY BURMESE MILITARY CURRENTLY FACING UN GENOCIDE CHARGES

Published: September 2 2020

Source: Business & Human Rights Resource Center

A report by the Justice for Myanmar highlights the alleged involvements of companies in Y Complex, a development built on a land belonging to the Myanmar military. The report notes that the Myanmar military have been accused by the United Nations of carrying out genocide against the Rohingya people and crimes against humanity against other ethnic minority groups. Business and Human Rights Resource Centre invited the companies to respond to the concern raised in the report, except JBIC since it is a public entity.

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AT LEAST 50 FEARED DEAD IN DR CONGO MINE COLLAPSE

Published: September 12 2020

Source: Aljazeera

At least 50 people are feared dead after a gold mine collapsed in the eastern Democratic Republic of the Congo (DRC), local authorities have said. The accident in the makeshift mine occurred on September 12 following heavy rains in the town of Kamituga in South Kivu province.

Thousands of informal miners operate in and around mines in DRC, which produces more than half of the world's cobalt, a key component in electric car batteries. Mining accidents are common, with dozens of deaths every year in mines where often ill-equipped diggers burrow deep underground in search for ore.

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BLOGS AND OPINIONS

WATER WARS: HOW CONFLICTS OVER RESOURCES ARE SET TO RISE AMID CLIMATE CHANGE

Published: September 7 2020

Author: Anastasia Moloney

Source: World Economic Forum

From Yemen to India, and parts of Central America to the African Sahel, about a quarter of the world's people face extreme water shortages that are fueling conflict, social unrest and migration, water experts said. With the world's population rising and climate change bringing more erratic rainfall, including severe droughts, competition for scarcer water is growing, with severe consequences. Disputes over water have for millenia served as a flashpoint, driving political instability and conflict.

"If there is no water, people will start to move. If there is no water, politicians are going to try and get their hands on it and they might start to fight over it," warned the head of international cooperation at the Netherlands' foreign ministry. [Learn More](#)

GLOBAL SUPPLY CHAINS—WHERE ART THOU IN THE BHR TREATY?

Published: September 7 2020

Author: Justine Nolan

Source: OpinioJuris

The growing influence of global supply chains, the unprecedented power of some large corporations, and the extent of labour exploitation around the world means that regulating supply chains must be a critical part of any global effort to set rules for responsible business conduct. But there is not a single mention of global supply chains in the second revised draft business and human rights treaty issued in August 2020; so how does the latest version of the draft treaty deal with this?

The draft treaty refers to 'business relationships,' including any relationship between natural or legal persons to conduct business activities and activities conducted through affiliates or other structures. This is broader than the 2019 revised draft treaty which used a similar definition but referred to it as relevant to defining a business' contractual relationship. This substitution is important because such relationships are not always marked by direct legal connections between suppliers and the supply chain 'captain.' In using this terminology, the draft treaty acknowledges this broader relationship and partially dismisses formal limitations posed by the corporate form. [Learn More](#)

THE EFFECT OF COVID-19 ON PEACE AGREEMENT IMPLEMENTATION

Published: October 14 2020

Author: Madhav Joshi, Myla Jabilles Leguro, Håvard Mogleiv Nygård, Stephen Oola & Matthew Hauenstein

Source: Peace Research Institute Oslo (PRIO)

On 9 April 2020, the UN Secretary-General António Guterres raised concerns that the COVID-19 pandemic could stall peace processes and destabilize hardwon peace. These concerns are reflected in UNSC 2532. While no peace processes have collapsed due to COVID-19, several are facing implementation slowdowns. In particular, implementation processes that require mobilization of civilians and resources at the local level are facing challenges, as the pandemic has debilitated and dispersed citizen agency and diverted critical resources toward crisis response. In this paper, the authors look at recent peace agreement implementation data from Colombia, South Sudan, and the Philippines (BARMM). They recommend that local, national, and international stakeholders provide support for implementing peace during this pandemic and beyond.

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RETHINKING MSIS: TIME TO BURY MSIS?—NOT SO FAST

Published: October 1 2020

Author: Bennett Freeman

Source: Human Rights@Harvard Law Blog

The Voluntary Principles on Security and Human Rights (VPSHR) is a multi-stakeholder initiative (MSI) with the purpose of ensuring human rights safeguards for oil and mining company security arrangements with military, police and private providers in conflict zones and in proximity to local indigenous communities. It strengthens corporate accountability and fills gaps in government responsibility—through its standards and processes as well as its multi-stakeholder engagement. The VPSHR attempts to protect rights, safeguard communities and save lives in those conflict zones as well as in indigenous and other local communities—and to improve the conduct of host country governments and security forces.

But it has fallen short of perfect consistency. The efficacy and credibility of VPSHR has been undermined by inadequate external transparency and accountability. VPSHR should closely examine the key findings and observations and the six cross-cutting insights put forward by Not Fit-for-Purpose.

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FIVE STRATEGIES CORPORATIONS USE TO AVOID RESPONSIBILITY FOR HUMAN RIGHTS ABUSE

Published: July 21 2020

Author: Virginia Sandojo

Source: The Centre for Research on Multinational Corporations

Five main strategies that enable corporations to avoid responsibility for harms caused were identified, which manifest themselves in a wide array of actions that obstruct justice, distort facts, and frustrate remedy for affected communities.

1. Constructing deniability - This happens when companies hide behind complex supply chains, outsource high-risk activities to subcontractors, or decide to suddenly shut down subsidiaries, obscuring the role in any harms caused.
2. Avoiding liability through judicial strategies - The use of judicial strategies to ward off public scrutiny and respond to allegations from communities, workers and human rights defenders.
3. Districting and obfuscating stakeholders - Confusing stakeholders by spreading misleading information, manipulating scientific research, or abusing certification standards.
4. Undermining defenders and communities - Silencing critics by attacking and criminalising human rights defenders, dividing communities with bribes and undermining unions.
5. Utilizing state power - This refers to the behaviour by companies that leverage their power with states to obtain favourable treatment, security and impunity.

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EU: A WATERSHED MOMENT ON CORPORATE ACCOUNTABILITY?

Published: September 1 2020

Author: Richard Gardiner

Source: Global Witness

Civil society calls on the European Parliament developing proposals for a new law on corporate accountability EU to introduce legislation on corporate due diligence. They point to the fact that voluntary measures have proved vastly insufficient and new legislation is urgently needed to establish clear, robust and enforceable cross-sectoral requirements on all business enterprises, to respect human rights and the environment.

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SHARING AND POSTING MATERIALS

We very much welcome your comments and suggestions for how the BCHR newsletter can better serve the network's needs and interests as well as those of its members.

We kindly invite you to share this newsletter with academics, NGO and practitioners that might be interested in its content.

If you are interested in contributing to future editions of the newsletter, please do not hesitate to contact us at maria.prandi@networkbchr.org.

ABOUT THE NETWORK

The Network brings together researchers, practitioners and NGO members from various fields with the aim of researching and analysing the role of business in conflict situations reducing the human and people's rights violations and any other negative social and environmental impact as well other adverse consequences. It also looks at the potential role of companies in relation to peace building.

The Network reflects upon the causes, dynamics and consequences of business involvement in armed conflicts and systematic state repression, as well as upon existing or potential responses to such involvements in light of the responsibilities of all concerned actors and ongoing international and local efforts to develop and apply appropriate initiatives and guidelines.

Visit: <http://www.networkbchr.org/>