



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 2800 times to respond to allegations. In 2015 we approached companies over 400 times; over 75% responded. We include the concerns and responses in our free Weekly Update e-newsletter, sent to over 16,000 subscribers worldwide.

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, and for posting their comments in full.

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 increases transparency, enhances public accountability, and provides information to sectors that use their own means to address company abuses: NGOs, governments, the UN, procurement officers, investors, consumers and the media.

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. Apparel brands increase supply chain scrutiny to combat exploitation of Syrian refugees in Turkey

Following reports of serious exploitation of Syrian refugees (who did not then have the right to work legally) in Turkish garment factories, we approached 28 brands with specific questions asking them how they were dealing with this issue. The questions looked at policy, risk assessment/audits, remedy (what happened when refugees were detected), capacity building and stakeholder engagement. The alleged abuses in the factories included discrimination, pitiful wages, and child labour.



We received responses from all 28 brands. Only a few (for example NEXT, C&A and White Stuff) were found to be taking targeted action to protect refugees. The auditing processes being used by the majority of brands were failing to scrutinise their supply chains, leaving open the possibility of undetected exploitation. We did find that brands were engaging positively with the government through the Ethical Trading Initiative (ETI) and Fair Labor Association (FLA). However most were not engaging with civil society and unions locally to understand their risks and provide remedies.

In March 2016 [Primark announced](#) that it was doubling its checks on Turkish factories in an effort to eradicate abusive practices against Syrian refugees. In the days following our report, at least 6 brands signed up to a child labour remediation programme in Turkey. Activists on the ground have told us that the briefing, and particularly the considerable media coverage of our findings, has galvanised the brands to take action.

2. Improved working conditions for migrant workers in Jordan

In February 2015, a report by the Institute for Global Labour and Human Rights said that Century Miracle factory in Jordan – a supplier to Ralph Lauren, Kohl's, JCPenney, Arizona brand and Eddie Bauer – was involved in forced labour. The factory had a total of 3,000 foreign guest workers producing over 1,200,000 pieces. Century Miracle's guest workers come from China, Bangladesh, Burma, Sri Lanka and Nepal. The report alleged that



workers were being stripped of their passports, forced to work 107 to 110 hours each week, and housed in primitive dorms. Most dorms had no heat or hot water and were infested with bed bugs. Some of the workers were able to smuggle out photos documenting the abuse, the bed bugs and the labels of the brands they were making. We invited Century Miracle, and the largest buyer Ralph Lauren, to respond – Century Miracle responded in detail.



Following our publication of the workers concerns and approaches to the companies, we heard back from the Institute: *“Century Miracle management moved quickly to return workers’ passports to them and to reduce hours. Dorms have been cleaned, an exterminator brought in to control the bed bugs and food has been improved. The workers are quite satisfied.”*

3. Norwegian pension fund divests from CEMEX over its activities in the West Bank



In June 2011 CEMEX & HeidelbergCement were accused of mining quarries in the West Bank (Occupied Palestinian Territories) in breach of international law, which prohibits the exploitation of natural resources in militarily occupied territories. CEMEX was also accused of supplying concrete for the construction of Israel's security wall and military checkpoints in the West Bank. The Resource Centre contacted CEMEX & HeidelbergCement for a response to the allegations. HeidelbergCement did not respond. CEMEX responded and confirmed that its subsidiary was involved in a joint venture with a company operating the mining quarry in question. CEMEX emphasised it was not the operator itself, but also argued that operation of the quarry was

lawful because it was located in "Area C" of the West Bank, which was under Israeli control according to the Oslo Accords.

In June 2015, KLP, a Norwegian pension fund, decided to exclude both CEMEX and HeidelbergCement from its investment portfolio. In its decision KLP stated that it had relied on the [statement CEMEX provided to us](#) in 2011 through our company response process. Despite several attempts by KLP to arrange meetings with CEMEX to discuss the issues, it had been unable to. In making the decision, KLP asked the [International Law and Policy Institute](#) to assess the legality of the quarries. It concluded that it was “highly probable that the operation under Israeli licence of quarries in Area C of the West Bank, which opened after the occupation began, is inconsistent with the requirements of the law of belligerent occupation.”

4. 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.”



5. Chevron increases pay for petrol station workers in Cambodia

Photo: Marta Kasztelan



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.



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.

6. 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.”*



7. “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!”*



8. 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.

9. 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.



10. 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](#).

11. 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.

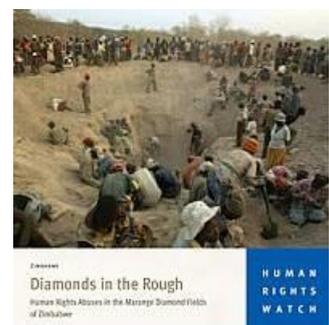


Conditions at the factory then improved significantly, indeed NLC said: *“We have never before seen such a rapid and serious turn-around in any Bangladeshi factory. What has happened could be precedent-setting for the over two million young women garment workers in Bangladesh.”* But NLC issued a new 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.”*

12. 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.

To see more examples, you can view our full document the About UIs section of our on our website: www.business-humanrights.org (under Impacts & Products.)