

# How can we engage with development banks on reprisals?

Human rights defenders, communities and civil society groups around the world are increasingly engaging development banks to **prevent and address reprisals** (such as threats, attacks or criminalization) taking place in the context of development projects.



In this document, we have collected some **lessons learned** and **advice** shared by defenders or groups who have engaged development banks on reprisal issues. We hope these ideas can serve as **inspiration** for others, while recognizing this list is not exhaustive and that not all these approaches can be universally applied, as there is not a one-size-fits-all strategy.



## Security first

Before engaging development banks on reprisal issues, it's key to prepare a **holistic and collective protection plan** to ensure this does not put you and your community further at risk. This includes:

- Carrying out an in-depth **risk assessment**.
- Planning and implementing **prevention and mitigation measures**.
- Having **resources** (such as linkages, funds, capacities) to address potential risks.



## Communities at the centre

- Ensuring free, prior and informed **consent** of the people directly affected by the reprisals before engaging with banks.
- **Preparing the community** well (e.g.: informing them on what the process of engaging with banks might entail and managing expectations in order to avoid disappointments).



## Solidarity

- Seeking **support of allies** who have the leverage and knowledge to engage with banks, reaching out to them early on and keeping them updated.\*
- Getting **different groups involved** (e.g.: civil society, lawyers, academics, etc.), as each one could provide a different type of support or expertise to address the reprisals.
- Asking your allies to clearly outline how the financiers are linked to the reprisals and provide **key speaking points**, so they can align to your messages.

*\* When international NGOs offer support, it's important they are aware of local dynamics. Depending on the context (e.g.: when support from abroad might be framed as foreign interference), it can be safer not to publicize this support.*



## Prevention & preparation

- **Mapping** all the possible pressure points through **follow-the-money research**, to identify all the companies and financiers who are directly or indirectly involved.
- Reaching out to the banks **early on**, before reprisals escalate.
- Having a strong understanding of the development banks involved, to **identify policy hooks** (e.g.: which policies are being violated?) and **map the different stakeholders** (e.g.: who could be more likely to take action when cases of reprisals are raised?).



## Documentation

- Conducting **in-depth and accurate documentation** about the bank's failures (e.g.: lack of due diligence and consultations), to show how these failures then led to reprisals.
- Gathering strong, first-hand **testimonials** about the projects' impacts and the reprisals, while also ensuring the safety of those sharing their stories.
- Working with the **national human rights commissions**, national **NGOs** and the **media** to back up your claims.



## Knock every door

- Engaging banks through **different avenues** (Board, Executive Directors, Vice Presidents, Accountability Mechanisms, CSOs committees, etc), with clear demands on reprisals.
- Conducting **advocacy** to raise the reprisal cases at the national level (e.g.: with the government, parliament, local authorities, national human rights institutions) and international level (EU, OECD, and UN institutions such as the UN Special Rapporteurs, the UN Working Group on Business and Human Rights or the UN Committee on Economic, Social and Cultural Rights).
- Submitting **reports** for the Universal Periodic Reviews (UPRs) highlighting cases of reprisals, with reference to relevant **international standards** (e.g.: the [UN Guiding Principles on Business and Human Rights](#) or the [UN Declaration on Human Rights Defenders](#)).



## Speak out (when safe)

- Mobilizing local or international **media**.
- Using the "naming and shaming strategy", particularly when the financier is afraid of **reputation damage**.
- Explaining what are the critical issues at stake, showing how defenders are being targeted for their **legitimate work**.
- Highlighting the cases of reprisals through **social media campaigns** and asking your allies to join in solidarity.
- **Positive narrative**: showcasing the important and legitimate role played by defenders (to counter the argument that they are "troublemakers" or "anti-development").



## Legal strategies & accountability mechanisms

- Filing **complaints** with local government agencies.
- Using **litigation** to stop the project, demanding compensation or compliance with legislation, and highlighting the cases of reprisals in the legal actions.
- Submitting a formal complaint or engaging with the bank's **independent accountability mechanism** to raise cases of reprisals.

## Useful resources

- [Guides about development banks](#)
- [Resources on Chinese financiers](#) (guides, advocacy toolkits, databases, etc.)
- [Resources on protection for human rights defenders](#)



## Engaging multilateral development banks

Multilateral development banks (such as the World Bank, the European Investment Bank or the African Development Bank) are financial institutions that are owned and governed by one or more governments (read more in the report “[\*\*Demystifying Development Finance\*\*](#)”).

In the past few years, most of the Western-led development banks have committed - in their policies, safeguards or ad-hoc statements - to **prevent and address reprisals**. Although in practice - all too often - they are still failing to prevent attacks, these commitments provide an important hook for those who want to hold them accountable. Each institution is different, but generally speaking all the major multilateral development banks ensure some **spaces for engagement** with civil society. Therefore, it can be useful to:

- Organize **private meetings** between the defenders, their allies, and the relevant Bank's staff (e.g.: Executive Directors, safeguards staff, civil society committees, accountability mechanisms).
- Participate in **public meetings** (e.g.: during the banks' Annual Meetings and civil society policy forums, UN Forum on Business and Human Rights, Finance in Common Summit, etc) to publicly highlight cases of reprisals and discuss the banks' responsibility.
- Participate in **policy reviews** to push the banks to strengthen their policies and practices.

## Engaging Chinese financiers

Chinese financiers (such as the Export-Import Bank of China) have different safeguards compared to other development banks, as they generally have weaker standards in terms of transparency and public participation. In the context of Chinese-funded projects, in addition to the strategies outlined above, defenders have been using the following strategies:

- Collaborating with local and international groups with **expertise** on Chinese finance.
- **Joint advocacy** with other communities affected by Chinese-funded projects (e.g.: joint UPR reports).
- Building relationships with **academics and civic society groups in China** (when possible).
- Speaking out about the connection between the Chinese investment and the reprisals (e.g. through social media campaigns, public actions, or protests in front of the Chinese Embassy if considered safe/strategic). **Public actions** can raise awareness, help build solidarity, and put pressure on the Chinese actors who might fear reputational harm. However, in direct dialogue with Chinese actors, it seems to be more effective to adopt a **less confrontational approach** (e.g. highlighting how Chinese financiers can play a positive role if they mitigate the harm of their investments ).
- Reaching out to **journalists** working for local China's news agencies or others covering China.
- Calling for **compliance with Chinese standards** and guidelines regarding the projects' environmental and social impacts, as well as compliance with national/international laws and international conventions that China has ratified. More specifically on reprisals, it can be useful to include references to **international best practices** on the protection of human rights defenders.
- In their advocacy, apart from the Chinese financiers themselves, defenders have also engaged with **additional targets**: Chinese embassies; Chinese Chambers of Commerce; Chamber of Commerce of Metals, Minerals and Chemical (CCCCMC); Chinese officials and high-ranking businesspeople, both at the local level and in China.