



Examples of our impact

How our company response process encourages companies to address human rights concerns raised by civil society

Since 2005 we have approached companies over 2000 times to respond to allegations, and in 2014 we approached companies 333 times; over 75% responded. Our website and Weekly Updates provide inspiring news on human rights progress, as well as an impartial space in which allegations, company responses, and follow-ups to those responses are published alongside one another, helping people get closer to the truth, and encouraging change on the ground. Our Weekly Updates now reach many thousands of opinion leaders in richer countries, emerging economies and developing countries.

Sometimes our response process has led to immediate positive changes in company policy or practice. In other cases it has led to dialogue between the company and those raising the concerns. In all cases it has increased transparency, enhanced public accountability, and provided information to sectors that use their own means to address company abuses: NGOs, governments, the UN, procurement officers, investors, consumers, media.

Our company response process serves as an accessible, informal complaints mechanism in the absence of an effective international mechanism. Victims, advocates and NGOs thank us for bringing greater international attention to their concerns, for eliciting responses from companies, and for the chance to comment on those responses. Companies thank us for providing them the opportunity to present their responses when concerns are raised, and for posting their comments in full.

Increasingly concerns are raised by NGOs and community groups in the global South. Our regional researchers based in Brazil, Burma, Colombia, Hong Kong, India, Japan, Jordan, Kenya, Mexico, Senegal, South Africa and Ukraine – who are in close touch with local NGOs and companies – take the lead in seeking company responses.

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1. Unions win new labour agreement including reinstatement of 12 members – Philippines



In May 2014, the labour rights group IndustriALL alleged that NXP Semiconductors, a supplier to Apple, had sacked 24 union workers for union activity. In early August 2014, we contacted NXP and Apple regarding the allegations. NXP denied it had done anything wrong. We also contacted Apple to respond to the criticisms of its reported supplier but it did not respond.

In late August IndustriALL submitted a rejoinder to NXP's response disputing their claims. We invited NXP to respond again, which it did. It said that: twelve dismissed members of the union's executive would return to work; the other twelve would receive decent separation packages and become full time trade union activists; wage hikes of 12.25% over three years would be much higher than what the company previously said was possible; and a significant number of contractual workers would be regularized. Most importantly for the NXP workers, the company's attempt to bust the union (MWAP) was defeated. IndustriALL wrote to us: "Thanks again for your contribution in MWAP's victory. You really put NXP on the spot in front of an important audience from the corporate world."



2. Chevron increases pay for petrol station workers in Cambodia



In May 2014, hundreds of workers at 17 gas stations operated by Caltex (part of Chevron) in Cambodia went on strike, calling for an increase in their monthly wage. "They cannot support their family with \$110 since inflation keeps rising," said the deputy

president of the union leading the strike, the Cambodian Food and Service Workers Federation.

We reached out to Chevron's headquarters for a response about the strike. After repeated exchanges with them including one in which the company said it was negotiating with the workers, it issued a response saying that the negotiations had succeeded. The company had agreed to a \$20 per month increase in minimum wage for all workers.



Photo: Marta Kasztelan

A representative of Community Legal Education Center in Cambodia, who was in touch with about this case, said: *"Thank you both so much for everything! The workers are so grateful. This is a small but really important victory. It was really apparent that the engagement with head office helped push this through."* (The "both" in the message refers to us and to UNI Global Union who also helped raise awareness of the strike).

The union President said of the agreement: "Though we are not fully satisfied, this was a success... This is a step in the right direction." While the increase in wages was a welcome development, a few days later, a few of the Caltex workers resumed the strike because Chevron had asked them to sign a document promising not to participate in any further strikes, protests or work stoppages. We continue to highlight the important growth in workers' strikes in Cambodia, and push company headquarters to respond constructively.

