

WORKING TOWARDS A PLURALISTIC FUTURE

NEWSLETTER BROUGHT TO YOU BY THE SIKH HUMAN RIGHTS GROUP
NGO WITH SPECIAL CONSULTATIVE STATUS AT THE UNITED NATIONS

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WELCOME TO OUR JULY 2021 NEWSLETTER

DIRECTORS NOTE

BY DR JASDEV SINGH RAI (SHRG DIRECTOR) (LONDON OFFICE)

The months of June and July are always busy for the Sikh Human Rights Group, researching, preparing and delivering statements at the United Nations Human Rights Council in Geneva. Even with Consultative Status, it is difficult to get an opportunity to speak. Nevertheless, the SHRG was able to make statements in 3 areas of interest.

Altogether we prepared for 7 items. The Human Rights Council in June-July does not have General Debate on items so only 4-10 NGOs out of a few hundred get a chance to speak. Competition on a first come basis means that we were only able to take the platform on 3 items.

The SHRG also submitted four written statements that were all accepted and circulated within the United Nations system. These were the ongoing efforts to persuade the UN to enact a **Declaration on Diversity**. SHRG bases this on the inclusive philosophy of Guru Nanak. The written statement was submitted under Agenda Item 9. Please click [here](#) for the full text.

Secondly a written statement was published by the UN under Agenda Item 3 on **Using Global Fund for Social Protection Constructively to exclude Dependency**. Please click [here](#) for the full text.

The third written statement was on climate change. Specifically, regarding the **promotion and protection of the rights of older persons in the context of climate change**. Once again emphasising that the world needs to adopt a plural approach to tackling climate change. Please click [here](#) for the full text.

The fourth written statement accepted and circulated is on **Artificial Intelligence** and the need to have a set of ethics regulating it with human rights at the core. The statement was published under Agenda Item 3, entitled Threats to Rights to Privacy from Artificial Intelligence and Supporting Right to Privacy. Please click [here](#) for the full text.

The Sikh Human Rights group continues to increase its portfolio. Its interests and areas of work now also extend to Poverty, Artificial Intelligence and Framing policies.

August presents another busy month as we participate in several forums of the UN and prepare for the 48th Session of the United Nations Human Rights Council.

Dr Jasdev Singh Rai
SHRG Director

Dr Jasdev Singh Rai



WELCOME TO OUR JULY 2021 NEWSLETTER

EDITORS NOTE

BY MR CARLOS ARBUTHNOTT

(EDITOR AND HUMAN RIGHTS OFFICER & PROJECT COORDINATOR AT THE SHRG)

Welcome to the July 2021 edition of the Sikh Human Rights Groups newsletter informing you of our ongoing work. Unfortunately, we are not able to cover everything that we do in this brief newsletter. Nevertheless, as you can see we are engaged in a wide variety of international human rights issues to promote our founding doctrine of pluralism. We have also recently taken on a number of interns who take up research, take notes during United Nations events and conferences and write reports. Therefore, we always try to encourage them to contribute to our newsletter.

If you would like to get involved in any of our ongoing projects or for anything else please contact us via email at info@shrg.ngo

I very much hope that you enjoy the contents of this months edition.

Mr Carlos Arbuthnott
Editor and Human Rights Officer & Project Coordinator

Mr Carlos Arbuthnott



47TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

BY CARLOS ARBUTHNOTT (LONDON OFFICE)

On Monday the 5th of July 2021 Mr Ivan Lorenci de Francisco (Human Rights Officer at the SHRG) (Geneva Office) attended the 47th Session of the United Nations Human Rights Council and made the following oral submission. Specifically, at the **Interactive Dialogue with the Special Rapporteur on the Right to Privacy**:

'We welcome the report on Artificial Intelligence and privacy. It is certainly a good first step towards the debate on the study of the implications of new technologies on the enjoyment of human rights.

Regarding the fifth paragraph of the report, we would like to know how you intend to encourage the collaboration of the actors involved and more precisely of the private sector. In addition, as you mention in the sixth paragraph, this sector profits from the sale of data extracted through the use of AI-based tools by the user. This could weaken their business model and therefore they may not be sufficiently cooperative to guarantee a robust right to privacy.

Likewise, we would like to know if another report focusing on the right to non-discrimination (article 7 of the UDHR) will see the light of day. And if it is not planned, we suggest it, as examples such as the wrongful arrest of Robert Williams illustrate, the use of AI-based solutions without any human monitoring is still common and perpetuates discriminatory patterns in our societies. Perhaps a report on the subject would show the extent of the problem.

