



Steep Rise in Allegations of Human Rights Abuse as Boom in Investment Brings Hope of Prosperity

Business and Human Rights in Eastern Africa: A Regional Briefing Paper

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Executive Summary

Recent years have brought a boom in investment to Eastern Africa, fuelled in large part by new oil and other mineral finds, and demands for biofuels and other agricultural products. There is potential for these investments to help to fulfil economic and social rights by contributing to improvements in health, education and standards of living. But in many cases, these investments advance with disregard for the rights of the people most directly affected. This briefing paper reflects Business & Human Rights Resource Centre's work in Eastern Africa in recent years, highlighting civil society's concerns about cases where companies are implicated in human rights abuses. It focuses on the major business sectors in the region: mining, oil & gas, agribusiness, and the growing information & communications technology (ICT) sector. It also features examples where companies are making a real effort to improve and deliver.

We seek responses from companies to allegations of abuse and concerns of civil society. This encourages business to publicly address human rights issues. In some cases this process leads to dialogue between the company and stakeholders, and has even helped to bring about resolution of some issues. In all cases it has increased transparency. Many cases where we sought responses from companies in Eastern Africa are included in this briefing paper. The response rate for companies to concerns about their impacts in Eastern Africa has been 79%, over 82 times we have sought their responses since 2005. This indicates that many companies are at least publicly taking human rights issues seriously. Even among those that respond, however, their statements in many cases fail to address civil society's underlying concerns, and more work by companies, governments and civil society is needed to provide effective remedies for past harms and avoid future abuses.

We have noticed three recent trends:

1. Jump in complaints about oil companies: In Uganda, since work on a refinery, exploration and other steps to exploit the country's oil have begun in earnest, we have seen a five-fold increase in complaints about the industry's local impacts (complaints to which we sought responses from companies in 2012-14, compared to the previous three years). If new oil finds in other countries such as Kenya and Malawi are not managed with greater transparency and community participation, we can expect to see similar concerns raised by local communities there, with possibilities of protests, violence and significant delays.
2. Skyrocketing complaints about agriculture sector: We have seen a six-fold increase in complaints about land rights, labour rights and other issues in agricultural production for food & beverage, biofuel and tobacco firms (2012-2014 complaints to which we sought responses, compared to the previous three years). Some firms have taken steps to address sexual harassment on tea plantations and exploitative child labour on tobacco farms. But local opposition and violent conflict helped stall a large biofuel project in Kenya in 2013. And Human Rights Watch has reported protests by people refusing to vacate their land for agricultural projects in Ethiopia, with deadly violence by security forces against some communities.
3. New risks – Information & communications technology (ICT) sector: Attention has focused on the role of technology firms in helping the Ethiopian Government engage in abusive surveillance of dissidents, domestically and abroad. The risk of complicity in such abuses is highest in those with a record of failing to respect privacy and freedom of expression – e.g., Eritrea, which the

Committee to Protect Journalists named the “most censored nation in the world” in its most recent ranking. But ICT companies must avoid abusing human rights in all countries.

Besides these three sectors, the report highlights on-going concerns about the impacts of mining, including displacement of communities, violence against local residents, and pollution affecting water and health. These issues present a significant challenge to the ideal of mining as a force for socioeconomic development outlined in strategies such as the African Union’s Africa Mining Vision.

All company responses that we have sought relating to Eastern Africa are available in the [Annex](#).

The report also highlights positive steps taken by some companies, such as an initiative by Tullow Oil to train more Ugandans for employment in the oil sector, and commitments to human rights and respect for local communities and the environment by firms signing the Kenyan Code of Ethics for Businesses.

The briefing paper refers to Eritrea, Ethiopia, Kenya, Malawi, Somalia, South Sudan, Sudan, Tanzania and Uganda. Our work on Eastern Africa is primarily carried out by our Eastern Africa Researcher & Representative, Joseph Kibugu (based in Nairobi), who is the primary author of this briefing paper. This is not a comprehensive overview. It flags some major and emblematic issues, cases, developments and trends. For more detail see the Africa section of our [website](#).

[For the full briefing, click here.](#)