3. Reducing harmful pollution from cruise ships in Hong Kong



Hong Kong has long suffered from extreme air pollution with serious health impacts on the population, especially children. Sulphur dioxide emissions from cruise ships is one of the major causes of air pollution and pose a risk to the respiratory system of 280,000 citizens living nearby – so Friends of the Earth HK (FoE) petitioned companies to switch to low sulphur oil. In June 2013, our Hong Kong-based researcher Lowell Chow respectfully

invited Royal Caribbean to respond publicly to [FoE's call](#), and explained their response would be public on our site and sent to all Weekly Update subscribers around the world. This was shortly before one of the company's cruise ships became the first to arrive at Hong Kong's new cruise terminal. FoE had been calling on Royal Caribbean to make the switch for six months but it had not yet responded. This time the company [did respond](#), and said that the ship would switch to low-sulphur oil while docked in Hong Kong. FoE thanked the Resource Centre for this breakthrough. As they said in their press release (available in [English](#) and in [Chinese](#)): *"Previously tight-lipped, The Royal Caribbean Cruise Company broke its silence today about the fuel switch, and its first berthing cruise, 'Mariner of the Sea', will switch to less than 0.1% sulphur content diesel when berthed. Friends of the Earth believes that, 'This is the best example of corporate social responsibility, and we expect other cruise liners and ocean-going vessels to follow suit."*



4. "Conflict minerals" legislation – Dem. Rep. of Congo & USA



In May 2012 Global Witness requested our involvement in seeking responses from 11 companies and two business associations to [its statement](#) raising concerns about industry efforts to undermine implementation of the U.S. Dodd-Frank Act's section 1502. This provision requires companies registered with the U.S. Securities & Exchange Commission (SEC) to carry out supply chain due diligence on any minerals sourced from DRC or adjoining countries. Global Witness drew attention to the ties of 11 electronics and automotive companies with business associations lobbying against measures to implement the Dodd-Frank Act provision. The statement said that lobbying by the U.S. Chamber of Commerce and National Association of Manufacturers (NAM) had *"hampered the completion of the law"*, which had *"serious implications for the population of eastern DRC"*, and added: *"To avoid any perceptions of hypocrisy, Global Witness believes it is very important that [these companies] distance themselves from the Chamber of Commerce and NAM..."*.

We received responses from seven companies and one business association (see [here](#)), posted them on our website, drew attention to the four companies that failed to respond, and disseminated all this to the 15,000-plus subscribers to our Weekly Update. Subsequently, a [press release](#) by seven NGOs pointed to our company response process and noted that a few weeks after we approached the companies, *"Microsoft, General Electric, and Motorola Solutions took a stand and separated themselves from the Chamber's position on conflict minerals."* Since that press release called on other companies to follow suit, we then conducted a further round of company responses in June and submitted to the SEC a [press release we issued](#) on these responses & non-responses. Our press release was named by CSRwire in its "Top 3 Report: The Most Read News, Views & Reports for August". The SEC voted to adopt rules to implement these conflict minerals provisions on 22 August 2012 (we compiled various reactions from NGOs, companies and others to the vote [here](#)). Global Witness repeatedly thanked us and expressed how they valued our involvement, e.g. they wrote: *"I think the work you all have done in getting these companies to respond and disavow the Chamber has been so useful...You all are amazing!"*



5. Threat of internet censorship – Pakistan



In February 2012 the Pakistan Government issued a public tender for development and deployment of a URL filtering and blocking system. As Pakistan-based NGO Bolo Bhi ("Speak Out") put it, *"this will allow the state to subsidise a comprehensive automated censorship regime."*

Bolo Bhi issued a petition calling on eight tech companies not to respond to the tender. They had been told about the Resource Centre's company



response process and asked if we could help: we approached senior people at the companies inviting them to respond. A few days later web filtering software firm Websense contacted us with a [public statement](#): “Say No to Government Censorship of the Internet in Pakistan”. It committed not to apply for the tender and called on other firms to follow suit. With further follow-up, we obtained [commitments from Cisco, Sandvine and Verizon not to bid](#). Bolo Bhi [thanked the Resource Centre](#) for its “*constant support throughout the campaign*” and for securing the responses. The NGO “Access Now” then also got involved, with an online petition focusing on the remaining firms. Next, McAfee announced on Twitter that it would not bid.