With regard to the second part of the report, children's privacy, we believe that this is a wise decision since, apart from being one of the most vulnerable groups, this group of users are the ones who will use new technologies the most throughout their lives and their participation in democratic institutions will shape the democratic systems of the future'.

To watch the full video please click [here](#) and skip forward to 7 minuets and 8 seconds.

Why is this important?

Privacy enables the enjoyment of other rights: the free development and expression of an individual's personality, identity and beliefs, and their ability to participate in political, economic, social and cultural life. The Special Rapporteur is mandated to promote and protect the right to privacy by:

- Reviewing government policies and laws on the interception of digital communications and collection of personal data;
- Identifying actions that intrude on privacy without compelling justification;
- Assisting governments in developing best practices to bring global surveillance under the rule of law;
- Articulating private sector responsibilities to respect human rights;
- Helping ensure national procedures and laws are consistent with international human rights obligations.

The Special Rapporteur for privacy is increasingly interested in privacy implications in the following areas:

- Mass surveillance
- Using and retaining personal data
- Forensic DNA databases
- Open Data and Big Data



47TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

BY CARLOS ARBUTHNOTT (LONDON OFFICE)



On Monday the 5th of July 2021 Ms Jenna Lanoil (Human Rights Officer at the SHRG) (New York Office) attended the 47th Session of the United Nations Human Rights Council and made the following oral submission. Specifically, at the **Panel Discussion on Violence Against Women and Girls with Disabilities**:

'On behalf of the Sikh Human Rights Group, we would like to lend our support to the report made at the Annual full-day discussion on the human rights of women. We particularly would like to share in the discussion surrounding violence against women and girls with disabilities.

In recognizing trends in this form of violence, we must acknowledge the impact COVID-19 has had on the increased rates of violence against women and girls with disability. While the impacts of the pandemic are in no way uniform, those with underlying health concerns and the most vulnerable of our populations have faced additional barriers. Women and girls with disabilities around the globe have suffered neglect, exposure, and abuse in alarming numbers as the world locked down. Without proper measures of accountability, this violence has gone under reported in countless States across all economic and social classes.

The intersection of gender and disability sits at an exceptional place of vulnerability. The importance of addressing this issue cannot be overstated as these women and girls can face stigma, communication barriers, and questions of credibility when trying to report instances of violence. Many do not even have access to systems for reporting such abuse.

In summation, we call for violence against women and girls with disability to be further investigated in light of the COVID-19 pandemic and the increased present danger to this vulnerable population'.

To watch the full video please click [here](#) and skip forward to 1 hour, 41 minuets and 54 seconds.



47TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

BY CARLOS ARBUTHNOTT (LONDON OFFICE)



On Monday the 12th of July 2021 Ms Bethan Walters (Human Rights, Communication and Media Officer at the SHRG) (London Office) attended the 47th Session of the United Nations Human Rights Council and made the following oral submission. Specifically, at the **Interactive Dialogue on the High Commissioner's report on Systemic Racism**:

'Systemic Racism exists because there is no Systemic Diversity. There is yet to be a declaration or convention on diversity that represents those who need their voices heard.

Over the past 18-months alone we have seen police brutality in countries who pride themselves on human rights and fair and equal treatment for all. We have seen airstrikes leaving children parentless and parents childless. We are witnessed one of the wealthiest most influential countries in the globe carry out genocide. People who are hired to enforce the law are killing fellow citizens with near to no consequences. If this has not demonstrated the urgency for reform in the way we tackle systemic racism, then what will!

2021 marks the 20-year anniversary for the World Conference Against Racism and the adoption of the Durban Declaration and Programme of Action, we at SHRG believe that 20 years is long enough to recognise that this declaration has further challenges. It is obvious we need complimentary approaches.

*We refer to our **Written Statement A/HRC/47/53**. SHRG proposes a Declaration on Diversity It will take the Durban Declaration agenda forward with positive action plans and will strengthen the rights-based approach by complimenting it with an inclusive approach to diversity within the State.*

We need to stop asking people to merely tolerate one another and expect them co-exist and thrive together'.

