



PRESS RELEASE

Business & human rights in Francophone Africa:

New briefing highlights need for companies to avoid abuses, become vector of inclusive growth

Friday, 14 March 2014 – Dakar/London/New York: As over 400 CEOs from across Africa prepare to gather in Geneva for the Africa CEO Forum next week, Business & Human Rights Resource Centre calls on them and other companies operating in the region to ensure that economic development does not contribute to human rights violations. Launched today, the Resource Centre's first regional briefing on business & human rights in Francophone Africa (in English and French) shines a spotlight on the human rights conduct of companies in that region. It features positive steps that some are taking to contribute to human rights and social development, but also allegations of serious abuses ranging from complicity in killings by government security forces, to destruction of homes and farmland.

Over 60 companies including Areva, CFAO, Chemaf, CNPC, Ernst & Young, Freeport-McMoRan, Glencore, Olam, Sonatel and Total are mentioned in the briefing – the full list is below. While many cases in the briefing involve extractive industries, in the past two years there has been a dramatic increase in concerns regarding the agriculture and food & beverage sectors in the region. This reflects, in part, huge acquisitions of land for oil palm, sugar, biofuels and other crops, often without the consent of communities involved and in the context of growing food insecurity across the continent.

[Download the Executive Summary here](#) / [Download the full 20-page briefing here](#)

Since 2005, the non-profit Business & Human Rights Resource Centre has invited companies to respond publicly to human rights concerns raised by civil society worldwide. Over 130 of these approaches have been to firms regarding impacts in Francophone Africa; companies have responded over 70% of the time. For example Areva responded over concerns about impacts on health of nearby communities of its uranium mining in Niger, and Ernst & Young responded over its alleged role in tax evasion by mining firms in Democratic Republic of Congo (DRC).

This process encourages companies to publicly address concerns, provides fair coverage, and enables comparison of responses by different companies. In some cases it has helped promote positive resolutions. Although the quality of responses varies, by responding a company demonstrates its willingness to engage publicly with civil society on human rights issues – while a failure to respond can indicate a worrying lack of engagement on these issues.

The overwhelming majority – 85% – of concerns that we have sought responses to involve the extractive industries, primarily the **mining** sector and also **oil & gas** firms, on issues such as:

- the role of mining in conflict zones, and efforts by companies and business groups such as the US Chamber of Commerce to undermine requirements that companies disclose what they are doing on the issue of “conflict minerals” from DRC – where according to the UN, since 1998 over 5 million civilians have died in conflict partly financed by mining wealth;
- impacts on communities' health, housing and livelihoods, including in Chad, DRC, Gabon, Niger and Senegal;
- treatment of workers, who are sometimes beaten, and face violations of trade union rights in Cameroon, Chad and Guinea, as well as unsafe working conditions; and
- questions of the fairness of companies' contributions to local and national development, such as Areva's role in Niger, and of tax avoidance by companies in DRC and elsewhere.

Some extractive companies do make positive contributions to human rights, development and good governance as well. In addition to local development projects, many now participate in the Extractive Industries Transparency Initiative and favour transparency of the payments that they make to governments – even though some resist calls from civil society for more detailed, independent verification of the data that they report.

The greatest change during this time has come from **agriculture** and **food & beverage** companies. Between 2005-11, we only obtained a single response from a company in this sector to civil society concerns. In the last two years, the rate has skyrocketed, with 13 such cases in 2012-13. For example, in

Cameroon, community groups argued that an oil palm project by Herakles Farms would displace thousands from subsistence farmland without adequate compensation, and said local NGOs were being harassed and persecuted for opposing the project. Herakles responded that its plantation would not displace any existing villages or farms, and that it has engaged in sustained dialogue with affected communities. The project has faced delays, reductions in its permitted area, adverse court decisions and other setbacks, partly as a result of the opposition of nearby communities. Greater criticisms of this sector also reflect growing impatience of civil society with exploitative child labour in the cocoa sector – and what is seen as an ineffective response by companies and governments. In the agriculture sector too, the briefing includes positive examples to show impacts can be improved – for example, Mali Biocarburant’s protections of local farmers’ rights in its biofuel project.