On 19 March, National Assembly member Bushra Gohar said that the Ministry of Information Technology had confirmed that plans for the internet filtering system [had been withdrawn](#). Civil society is keeping a close eye to be sure they are not re-introduced on the sly. Sana Saleem of Bolo Bhi wrote to us after the Websense response:

“Activists should be aware of the work you do and the milestones your time has helped achieve, and be able to contact you more frequently. Our team sees this as a breakthrough after weeks of working to get a response.”

FAST COMPANY

Pakistan Torches National Firewall Plans

BY NEAL UNGERLEIDER | MARCH 20, 2012

The most ambitious net censorship project since China's Great Firewall is no more: Pakistan's Ministry of Information Technology has indicated that they are canceling plans for a 50 million+ URL net filtering regime.

6. Shin Yang – Malaysia



In mid-2011 Survival International raised the alarm that Penan hunter-gatherers in Borneo who were being displaced by the Murum Dam were going to be resettled in an area that in turn was going to be converted into a huge oil palm plantation by Malaysian firm Shin Yang. The Penan rely on the forest for survival.

Business & Human Rights Resource Centre sought a public response from Shin Yang. [The company responded](#) that it was not aware of plans to resettle the Penan on the land designated for its plantation, and that it would cease planting pending verification from the authorities. We conveyed Shin Yang's response to Survival International. Survival then issued a statement, “[Victory for Borneo tribe over oil palm Goliath](#),” welcoming the fact that Shin Yang had halted its work. The Survival statement quoted the company response we had secured.



7. IT factories – China



Ma Jun, China's preeminent environmental advocate (pictured at right), leads a network of Chinese environmental groups calling on multinational IT firms to stop using supplier factories in China that dump heavy metals into water bodies. This toxic waste pollutes water, fish and agricultural land – causing lead and cadmium poisoning of the blood. We assisted Ma



Jun and the network by approaching the IT firms that did not reply to them, or whose responses were “insubstantial”. We secured responses from all those firms: Apple, BYD, Ericsson, Foxconn, LG, Motorola, Philips, SingTel and Vodafone. Ma Jun said in an [interview](#): “*We had help from...Business & Human Rights Resource Centre, and we were able to mobilise more than 1,000 Chinese consumers to send letters to companies who did not respond to our letters.*” Ma Jun and the environmental groups had concerns about Apple's dismissive reply: “*We don't use these suppliers*”. During 2011 Ma Jun and the network continued raising concerns about Apple's suppliers; we continued assisting, drawing global attention to those concerns and seeking responses from Apple. On 15 November 2011 the *Wall Street Journal* reported that Apple had finally agreed to meet Ma Jun and 4 other Chinese environmental leaders; during the 3-hour meeting Apple told them that it had launched audits of 15 of its Chinese suppliers accused of polluting. “*This is a major step forward*”, Ma Jun said. Still he urged greater transparency from Apple, saying the company did not name the suppliers it was scrutinizing. Then on 13 January 2012, for the first time Apple published its full supplier list. This development was quickly picked up by *The Wall Street Journal*, which noted that the company had been under pressure from Chinese activists. The same month, following our invitation to Apple to respond to a *New York Times* investigative story, Apple sent us a substantive three-page response. Apple then became the first IT firm to join the Fair Labor Association.



In November 2011 Ma Jun was keynote speaker at our Mary Robinson Speaker Series event in New York City: "Business, the environment & human rights: The state of play in China". A video of the event can be [accessed here](#).

8. RL Denim and Metro Group – Bangladesh



National Labor Committee (NLC), a respected US-based non-profit, contacted the Resource Centre in 2009 regarding terrible working conditions at RL Denim, a garment factory in Bangladesh. Reported abuses included: 18-year-old Fatema Akter (pictured at right) was overworked to death; forced 20-hour shifts; workers who failed to meet production goals were cursed at, slapped and even kicked; women asking for maternity leave were summarily sacked. We sought responses from RL Denim and its main buyer, German-based Metro Group, after NLC said to us, "*Your letter — given the Resource Centre's great credibility on these issues — could be the most important of all.*" Both companies responded to us, so we put them on notice that their conduct was being watched closely internationally.