To watch the full video please click [here](#)



Ms Bethan Walters

FOLLOW UP RE: THE 47TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

BY ALBERT BARSEGHYAN (HUMAN RIGHTS OFFICER AT THE SHRG) (GENEVA OFFICE)



(Human Rights and Alliance of Civilizations Room)

UN Photo/Jean-Marc Ferré



(The Assembly Hall)

UN Photo/Eskinder Debebe

The 47th regular session of the Human Rights Council (HRC47) has ended on 14th of July – a day later than planned in advance. As always, this session was rich with discussions, ideas and debates on human rights across the globe. HRC47 has adopted more than twenty resolutions, among which we should notably mention the establishment of the **Mechanism to Protect Africans and People of African Descent against Excessive Use of Force by Law Enforcement Officers (A/HRC/47/L.8/Rev.1)**, following the brutal murder of African American George Floyd by a police officer in 2020 which led to worldwide protests against the use of excessive force by police officers against black suspects and lack of police accountability. The Council decided to establish an international independent expert mechanism for a period of three years, comprising three experts with law enforcement and human rights expertise, to investigate Governments' responses to peaceful anti-racism protests and all violations of international human rights law and to contribute to accountability and redress for victims. In her speech, High Commissioner Ms Michelle Bachelet mentioned that alternative approaches to policing should be applied.

The Council has also adopted important resolutions on **Human Rights in the Tigray Region of Ethiopia (A/HRC/47/L.20/Rev.1)** and on the situation of **Human Rights of Rohingya Muslims and other minorities in Myanmar (A/HRC/47/L.11)**, **Belarus (A/HRC/47/49)** and **Eritrea (A/HRC/47/L.14)**.

Concerning the situation of human rights in the Tigray region of Ethiopia, the Council expressed grave concern at the reports of serious human rights violations and abuses and violations of international humanitarian law and international refugee law allegedly committed by all parties in the Tigray region since the start of the conflict on 4 November 2020; and called for the swift and verifiable withdrawal of Eritrean troops from the Tigray region. It underscored the need to hold accountable all those responsible for human rights violations and abuses. The Council requested the High Commissioner to present an oral update to the Human Rights Council at its forty-eighth session during an enhanced Interactive Dialogue.

On the situation of human rights in Belarus, the Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, urging the Belarusian authorities to cooperate fully with the Special Rapporteur, including by allowing her access to visit the country and to meet freely with relevant stakeholders, including civil society, in her official capacity in order to assist the Belarusian authorities in fulfilling Belarus' international human rights obligations and by considering the implementation of her recommendations, and also urged the Belarusian authorities to extend full cooperation to thematic special procedures.

Although there is no always clear line between country-specific and thematic issues, a part of Council discussions fell more in the first box while another part in the second one. The most important thematic issues that also has country-specific aspects are questions regarding the death penalty, torture, arbitrary detention or enforced and involuntary disappearances. HRC47 has adopted important resolutions on...

FOLLOW UP: THE 47TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

BY ALBERT BARSEGHYAN (HUMAN RIGHTS OFFICER AT THE SHRG) (GENEVA OFFICE)



new and emerging digital technologies and human rights, protection and enjoyment of human rights on the Internet or more general resolutions such as the one on the **Enhancement of international cooperation in the field of human rights (A/HRC/47/L.10/Rev.1)** or on **Strengthening documentation within the Human Rights Council (A/HRC/47/L.28/Rev.1)**. Adopted without a vote, **Resolution A/HRC/47/L.1** addresses the road to recovery from the pandemic and the essential role of civil society.

In a resolution on new and emerging digital technologies and human rights (**A/HRC/47/52**), the Council requests the Office of the High Commissioner to convene two expert consultations, to discuss the relationship between human rights and technical standard-setting processes for new and emerging digital technologies and the practical application of the **Guiding Principles on Business and Human Rights** to the activities of technology companies, and to submit a report thereon, reflecting the discussions held in an inclusive and comprehensive manner, to the Human Rights Council at its fiftieth and fifty-third session.

In a resolution on the promotion, protection and enjoyment of human rights on the Internet (**A/HRC/47/L.12/Rev.1**), the Council condemned unequivocally all human rights violations and abuses committed against persons for exercising their human rights and fundamental freedoms on the Internet, and called upon all State Governments to ensure accountability and effective remedies in this regard, in accordance with their international obligations. The Council requested the Office of the United Nations High Commissioner for Human Rights to study the trend in Internet shutdowns, analysing their causes, their legal implications and their impact on a range of human rights, including economic, social and cultural rights.

