



Analysing the Impact of Business Activities on Human Rights
Call for proposals
Community-based Human Rights Impact Assessment
February 2018

1. Introduction

The call for proposals aims to select one community-based Human Rights Impact Assessment (HRIA) project presented by an FIDH member organization. FIDH will fund and support the selected case study. The HRIA, based on the *Getting it right* tool will be implemented by the member organization (alone or with another partner organisation) in close cooperation with FIDH, and will be followed by appropriate follow-up activities in order to disseminate the results and seek a solution to the concrete situation.

All proposals will be judged solely against the criteria and conditions set out in the call for proposals. The deadline for submitting proposals via e-mail to globalization@fidh.org or mondialisation@fidh.org is the **28 February 2018**.

A first selection of projects will be done by the end of March 2018. FIDH team will exchange with the shortlisted applicants to provide more details on the community-based HRIA process and evaluate more precisely the needs and objectives of the project, before the final decision. This will also serve as a capacity building moment for those who will not pass to the final selection of the project.

2. Description of a community-based HRIA

The community-based HRIA is a methodology which gives ownership to affected communities to assess and document the potential adverse human rights impacts that investment projects may generate.

The HRIA will be based on the *Getting it Right*, a community-driven HRIA tool developed by the former Canadian organization Rights & Democracy (visit the webpage of *Getting it Right* [here](#)) which uses a step-by-step process to measure the actual or potential human rights impact of an investment project, and enables the drafting of a final report and recommendations which can serve as a basis for engagement with public and private actors involved in the investment project.

Oxfam and FIDH have developed a training manual which describes the steps for conducting an HRIA based on this methodology. It is accessible online and available in English, Spanish, and French¹. FIDH has conducted with its member and partner organisations several community-based HRIA. Links to the reports can be found at the end of this document.

To briefly highlight some of the achievements of these HRIA: In the short term, strengthening grassroots organisations, mainly by building their capacity to advocate before government, business for the protection of their human rights and giving visibility to the situation in national and international media; In the long term, they have allowed to gather information that has served as grounds to initiate judicial proceedings against the relevant actors, seeking reparations for some of the violations documented. However, impacts may vary largely from one case to another, as they depend in a multiplicity of factors.

The objectives of the HRIA are to :

- Document facts and abuses in relation to business activities in particular through seeking information from all actors concerned (companies involved, shareholders, financial institutions, government...);
- Determine the responsibilities of various actors (States, private actors including transnational corporations, international financial institutions, and other actors) in a concrete situation, and understand how the various actors can discharge their responsibilities with regard to human rights: most notably States' duty to protect human rights and companies' responsibility to respect human rights;
- Contribute to the empowerment of those affected by the investment project, and especially affected women;
- Identify recourse mechanisms for victims through judicial mechanisms - civil and criminal- including mechanisms looking at extra-territorial obligations of States, and non-judicial mechanisms;
- Identify and recommend alternative strategies to the States and private actors concerned in order to prevent human rights violations, or repair and avoid future human rights abuses;

3. Conduct of the community-based HRIA by affected communities together with FIDH

The conduct of a community-based HRIA requires the creation of an investigation team with the member organisation and possibly other partner organisations, as well as an investigation process (approximately 6 months) including international fact-finding and advocacy missions conducted in collaboration with FIDH. The case study leads to the publication of a report jointly published by FIDH and the organisations involved.

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www.fidh.org/article19490

The methodology used is a step-by-step process that allows research teams to take stock of the positive and negative impacts of an investment project on human rights, and select which human rights are the most relevant to their specific situation. The guide also provides a list of questions for the research teams to address during their interviews, based on the content of human rights standards.

The community-based HRIA last approximately 10 months and will proceed in several steps:

- FIDH will visit the project to assist in assembling the research team (2 to 4 persons from one or several organisations, ideally with an interdisciplinary background), to provide training on business and human rights, the HRIA tool and methodology, and to work with the team in developing their work plan for completing the case study in partnership with FIDH.
- **Preparatory phase:** The research team will thoroughly prepare for the case study by collecting, and reviewing relevant documentation on the national human rights situation and on the investment project to be studied. The team will also evaluate the risks of tensions and prepare its protection, identify key stakeholders, meet the community, prepare interviews and adapt the HRIA methodology to the local context and the rights affected. The preparatory phase, crucial for the success of the community-based impact assessment, will lead to the setting of clear objectives and the establishment of a consolidated work plan and budget, which include follow-up activities.
- **Investigation phase:** The research team will collect information for the case study conducting interviews of stakeholders including corporate officials, company employees, local community members, government officials, or others, as deemed appropriate by the team.
- **Drafting and publication phases:** The research team will draft, solicit feedback on, and publish a report summarizing the findings of the case study, the methodology used, an analysis of the human rights impacts observed (violations), recommendations to all actors concerned and opportunities to seek justice and reparation for victims, suggesting effective remedies if non-existent. FIDH will assist in the drafting of the report. FIDH, jointly with the member organization, will organize an advocacy mission around the publication of the report to meet with involved actors and facilitate the dissemination of the report.
- **Dissemination and follow-up:** The research team will identify and complete follow-up actions, such as pursuing legal action or prosecution of violations, educating the community about human rights, or advocating legislation or policy reform. Follow-up activities will be discussed while preparing the work plan.