Looking ahead, we expect to see the **information & communications technologies (ICT)** sector play a greater role in human rights in Francophone Africa. Already, companies such as Microsoft and Zain are playing a positive role on issues from education to mobile health (“m-health”). But companies in the ICT sector, particularly those operating in countries where the government has a poor human rights record, need to guard against complicity in government surveillance and other abuses.

The briefing concludes with practical recommendations for companies, governments and civil society.

Dr. Aliou Diouf, Francophone Africa Researcher & Representative for the Resource Centre, and primary author of the briefing, said:

“Companies have begun to appreciate their obligations to contribute to local and national development, good governance and transparency, and avoid harms to communities. But too often companies disregard the rights of local communities, destroying housing or using land taken without adequate compensation, or using security forces to violently repress protests. Amid the rapid growth of investment in Francophone Africa, the Africa CEO Forum presents an opportunity for business leaders to grapple with these urgent issues, and show a new commitment to respect for human rights.”

The Resource Centre’s Research Director, Greg Regaignon, said:

“There is no remaining question about whether companies are obligated to respect human rights, and whether governments must protect people from abuses involving companies. The cases in this briefing show the risks to companies and communities alike of failing to do so. And no company can claim ignorance of how to do this – businesspeople need only consult all the practical [tools & guidance](#), and [examples of company implementation](#) of the UN Guiding Principles on Business and Human Rights on the Resource Centre’s website, and put them into practice.”

ENDS

Notes for editors:

1. **Contacts:**

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2. **About the Resource Centre:** Business & Human Rights Resource Centre, an independent non-profit organization, provides the leading information hub on business & human rights: www.business-humanrights.org

The website tracks reports about the human rights impacts (positive & negative) of over 5000 companies in over 180 countries, and provides guidance tools and resources for all those working in this field. Mary Robinson, former UN High Commissioner for Human Rights and President of Ireland, is Chair of the Centre’s International Advisory Network. The Centre does not accept funding from companies or company foundations, in order to maintain its independence and to prevent any possible perception of a conflict of interest.

Mission: To encourage companies to respect and promote human rights, and avoid harm to people. The Resource Centre does this by advancing:

- *Transparency* – pursuing, collecting and disseminating to a global audience information about company conduct, positive and negative;
- *Accountability* – helping civil society get companies to address concerns; seeking responses and drawing attention to each company’s response or failure to respond; and promoting access to remedies for victims of abuse; and
- *Informed decision-making* – providing the leading business & human rights resource and guidance hub, to assist civil society, companies and others

Further information available at <http://www.business-humanrights.org/Aboutus>

3. List of all companies cited in the full briefing:

(note: some are referred to because of concerns about their impacts, others because of positive initiatives they are taking)

Addax Petroleum	Daewoo Logistics	Orange
Agritec	Danzer Group	Pallisco
Anvil Mining	Delta Protection	Pfizer
Archer Daniels Midland	Electricity Development Corp.	Procter & Gamble
Areva	ENRC	Ruashi Mining
AXA	Ernst & Young	Rusal
Beny Steinmetz Group/BSG Resources	Freeport-McMoRan	Sanofi
Blattner Elwyn Group	Gécamines	SG Sustainable Oils Cameroon
Boss Mining	George Forrest Intl.	Shalina Resources
Bouygues	Glencore	Siforco
Cargill	Green Waves	Sinopec
CFAO	Herakles Farms/Herakles Capital	Soco Intl.
Chemaf	Hershey	Somdiaa
China Minmetals	HP	Sonatel
CNLC	Jinchuan Group	Sosucam
China National Petroleum Corp.	Lundin Mining	Tenke Fungurume Mining
China International Water & Electric	Mali Biocarburant	Teranga Gold
China Railway Engineering Corp.	Malibya	Total
China Road & Bridge	Microsoft	Trafigura
Compagnie Minière du Sud Katanga	Nestlé	Vale
Coyne & Bellier	Oil Libya	Zain
	Olam	