As is often the case in the Human Rights Council, the debates of HRC47 were particularly polarized if not politicized with the presence of big geopolitical powers. The twenty-eight resolutions that the Council adopted in this session came along with fifty-one amendments which is a record number for the Human Rights Council, demonstrates the flaws in diplomatic process, and overall harms the effectiveness of the work of the Council.

The session was mostly held on online due to the current sanitary crisis which unfortunately limited the power of diplomacy and in-person communication to forge a consensus on important human rights questions. Although SHRG representatives were present in the Palais des Nations during HRC47, we could not enter meeting rooms and were not allowed to host in-person side-events due to COVID measures. Nevertheless, we hope that the September session of the Human Rights Council will be held in-person.



PROUD OF ENGLAND BUT NOT PROUD TO BE ENGLISH

BY MS BETHAN WALTERS (LONDON OFFICE)

(HUMAN RIGHTS, COMMUNICATION AND MEDIA OFFICER AT THE SHRG)



July saw an end to the Euros 2021 tournament with England finishing an incredible 2nd place and being the first time the English men's team had made it to the final in 55 years. However, the bitterness of the tournament remains as we have seen the true side of English supporters and how racist they can be.

The start of the tournament saw many of the teams take the knee as they showed solidarity in standing against racism, especially in sports. The intention was to stay silent during this moment however viewers got used to feeling a lump in their throat as they began to hear 'fans' booing the players. Soon the boos were drowned out by a roar of cheer and support from the crowd.

How did 'taking the knee' come about?

Taking the knee (or taking a knee) is a symbolic gesture against racism where the person kneels on one knee. It was initiated by an American football player Colin Kaepernick on the 1st of September 2016, to call attention to the issues of racial inequality and police brutality in the United States, and it has led to a series of national anthem protests. It has been adopted by sports in other countries, for instance, Football in Europe, some countries playing in the Olympics, and has been seen worldwide in non-sporting contexts, such as Black Lives Matter protests.

The UK Governments Response to 'gesture politics'

Interestingly, it seems that the Home Secretary, Priti Patel, and Prime Minister, Boris Johnson seems to be very selective when it comes to labelling gestures as 'gesture politics'. Apparently, the English football team taking the knee to show solidarity in the fight against racism is gesture politics but getting the nation to stand outside their homes and clap for the NHS workers for 10 weeks and then reward them with a 1% pay rise is not.

Priti Patel and Boris Johnson do not care about the fact that they have enabled racism with their comments regarding sports players taking the knee, but what they do care about is their image and looking bad. The moment that ball hit the back of Pickford's net, hearts sunk across the nation and not because England failed to win the Euros, but because they knew the racism these three incredible football players and assets to society would face.

The damage done by the Government not standing in solidarity with the English football team taking the knee created a space for acceptable racism. It also created a space that made the Black Lives Matters movement look like a political movement and not a stand for the treatment of equal human rights. The racists in England see these players as English when they are winning and subordinate immigrants when they lose.

PROUD OF ENGLAND BUT NOT PROUD TO BE ENGLISH

BY BETHAN WALTERS (LONDON OFFICE)

(HUMAN RIGHTS, COMMUNICATION AND MEDIA OFFICER AT THE SHRG)

England doesn't deserve this team

Do we really deserve this team, a team with players who are giving 125% of their wealth to feeding hungry school children, who are speaking out about racism and inspiring the younger generation? Marcus Rashford is a man who is doing incredible work for the community, a community that has been left behind by the current Government. Prominent commentators and politicians did not like the fact that such a high-profile figure was shining the light on such a dark part of society, a part of society that shows the real effect of poverty in the UK, a country that prides itself on protecting human rights and acts as the white saviour for countries who have people living in starvation.

So many people are quick to label those who are racist as a vocal minority, a minority that unfortunately has loud voices. However, the fact of the matter is, it is not actually that much of a small minority. Therefore, what the Euros has taught us is that racism is not a minority issue.

It appears that a lot of England does not seem to enjoy our national identity without trying to dominate others. In the space of 24 hours, the nation went from celebrating these players, Rashford, Saka, Sancho, to a sense of anger. The nation appeared like they needed to blame someone they could view as not English for their loss at the Euros. They attacked the English black players; they threw xenophobia at the Italian team and brutally attacked the Italian fans on their way home.

We need to accept that we win together, and we lose together!