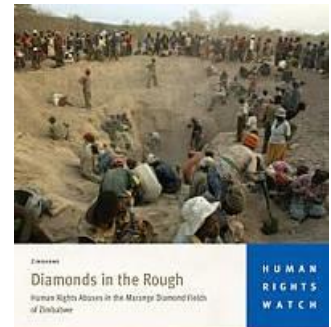


Conditions at the factory then improved significantly, indeed NLC said: "*We have never before seen such a rapid and serious turn-around in any Bangladeshi factory. What has happened could be precedent-setting for the over two million young women garment workers in Bangladesh.*" But NLC issued a new urgent appeal: Metro Group was still planning to cut all its orders from the factory, which NLC said would be the most devastating outcome for the workers and community. We put NLC and Metro Group in touch with one another. Then Metro Group changed its mind. It said it would resume orders at RL Denim and committed to establish effective measures to monitor its supplier factories across the world. NLC wrote to us saying, "*We think the Resource Centre's role was really critical in moving this company to see the light... You really do have the ear of the companies and play a terrific role in all this. It's an enormous step forward.*"

9. Diamond industry – Zimbabwe



In 2009, serious abuses at the Marange diamond fields in Zimbabwe were reported. Soldiers had ordered civilians to dig for diamonds at gunpoint, used forced child labour, and beaten local residents. After we highlighted the issue on our website and in our Weekly Update, Brian Leber, President of the US diamond firm Leber Jeweler Inc., wrote to us saying, "*The main trade publication in the jewelry industry picked up on the [issue] after seeing this on your website. It's now becoming a bit of an issue for the industry, which is a good thing... Now Human Rights Watch has entered the fray... Thanks again for helping to get the word out. Your organization offers a very valuable service and you can take pride in knowing that you've played a key role in making sure this issue won't be swept under the rug.*"



In January 2010, the Zimbabwe authorities cancelled a planned auction of diamonds from the Marange fields. The Kimberley Process Certification Scheme (KPCS) ordered that an independent monitor oversee the Marange fields.

10. Baishanlin (headquartered in China) – Guyana



In a [15 August 2007 article](#), Guyana's *Stabroek News* said workers at a wood processing plant operated by Chinese company Baishanlin reported poor health and safety standards, "harsh treatment and little reward" for their work. The Guyanese workers said they were restrained in ways that the Chinese workers were not: a sign at the mill said Guyanese workers wanting to leave the site had to seek management permission or risk dismissal. Some of the workers wore no protective clothing despite the potentially dangerous nature of their work.

Our East Asia Researcher Roddy Shaw Kwok-wah invited Baishanlin to respond. It sent a detailed reply in Chinese, which Roddy translated into English. In its response Baishanlin said that it is "*fully committed to operating based on the applicable international law and policy requirements in Guyana,*" and



Safety violations seen at Coomacka timber works

By Johann Earle
Wednesday, August 15th 2007



acknowledged the challenge in overcoming cultural barriers: *“Since our inception in Guyana, we are humbly learning and assimilating into the political, economic as well as cultural environment of Guyana despite the challenges we encounter as a foreign investor due to the enormous geo-political and cultural difference”* between the two countries. Baishanlin said it has investigated the alleged management flaws. It said that workers had been provided with safety equipment such as gloves and working masks but *“due to slack enforcement, many workers do not wear them at work”*. It added: *“We also notice that many of the allegations are due to miscommunication among workers. We will implement improvement measures for working conditions and communication with local workers, in particular, to understand their culture, views and needs. We will also enforce comprehensive safety measures...”*

An article published in the *Stabroek News* after Baishanlin’s response said the Guyanese Labour Minister had just paid an inspection visit to the Baishanlin plant and *“noted improvements in the conditions of work”*.

