

Rebalancing powers in impact assessment



Caroline Brodeur

*Business and Human Rights Senior Advisor, Oxfam
Canada*

Caroline.Brodeur@oxfam.org

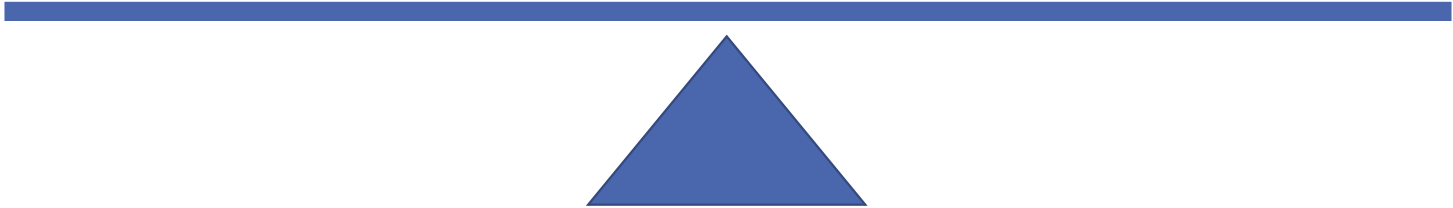
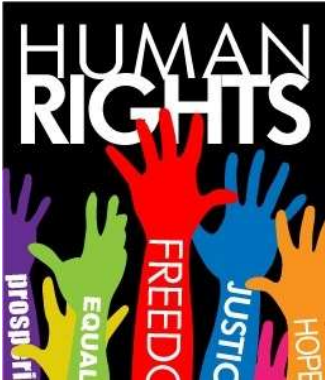
[linkedin.com/in/carolinebrodeur](https://www.linkedin.com/in/carolinebrodeur)

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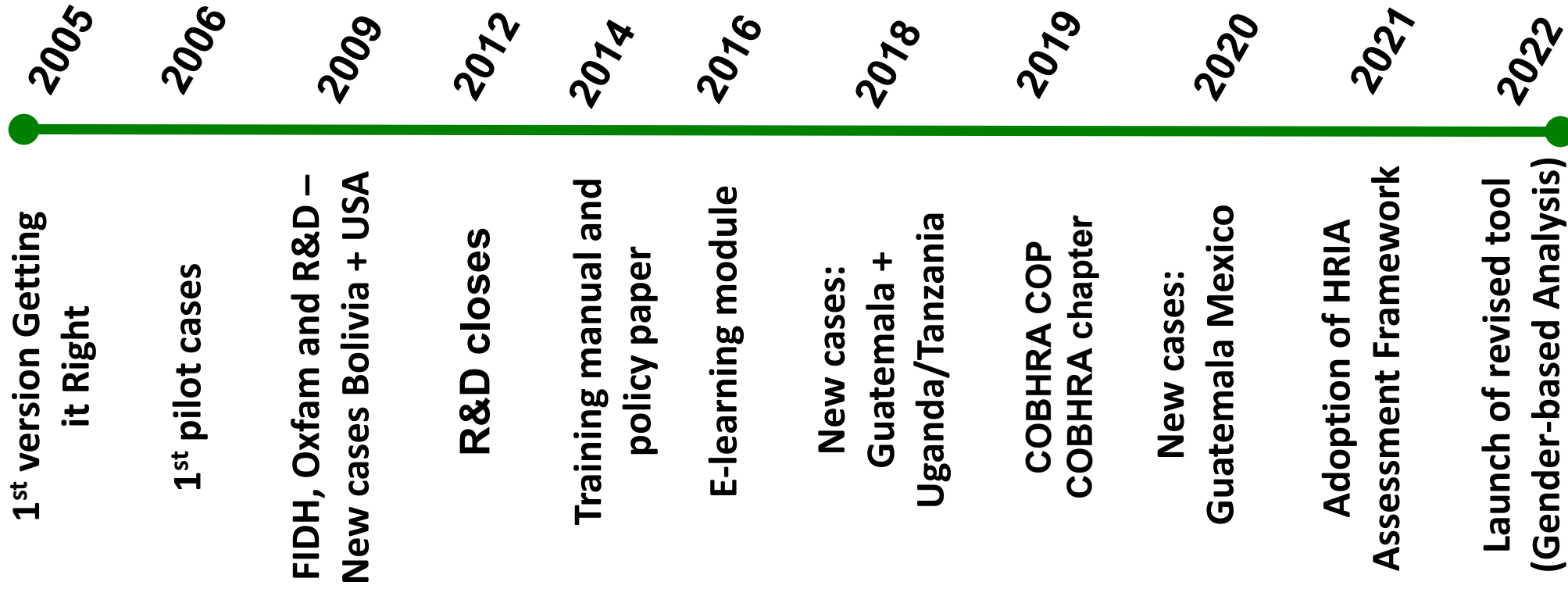


*Bringing communities on board to
rebalance powers in impact assessment*

INEQUALITY OF POWER IS THE ROOT CAUSE OF HUMAN RIGHTS VIOLATIONS



Oxfam and COBHRA's



The Approach

- Internationally recognized human rights standards as benchmark
- Human rights in principles vs human rights in practice
- Engagement of all stakeholders
- **Rights holders in the driver seat**
- Identification of main human rights risks and impacts
- Analysis and attribution of responsibilities
- Compiling, validating and publishing the findings

HRIAs must be part of a broader process: F/U actions needed!