The Sunday Times Giving List 2021

Rank	Name	Giving Index (amount given to/raised for charity as % of wealth)
1	Marcus Rashford	125.00
2	Lord Sainsbury*	44.66
3	Jonathan Ruffer	38.92
4	Dame Janet de Botton*	34.13



THE AFFECT THAT THE COVID-19 PANDEMIC HAS HAD ON THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS: PART 2 THE ENVIRONMENT

BY JENNA LANOIL (HUMAN RIGHTS OFFICER AT THE SHRG) (NEW YORK OFFICE)



In last months newsletter we addressed the SDGs and the effect that the COVID-19 pandemic has had on their progress and operationalization, but a large piece of the puzzle is how we have reached this point. The SDGs (Sustainable Development Goals) are made up of 17 specific pillars that address human rights issues ranging from environmental rights (Goals 6, 7, 12, 13, and 14) to reduced inequality (Goal 10) to peace and justice (Goal 17). These pillars along with the others have been deeply impacted by the pandemic, but the story goes much further than that. To fully understand the situation we have to break down the goals pre-COVID. This week, let's spotlight environmental rights.

The reason environmental rights appear in so many pillars of the SDGs is not by mear coincidence but by a strategic push towards a multilateral approach towards dealing with climate change. In the past few years we have seen the effects of climate change ravage the planet. The SDGs make it clear that it is our equal responsibility, however it is the SIDs (Small Island Developing States) and the LDCs (Least Developed Countries) that suffer the most impact despite being the lowest level offenders when it comes to carbon emissions. The 2030 goals were created to reach a global agreement that each nation would work towards in the hopes of delaying climate change. Unfortunately, we as a global community are off that goal.

While some of the other pillars were derailed by the pandemic, our progress on climate change was already a cause for great concern. Despite pushes by industrialized countries for individual responsibility, the real culprits of large transnational corporations are not held responsible for their part in polluting the planet. Due to industrialized countries continue to produce higher carbon emissions while less developed countries suffer the consequences. Unless we adopt a holistic approach to reaching these environmentally focused goals, 2030 will be entirely out of reach. The path forward will not be an easy road, but it is still possible for these and the other SDGs to be met with a true global commitment, and the start of an era of accountability for the heaviest polluting countries.



PARTICIPATION OF ALL VULNERABLE GROUPS IS CRUCIAL

BY MONICA GILL (HUMAN RIGHTS OFFICER AT THE SHRG) (NEW YORK OFFICE)



This month, members of the Sikh Human Rights Group attended a high-level meeting on the Sustainable development goals entitled “Vision and priorities of civil society, the private sector and other major groups and stakeholders: realizing the SDGs during the COVID-19 recovery.” The discussion centered around topics of inclusion of civil society and why it is necessary. There was participation from representatives of the most vulnerable communities within our society. Many outlined steps that State’s governments could take to help vulnerable peoples during covid-19 recovery.

This meeting was chaired by the Vice president of the United Nations Economic and Social Council (ECOSOC), Mr. Juan Sandoval Mendiola, (Mexico) and the Opening Remarks were presented by Mr. Liu Zhenmin, Under Secretary-General, UN DESA. He stated that “Major groups and stakeholders are critical actors in advocating for the implementation of the SDGs and in holding Governments to account on their commitments, and in advising public policies and actions. And you [civil society] play an important role in ensuring that no one is left behind. UN DESA’s recent survey of stakeholders and publication on the ‘Impact of Covid-19 on Stakeholder Engagement for the SDGs’ revealed that the stakeholders view the pandemic as a setback for the SDGs for all vulnerable and marginalised groups”. Mr. Liu Zhenmin further highlighted 6 factors of success for recovery from covid-19 pandemic mentioned in the UN DESA Study:

1. Forward planning around the needs, potential partners and the steps needed to put partnership into action.
2. Trust among partners is critical and tends to be built through previous collaborations.
3. Alignment of interest and a shared vision; Partners need a shared perspective of what they are trying to accomplish; the value they are adding and the roles each would play in reaching that end.
4. Partners needed to be flexible and responsive to changes in the operating environment and the needs of the partnership.
5. Successful partnerships showed a high level of commitment towards achieving the collective goals agreed for the partnership.
6. A clear governance structure and effective leadership were critical for coordinating the relations and activities between partners through time.

