

COICA succeeded: China adopts recommendations on human rights in its international investments



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Quito, Monday 25th March 2019.- On Friday, March 15, during the 40th Session of the United Nations Human Rights Council, the People's Republic of China accepted 284 recommendations (82%) of the 346 received within the framework of the Universal Periodic Review (UPR) of the United Nations¹, which was subjected to last year.

China assumed, among others, the following commitments:

1. Promote measures to ensure that development and infrastructure projects within **and outside its territory** be fully compatible with human rights and respectful of the environment and the sustainability of natural resources, in accordance with applicable national and international law and with the commitments of the 2030 Agenda for Sustainable Development², as well as to consider establishing a legal framework to ensure that the activities carried out by industries subject to its jurisdiction do not undermine human rights abroad³.
2. Adopt new measures on business and human rights in accordance with their international obligations and ensure that companies operating in high-risk areas or in conflict zones act with due diligence on human rights compliant with the Guiding Principles on Business and Human Rights⁴.
3. Continue to apply China's laws and regulations, and standards such as the Guiding Principles on Business and Human Rights to Chinese companies that conduct operations beyond national borders.⁵

All this in response to the recommendations provided last November 6th by the countries of Peru, Ecuador, Palestine and Kenya in relation to the Chinese State providing measures to guarantee respect for human rights and the environment in the projects and activities subject to its jurisdiction on foreign land. In the same way, continue to strengthen or apply new measures so that companies operating in high risk areas or conflict zones exercise due diligence in human rights matters in accordance with the Guiding Principles on Businesses and Human Rights of the United Nations.

It should be remembered that, within the framework of UPR, the Coordinating Body of Indigenous Organizations of the Amazon Basin - COICA in coordination with the Regional Coalition for Transparency and Participation (conformed by Derecho, Ambiente y Recursos Naturales - DAR, of Peru, the Asociación Ambiente y Sociedad, of Colombia, CEDLA, of Bolivia, and Conectas - Direitos Humanos, of Brazil), contributed to the recommendations regarding the

need and importance of respecting the principle of extraterritoriality by sending a report to the United Nations reporting five cases of human rights violations of investments made by companies from Chinese capitals in the Amazon.

In these cases, the impacts to the indigenous peoples systematically showed weak transparency mechanisms on standards and investment policies in socio-environmental issues, non-existent environmental technical information, and zero mechanisms for participation and consultation. These shortcomings pose serious risks when extractive and infrastructure cases, as documented by COICA, are approved by the relevant government institutions in each country.

The report was prepared during spaces such as the meetings held by COICA's Board of Directors, Coordinating and Directive Councils, with the active participation of different civil society organizations such as AIDSEP, ORPIA, OPIAC, CONFENIAE, COIAB, among others. In addition to the report submitted to the Council of the United Nations, both on the UPR pre-meeting and during the official meetings in Geneva-Switzerland (October-November 2018), COICA representatives and collaborators held meetings with diplomatic representatives from countries such as Peru, Ecuador and Palestine. The same countries recommended the need for China to be held accountable for human rights matters beyond its borders. In addition, this report included recommendations for the Chinese Government cited Report of the Office of the United Nations High Commissioner for Human Rights, Summary of Stakeholders' submissions on China, Point 15.⁶



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Footnotes

¹ According to the *Advanced version. Report of the Working Group on the Universal Periodic Review China (Addendum), Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review. [View the document here.](#)*

² Recommendation made by Ecuador, No. 28,130.

³ Recommendation made by Peru, No. 28,131.

⁴ Recommendation made by the State of Palestine, No. 28,133.

⁵ Recommendation made by Kenya, No. 28,135.

⁶ Available at: <https://undocs.org/es/A/HRC/WG.6/31/CHN/3>