4. Call priorities and criterias

Projects proposed may relate to different business sectors, such as investment projects in the agribusiness sector (for instance in relation to land grabbing issues), linked to the extraction of natural resources, the construction of important industrial projects (airport, dam, ...), etc.

FIDH will apply multiple criteria in reviewing member organisations' proposals and selecting the case studies. Specifically, FIDH will evaluate:

a) Whether the case study is likely to succeed in light of:

- the political situation in the targeted country, in order to ensure the security of the research teams conducting the case studies and the likelihood of successfully completing the case studies;
- the capacity of the organization to lead the community-based HRIA, taking into account its financial and human resources, its formation and experience in documenting environmental and human rights abuses, its relation with backbone organisations, etc...
- existing actions that have been taken with regard to the specific situation, to ensure the case study is able to provide new and valuable information on the investment;
- the relationship between the member organisation and the affected community;
- the possibility to dialogue with the company;
- the composition of the team proposed to work on the HRIA (gender balance, interdisciplinary, long-term commitment to the community based on a relationship of trust, public credibility);
- the added value of HRIA for the situation, compared with other potential actions.

b) Whether the case is interesting from a human rights perspective:

- the scale of the human rights violations and how clearly the violations can be identified;
- involvement of the community impacted by the investment, response to the demands and objectives of the affected community;
- the possibility of preventing adverse human rights impacts;
- the possibility of seeking adequate remedies for violations of human rights;
- the potential relevance of the case study to other regions and situations;
- the gender dimension.

5. Conditions for participation

A project must be prepared by an FIDH member organization or together by an FIDH member organization in partnership with other organization (not necessarily an FIDH member).

A member organization can submit several HRIA projects simultaneously.

6. Application documents to be submitted

The applicant must submit the following documents :

- Brief description of the case and context (2 pages max.)
- Questionnaire, completed by hand or electronically
- CVs of the leading research team members

In addition, applicants can submit the following supporting documents :

- Documentation related to the investment project;
- Documentation related to , past activities and experiences of the organization with the affected community and/or with conducting human rights impact assessments;
- All other relevant informations.

7. Where to get further information ?

Information on community-based HRIA methodology

- **General article on community-based HRIA methodology :**
<https://www.fidh.org/en/issues/globalisation-human-rights/business-and-human-rights/community-based-human-rights-impact-assessments>
- Community-Based Human Rights Impact Assessment: The Getting it Right Tool, Training Manual (COBRIA) developed by Oxfam and FIDH :
www.fidh.org/article19490
- Online tool : <http://hria.equalit.ie/en/>
- Community-based human rights impact assessments: Practical lessons Report from an international meeting, Canada 2010 : best practice on conducting Human Rights Impact Assessments using the *Getting it Right* methodology :
<https://www.oxfamamerica.org/static/oa3/files/community-based-human-rights-impact-assessments-practical-lessons.pdf>

Examples of HRIA conducted by FIDH :

- **South Africa : Blyvooruitzicht Mine Village: the human toll of state and corporate abdication of responsibility**

Report: <https://www.fidh.org/IMG/pdf/rapafriquesud687abassdef.pdf>

Executive summary :

<https://www.fidh.org/IMG/pdf/afriquesudresumeexecut687abassdef.pdf>

- **Honduras: Endangered Protected Areas and Water Sources, the case of the hydroelectric Dam project in San Francisco, Atlántida**

Report: <https://www.fidh.org/IMG/pdf/hria691hondurasangweb.pdf>

Executive Summary:

<https://www.fidh.org/IMG/pdf/hria691hondurasresumexecuanguangbasdef.pdf>

- **Colombia: The Human Cost of Oil, A human Rights Impact Assessment on the Activities of Pacific Exploration and Production Corp. in Puerto Gaitán**

Report: https://www.fidh.org/IMG/pdf/colombie_informe_es_version_web.pdf

Executive summary: https://www.fidh.org/IMG/pdf/colombia_executive_summary.pdf

- **Brazil: How much are human rights worth in the Brazilian mining and steel industry?**

Full report: https://www.fidh.org/IMG/pdf/report_brazil_2012_english.pdf

Executive summary: https://www.fidh.org/IMG/pdf/resume_Bresil_UK-LD2-2.pdf

- **Ecuador : Large Scale Mining in Ecuador and Human Rights Abuses, the Case of Corriente Ressources Inc.**

Executive summary : https://www.fidh.org/IMG/pdf/Exec_Summary_Large-scale_Mining_Human_Rights_Ecuador-LD.pdf

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