



# HARVARD Kennedy School

JOHN F. KENNEDY SCHOOL OF GOVERNMENT

10 September 2008

Letters to the Editor  
Financial Times

Sir:

On August 28, a significant development in solidifying the concept of corporate social responsibility went largely unnoticed: the British government found that Afrimex, a UK-based minerals trading company, had contributed to the conflict in the Democratic Republic of Congo (DRC), and that it failed to respect human rights and take adequate steps towards abolishing child and forced labour in its supply chain. According to the company's owner, this conclusion was "crippling for Afrimex," as a result of which it was "unlikely to be able to continue trading."

The UK National Contact Point (NCP), the government body that can consider complaints against companies under the OECD Guidelines for Multinational Enterprises, accepted the majority of allegations brought by Global Witness, an advocacy group. It found that Afrimex through its associated company SOCCOMI and suppliers had paid taxes and licenses to rebel forces in the DRC, thereby fuelling the conflict. It also found that Afrimex practiced insufficient due diligence in its supply chain, sourcing minerals from mines that used child and forced labour and where workers were exposed to unacceptable health and safety practices.

The NCP's conclusion sends an important signal to companies by reaffirming the principle that companies must respect human rights, and that doing so requires them to have adequate due diligence processes not only to ensure compliance with the law but also to manage the risk of human rights abuse with a view to avoiding it. In my United Nations capacity I had proposed this principle in a report to the UN Human Rights Council, as part of an overall policy framework for better managing such challenges. This past June, the often polarized Council was unanimous in welcoming the framework, and the NCP cited it extensively in reaching its conclusion.

Needless to say, companies can and most of the time they do make positive contributions to the societies where they operate. However they can also contribute to human rights abuse, through their own actions or through their

association with others. The NCP Afrimex conclusion offers a clear warning for businesses especially when they operate in difficult environments: do what is right or you may be found officially to have done wrong and will suffer the consequences.

Sincerely yours,

A handwritten signature in blue ink that reads "Ruggie". The signature is fluid and cursive, with the first letter 'R' being particularly large and stylized.

John G. Ruggie

*The writer is Kirkpatrick professor of international affairs at Harvard University and UN Special Representative for business and human rights.*