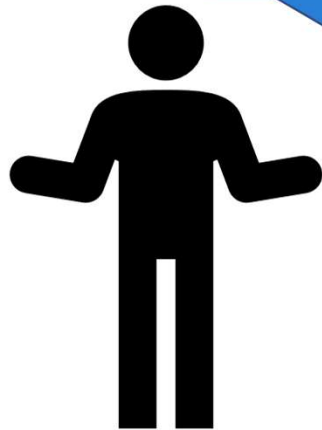


Key principles and best practices

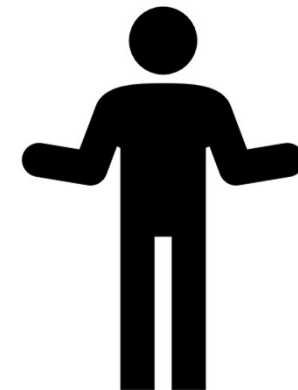
- The research team: Experience, skills and qualities
- Scope of HRIA: Representativeness and relevance of selected target,
- Meaningfulness of engagement: The how? The who? The what?
- Strength of human rights analytical framework
- Robustness of assessment of company's human rights impacts
- Appropriateness of recommendations
- Include a time bound action plan

IA and meaningful engagement

How can we really address the power imbalance and ensure solid HRDD processes?



Could a Hybrid HRIA be a solution?



Why undertake a hybrid HRIA?

- Address legitimacy challenge that parallel HRIAs face
- Decrease power imbalance
- Improve communication between rights holders and company - can help establish sustainable community-company relationships and avoid potential conflict.
- Could help build consensus on key priorities.
- Increase understanding of context and priorities
- Could help reconcile government's role as the primary duty bearer (if involved)
- More insightful analysis
- More receptive audience for recommendations
- Sustainable and supported action plan

What is a hybrid HRIA?

“Joint process undertaken by rights-holders and a company (and potentially the host government or other stakeholders) to investigate, measure and respond to human rights impacts of a business project.”

Cordes, Szoke-Burke and Bansal, 2019

When and where to engage in hybrid HRIA?

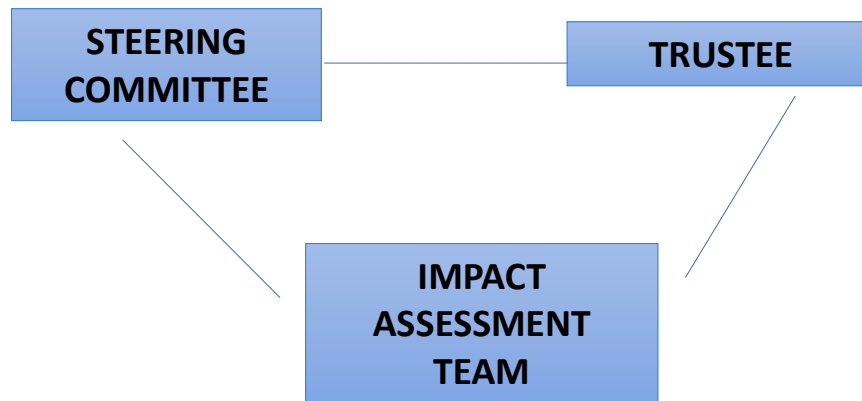
- **Local context**
 - Political climate
 - Security context
 - Value added in difficult context
- **Type of investment project**
 - Complexity of the project
 - Status of the project/timing
- **Affected local communities**
 - Less appropriate if high level of conflict between community and company
 - Inappropriate if high level of division within community(ies)
- **Company involved**
 - Level of human rights sensitization
 - Sufficient resources to engage in thorough assessment process
 - Existing expertise or willingness to learn and engage

Prerequisite conditions

- **Community consents to this joint approach**
- **Capacities of communities have been developed**
- **Willingness from both sides to use a gender lens.**

What safeguard mechanisms to put in place?

- Structure should guard against powerful imbalance and avoid replicating existing unequal dynamics
- Need clear rules of conduct (including decision-making powers, editorial rights, budget management, scope and stakeholder identification).



Let's continue the conversation!

Post questions and comments via chat in the IAIA22 platform.



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