The Interactive discussion was moderated by Dr. Mabel Bianco, Co-Chair of the Major Groups and other Stakeholders (MGoS) Coordination Mechanism & Women’s Major Group. She reinforced that the purpose of this meeting was to address the devastating impact of covid-19 on society and people, renew agenda 2030 and express concern over a loss of ambition as well as consistent refusal by some Governments to address the systemic barriers that deepen the inequalities that the pandemic laid out. She further emphasised that shrinking of civic space frequently becomes a prelude of a general deterioration of human rights. She explained that many countries used the pandemic as an excuse to increase elderism, to violate basic human rights of citizens and thus negatively impact democracy. She further highlighted that the participation of all peoples from all diversities at all levels at the United Nations is crucial and...

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that it is necessary to recognise that this is not ensured in most processes or formats. She concluded her statement by affirming her commitment to ensure stakeholder's right to participate in all processes regarding the 2030 agenda without restrictions and limitations. She stated, "during these high-level political forums, some countries question the sincerity of gender equality, women's human rights and their empowerment for sustainable development and the fulfilment of the 2030 agenda - gender equality, women's human rights and their empowerment are serious challenges due to the serious impact of the pandemic on the lives of woman and girls. So now we need to make sure and reinforce all the related commitments and the matter of fact that when human rights are neglected, women rights are more frequently violated." She requested an inclusive and intersectional approach to the implementation of the 2030 agenda because "leaving no one behind means absolutely no one".

The interactive panel discussion started with Ms. Ruth Warick, Stakeholder of the Group of Persons with Disabilities. She is the vice chair of the International Disability Alliance which represents 14 global and regional organisations and over 1,000 organisations total. She started by emphasising that "we speak for ourselves and no one should speak on our behalf" and that she is here to advocate for people with disabilities because their right of participation is critical. She added, there should be consultation and involvement of organisations representing people with disabilities when developing and implementing policy and programs. She talked about the Convention on the Rights of Persons with Disabilities, which was ratified by 182 States, making the rights of people with disabilities explicit. She explained that the committee on the rights of persons with disabilities, the treaty body for the convention, asked that States parties to the convention should consider consultations with and the involvement of persons with disabilities as mandatory. These consultations should include the organisations representing the wide diversity of persons with disabilities at the local, regional, national and international levels. In particular, Article 32 of the convention, which addresses international cooperation, recognises the importance of partnerships between State's parties and civil society, in particular organisations representing persons with disabilities. It calls for States to ensure that all international policy and development programs are inclusive towards people with disabilities. She stressed that the "nothing about us without us" principle is fundamental to the workings of this forum and has been lobbied for by organisations representing people with disabilities during the developmental phase of the SDGs. She concluded that during the pandemic and post pandemic period, representatives of people with disabilities, will continue to work with States and stakeholders in review of 2030 agenda because people with disabilities have this right. "Participation is a human right, [and] human rights are inalienable".

The second panelist was Dr Kiran Rabheru, who was representing the Stakeholder Group on Ageing. He started off by stating that "older persons have suffered great atrocities globally during covid 19 pandemic [and that] deep rooted biases against older persons are now expressed more openly as ageism, mentalism, ablism". He continued that millions of older people have been left behind either by omission or commission. He said that "civil society organisations have warned Government and policy makers of...

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BY MONICA GILL (HUMAN RIGHTS OFFICER AT THE SHRG) (NEW YORK OFFICE)



their failures, [which have] culminated in human rights violations. Space for civil society participation has been reduced and their input frequently disregarded". He highlighted 5 key points which Governments can focus on to counter agism:

- 1.The decade of healthy ageing: longevity is the defining demographic trend of the 21st century.
- 2.Waging a war against ageism, the highly malignant, insidious and destructive pandemic that infects 1 in 2 people globally.
- 3.To fully protect the human rights of older people, everywhere by implementing a legally binding United Nations Convention.
- 4.Cross cutting intersectionality and inclusiveness issues and forming a core for the SDGs that affect every human being.
- 5.To prioritise the 2030 agenda [which will] impact our people, our planet, our partnerships, posterity and our peace.

He further recommended the following actions for all Governments:

- 1.Ensuring human rights perspective in the implementation of SDGs, but especially including the voices, choices, and experiences of older people.
- 2.To incorporate positive portrayal of older persons [because] the vast majority of older people are active, socially connected, and contribute substantially to their families, communities, and the economy.
- 3.Establishing procedures and the appropriate space for the inclusion of civil society as overseers but also key partners as enablers to help decision making, legislation, policy and programs at every level; national and regional, and global.
- 4.Collecting and utilising relevant data for SDGs.
- 5.Actively supporting and drafting a United Nations Convention is critical to protect the rights of older people but also to help the global health and economy.