11. Tiffany – Burma



In late February 2005 we found an [article in Professional Jeweler](#) (a trade publication we track) saying Tiffany was lifting a moratorium on Burma and would resume sourcing Burmese gems if polished in another country (and therefore deemed non-Burma imports by a new US Customs ruling).

We asked Tiffany for their response. They confirmed they would resume sourcing from Burma in line with the new US ruling.

We posted the article and response on our site and included them in our Weekly Update on 2 March.

Two days later Tiffany contacted us with an announcement by their Chair & CEO saying Tiffany would not resume sourcing from Burma. NGOs had learned of Tiffany’s decision to source from Burma through the Resource Centre, and had urged Tiffany to reconsider. Tiffany’s Chair & CEO invited Greg Regaignon (our Head of Research) to meet him at Tiffany headquarters for what was a very positive discussion.



12. Yahoo! – China



When the NGO Reporters Without Borders revealed in September 2005 that Yahoo! had provided information to the Chinese authorities that led to the imprisonment of journalist Shi Tao, we immediately sought a response from Yahoo! The response was: *“Just like any other global company, Yahoo! must ensure that its local country sites must operate within the laws, regulations and customs of the country in which they are based.”*



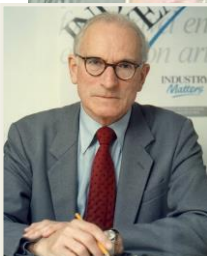
Immediately after we published the allegations and Yahoo’s response, three human rights advocates asked us to post their concerns about the Yahoo! response:



- **Mary Robinson**, former UN High Commissioner for Human Rights: *“I was shocked and dismayed by Yahoo's response...It appears that Yahoo! is unaware of growing public expectations that businesses must assume their appropriate responsibilities for the promotion and protection of international human rights standards wherever they operate. Yahoo! needs to give careful consideration to its role in fostering greater respect for human rights around the world, not only because it is the right thing to do, but because of the legal and reputational risks it faces if it does not take appropriate action...Yahoo! should learn from the growing body of good corporate practice which recognizes that business can be a positive force for human rights.”*



- **Nick Howen**, Secretary-General, International Commission of Jurists: *“It is clear that national laws that violate international human rights standards are not acceptable under international law. I'm deeply concerned that the actions of Yahoo! have led to the imprisonment of Chinese journalist Shi Tao for ten years for doing nothing more than exercising his right to freedom of expression, which is guaranteed by the Universal Declaration of Human Rights...Yahoo! should ensure that its actions respect international laws and standards.”*



- **Sir Geoffrey Chandler**, Founder of Amnesty International UK Business Group, former Director General of UK National Economic Development Office, former Director of Shell International: *“I am appalled by Yahoo!'s response...Thank heavens Yahoo! practice is not 'just like any other global company'. A growing number of major transnational companies today explicitly*

acknowledge their global responsibility for human rights wherever they operate, basing their practice on internationally recognised principles, not variable local custom. Many of these companies had to learn the hard way, through reputational disaster. One can only hope that Yahoo! will prove to have a similar capacity to learn."

When we received these comments, in accordance with our usual practice we went back to Yahoo! to invite a further response. Yahoo! declined to say anything further at the time.

Subsequently Yahoo!, Google, Microsoft and Vodafone joined an initiative, along with a number of human rights organizations, technology experts and academics, seeking solutions to the free expression and privacy issues faced by technology companies doing business internationally.

13. Diamond companies - Angola



A [September 2006 report](#) by a leading Angolan journalist and human rights advocate, Rafael Marques, alleged dozens of cases of "profoundly sadistic" abuses by security firms protecting the operations of diamond companies in the Cuango region of Angola. Security guards reportedly used shovels, clubs and machetes to torture their victims, mostly artisanal miners. Some miners were reportedly killed.



