

# SEE Questionnaire

## Human Rights Q5



### If your company operates in a conflict area, does it take steps to ensure that business operations do not contribute to tensions?

Question developed with [Peace Direct](#)

#### Rationale for question

Conflict is not limited to situations of open warfare. Abuses such as discrimination, destruction of homes and critical infrastructure, expulsion of populations, abduction and indiscriminate killings may occur in areas where an actual 'war' has not been declared. Incidents that may take place during conflict situations include riots, insurrection, mass civil unrest, and guerrilla attacks. (See defining terms for a specific description of conflict.)

In conflict areas, domestic and international businesses have the potential to exacerbate tensions or promote measures that prevent or alleviate hostilities. For example, companies can promote tolerance and ensure that they do not favour one party to the conflict over another by maintaining a diverse workforce. They can also avoid entering into any business agreement with a group or faction that would require it to win and maintain control over other groups or factions in order to perform under the agreement, thus providing an incentive for violence.

Although governments still have the primary responsibility for protecting their citizens, there are compelling reasons for businesses to respond to conflict situations in ways which minimise their negative impacts and maximise their positive contributions. One motivation is the fact that conflict is costly for companies, including the costs of managing risks,

litigation, reputational harm (if the company is found complicit in abuses or unconcerned as to the impacts of its operations), and damage or injury to property or personnel. Governmental and non-governmental organisations also encourage private sector involvement because economic development can play a key role in helping countries escape from cycles of conflict. At the grassroots level, business ventures not only allow people to earn a livelihood, but they can also bring together previously fragmented sections of the community.

No single approach to whether and how to operate in conflict areas is appropriate in all situations. The approach depends on the nature of the business operations and on the particular circumstances in each region. Examples of good practice when seeking to make a positive impact include:

- consulting with a range of stakeholders;
- investing in civil society, e.g. local organisations;
- maintaining a diverse, local workforce; and
- promoting the equitable distribution of wealth.

Please see the 'Resources' section for further detail on factors affecting each situation, key considerations in determining whether and how to maintain a presence, and potential contributions of companies.

### Defining terms

A 'conflict' is generally considered to be a state of ongoing hostility between two or more groups of people; however, this definition is too broad for the purposes of this question. The [Heidelberg Institute for International Conflict Research \(HIIC\)](#) identifies various conflict intensities, including crisis, severe crisis and war. For this question, all three will be considered 'conflicts'. The definitions are the following:

- 'Crisis' is a tense situation in which at least one of the parties uses violent force in sporadic incidents.
- 'Severe crisis' is a conflict in which violent force is repeatedly used in an organised way.
- 'War' is a type of violent conflict in which violent force is used with a certain continuity in an organised and systematic way. The conflict parties exercise extensive measures, depending on the situation. The extent of destruction is massive and of long duration.

### Primary and Secondary answer requirements

#### ANSWERING YES

Companies must:

1. state the conflict(s) area(s) in which they operate;
2. describe the impact assessment(s) they have undertaken to evaluate the effects of their business on the conflict (including the actions of suppliers and contractors); and
3. describe policies and practices they have in place to manage this impact.

Companies may:

1. describe the measures they undertake to tackle the triggers or root causes of conflict.

#### ANSWERING NO

Companies must:

1. state the conflict(s) area(s) in which they operate; and
2. explain why they do not meet the requirements to answer YES to the question, listing the business reasons, any mitigating circumstances or other reasons that apply.

Companies may:

1. describe any impact assessment(s) they have undertaken to evaluate the effects of their business on the conflict (including the actions of suppliers and contractors);
2. indicate any relevant practices and policies, even if they do not fully address the specifications for answering YES; and
3. mention any future intentions regarding this issue.

#### ANSWERING NOT APPLICABLE

Companies must:

1. confirm that they do not operate in a conflict area as defined above.

Companies may:

1. describe any efforts to promote initiatives that tackle the triggers or root causes of conflict; and
2. comment on the practices of their suppliers to the extent that they are able, including whether they are aware of suppliers operating in conflict areas and the impact these suppliers have had on conflicts.

**DON'T KNOW** is not a permissible answer to this question.

**NO ANSWER YET** is only permissible under extraordinary circumstances and then for only a limited period.