Third, we had Ms. Mariah Rafaella Silva, a transgender woman from Brazil, representing the LGBTQ+ Stakeholder Group. She started by stressing that the covid-19 pandemic has widened the inequalities and marginalisation of people who face the greatest multi-intersectional vulnerabilities. She further emphasised, that the pandemic has proven that neglecting to address discrimination based on gender, race, class, and experiences of poverty is lethal and the impact is clear, vaccines are not available to everyone. Poor, lesbian, gay, intersex, non-binary, black, indigenous, younger and older persons, migrants, refugees, sex workers among others face increased vulnerability and continue to be excluded from recovery efforts She explained that we can achieve true gender equality by implementing inclusion and bring marginalised persons to the table and develop programs and policies which address our specific needs and by protecting civil society participation at all levels. She put immense weight on the...

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statement that “there is more to a participatory process than just an invitation to the table. Equal power and access to influence are vital. We can only truly leave “no one behind” if we address racism, patriarchy, colonialism and issues that are not only affecting the LGBTQ+ community but all humankind. All of us must eat at the table equally”.

Last but not least, there was Ms. Joan Carling, representing Indigenous Peoples Major Group & Asia-Pacific Regional CSO Engagement Mechanism. She started out by stating that 2 billion people live in extreme poverty, yet 10% of the people own 88% of the global wealth and 1% holds 50% of global economic assets. She continued that during the pandemic where most suffered an array of challenges and workers lost trillions of dollars, billionaires saw their wealth increase by 3.9 billion dollars last year. This glaring reality of accumulation of wealth and economic power by transnational corporations and rich individuals, requires systemic change to transform the neoliberal economy that perpetuates this rising inequality and unsustainable development. It also requires effective measures to combat illicit financial flows that includes tax evasion and money laundering. She further emphasised that reforming the global economic governance, including the unjust trade and investment agreements should also be a priority to guarantee the protection of rights and interest and welfare of workers, of farmers, indigenous people, women, marginalised sectors and small business entrepreneurs. This should include debt consolation and removing unjust rules that impede Government’s ability to deliver public services and access to technologies, including in relation to medicine and related products to allow all Governments to accelerate their response to the covid-19 pandemic.

When we consider the 2030 agenda and Sustainable Development goals, it is important to remember who we are implementing them for. If we want betterment for civil society, it is of utmost importance to consult civil society and to understand what hinders them from living a dignified life. Implementing policy and programs without first consulting those who they are being implemented for equates to the blind leading the blind. Participation of all stakeholder groups is crucial, and the Sikh Human Rights Group hopes to see more space made for them in the future.



GLENCORE INTERNATIONAL AND CHILD LABOUR

BY SUKHMANI MANDAIR (INTERN AT THE SHRG)



Executive Summary

Glencore International outsources cobalt to some of the largest companies in the world, including Google, Apple, Microsoft, and Tesla. The vast majority of Glencore International's cobalt mines are based in the Democratic Republic of Congo. In 2019, human rights researchers uncovered child labour in the cobalt mines at an extreme level. Children as young as 6-years-old were seen doing back-breaking work, being forced to work in the more primitive mines digging tunnels. Under the extremely hazardous conditions, several children died in the mines or due to mine-related injuries. Glencore International should be held accountable for their conscious inaction and knowingly benefitting from child labour. As well as corporate accountability, government-funded projects such as The Cobalt Project work to implement laws against child labour and improve private sector monitoring. Strengthening the scope of government in small mining facilities would help keep a tight grip on the rising rate of child labour in the DRC.

Introduction

Glencore International is one of the world's leading natural resource corporations specializing in coal, crude oil, and mining. It is a Switzerland-based company that operates in 50 countries around the world. With the growing tech market, the lithium-ion market has sky-rocketed in the last two decades. Governments have been encouraging the sales of electric cars in hopes of decreasing carbon footprints, but this increase in demand has resulted in the DRC's cobalt mines becoming dependent on child labour.