We invited the diamond companies to respond to the allegations against the security firms they were employing. Eventually we received responses from all five companies: ENDIAMA (Angola), ITM Mining (Angola), Lazare Kaplan International or LKI (USA), Lev Leviev (Israel), and Odebrecht (Brazil). Rafael Marques then issued rejoinders to LKI and Odebrecht – he said he chose not to criticise the response from Endiama (the Angolan state mining company) because Endiama's response recognised that there was a problem, and said it was taking steps to address it.

We were pleased to hear from Rafael Marques that he believes our work to bring this case to international attention, and our company response process, helped stir up a debate on these issues in Angola. Following our contact with the diamond companies, Rafael was invited to discuss his concerns with senior managers at some of the companies.

14. Henan Rebecca – China



In August 2005 *South China Morning Post* published [an article](#) alleging that Chinese wig manufacturer Henan Rebecca used forced prison labour. The article said Henan Rebecca's financial statement indicated six financial firms were among its top investors: Deutsche Bank, HSBC, ING, Merrill Lynch, Morgan Stanley and UBS.



We invited Henan Rebecca and the financial firms to respond. Merrill Lynch declined to respond publicly. Responses from the other five financial firms were brief: all said they only held shares in Henan Rebecca on behalf of clients; some also provided details about their own human rights policies and commitments. But ING went further in its response, adding that it recognises that international standards strictly forbid forced labour, that it had passed information about the allegations to its relevant clients, and that it had *"been informed that the clients are now urgently reviewing the situation"*.

Henan Rebecca, in its response, denied that it used forced prison labour. When the *South China Morning Post* journalist saw this denial, he backed up his report with a response saying that local residents, the company itself, and four officials at the prison camp had said that the inmates were engaged in low-skilled processing work for Henan Rebecca.

As well as leading to the concrete step of ING raising the concerns with its clients, the Resource Centre's role in this case helped provoke debate about the nature of financial firms' human rights responsibilities for investments held on behalf of clients. The leading social investment website in the USA, *SocialFunds.com*, published an [article about the case and the Resource Centre's process of inviting company responses](#). We conveyed the details of this case to those at the International Finance Corporation working with financial firms in the context of the Equator Principles.

15. Encouraging companies to adopt human rights policies

Since 2002, we have featured on our website the world's only [running list of companies' human rights policy statements](#). The idea is to give recognition to companies that do have policies, and encourage others to follow suit. While having a policy is only a first step, it is an important one, demonstrating that the company has a public, board-endorsed commitment to human rights.

When the list was first created fewer than five companies had adopted human rights policies, mainly western oil firms such as BP and Shell. Now there are 335 companies on the list. The Resource Centre has contributed to this increase by pushing human rights issues up the corporate agenda and publicising companies that have policies. In 2009, we worked on a joint project with Realizing Rights, the organization then headed by Mary Robinson, the former UN High Commissioner for Human Rights and President of Ireland who chairs our International Advisory Network. We contacted every Fortune Global 500 company that had not yet adopted a human rights policy, enclosing a letter from Mary Robinson to the CEO. The letter drew attention to our list of companies with human rights policies, and encouraged the CEO to work toward adopting a policy. This led to many additions to the list. During 2010, we again worked with Realizing Rights and Mary Robinson, targeting CEOs of selected companies in Argentina, Australia, Botswana, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Egypt, Ghana, India, Israel, Jordan, Kenya, Mexico, Norway, Philippines, South Africa, Sweden and Turkey. The Resource Centre and Realizing Rights also issued a joint press release coinciding with the UN Global Compact Leaders' Summit in New York, in June 2010, and an op-ed by Mary Robinson which was featured either unedited or in article form in a number of newspapers, including India's [Financial Express](#) and the [Jordan Times](#).

"The Business & Human Rights Resource Centre... has become the single most effective enforcer of human rights practices by corporations. It is a small, smart organization...the mechanisms it uses are simple, straightforward and powerful."

Michael Conroy, economist, former Program Officer, Rockefeller Brothers Fund & Ford Foundation Mexico

"The Resource Centre has won a big following among companies, governments, investors, non-government organisations and journalists."

Financial Times, "A fair approach to human rights", 19 June 2008