The Democratic Republic of Congo produces approximately 70% of the world's cobalt supply. Around "15 to 30 percent of the Congolese cobalt is produced by artisanal and small-scale mining" (Council on Foreign Relations, 2020). The locations of the small-scale mines are common in areas that are most affected by violent armed conflict, corruption, and disease. Working in these artisanal and small-scale mines has become a necessity and lifeline for many Congolese families and is often their only source of income. Excision of artisanal and small-scale mines is unfeasible "due to the interwoven nature of the cobalt supply chain, nor desirable from a developmental perspective" (Council on Foreign Relations, 2020). Glencore International sources much of its cobalt from these small mines. By sourcing from the artisanal and small-scale mines, Glencore International knowingly benefits from the low costs of child labor and dangerous, unsafe working conditions.

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Findings and Discussion

Child labour in the DRC's mining sector has been common knowledge for quite some time now, but researchers in 2019 discovered several deaths of children in the Glencore cobalt concessions. Further research uncovered that children as young as 6 years old were often severely injured and maimed as a result of the primitive conditions of the cobalt mines they are forced to work in. Some of the work children are forced to do include surface-digging, sorting, and tunnel-digging (all tasks done by hand with no use of automatic machines). Researchers estimate that “thousands of children mining cobalt – including in concessions owned by Glencore – are forced to work under hazardous conditions at risk of losing life and limb and at the expense of education” (Council on Foreign Relations, 2020). Within two months, researchers learned of 14 children who had died in the mines or due to mine-related injuries.

According to the Labour Organization, “child labour unifies all the activities which deprive children of their childhood, potential and dignity, along with their schooling and physical and mental development” (UNICEF, n.d.). Children in the mines are exposed to risks such as fatal mine collapses, injuries, mercury poisoning, and lung disease. Because small-scale mines are typically located in extremely impoverished areas of the DRC, Congolese families are left with no choice but to send their children to work in these dangerous mines. According to an Amnesty International report, “children work for at least 12 hours a day without protective equipment in deep underground shafts which they have often dug themselves. Without masks or protective equipment, children risk their lives every day for very little pay”—typically only 1 or 2 dollars a day (Amnesty International, 2016).

The economic exploitation of children in the DRC has been common for decades, and while action plans have been devised, the reality of the situation on the ground has not changed. The majority of child labor in the DRC happens within the artisanal and small-scale mines. Because of the lack of funding and the nature of smaller mines in more rural areas, these mines have very little, if any, oversight. Even with action plans and government projects that make child labor illegal in the DRC, it has barely any effect on the artisanal mines. With no oversight or government interception to uphold child-labor laws, the artisanal mines can force children to work in terrible conditions with little pay, in turn, benefitting companies such as Glencore International, as they can purchase natural resources for little cost.

Solutions and Implementation

In regard to the deaths of the 14 children in the cobalt mines, International Rights Advocates filed a civil case against Glencore International as well as Big Tech companies that Glencore outsourced cobalt to (Google, Apple, Microsoft, Dell, and Tesla). This case focused on bringing justice to the families of the...

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the children who were maimed or killed in mining accidents or from dangerous working conditions. Glencore International was held accountable for the deaths in the civil litigation case for irresponsibility and “knowingly benefitting from aiding and abetting the cruel and brutal use of young children in the Democratic Republic of Congo” (International Rights Advocates, 2019).

Besides civil litigation, an effective and important solution would be to increase formalization of the small-scale and artisanal mines. The Cobalt Project is a government-funded organization that “works to reduce child labour in the cobalt supply chain by supporting efforts to raise awareness of the challenges and opportunities to combat child labour, build the enforcement capacity of government and other relevant stakeholders, and improve private sector monitoring and remediation of child labour violations in the cobalt supply chain” (United States Department of Labour, 2018). This project focuses on increasing oversight in small-scale mines to prevent extremely dangerous working conditions and child labour. By increasing transparency and monitoring of child labour in cobalt mining supply chains, this project helps the private sector enhance remediation strategies, including a sector-wide child labour monitoring system. This prevents companies such as Glencore International from being able to profit off child labour and outsource cobalt and other natural resources for cheap. As a result of more government oversight, it incentivizes stakeholders to uphold and maintain the system.

The U.S. Department of Labour sponsor many different efforts to end abusive child labour internationally. The Department’s Bureau of International Labour Affairs created a program to investigate and report abusive child labour around the world. The U.S. Office of Child Labour conduct research and publish major reports on international child labour, human trafficking, and forced labour. This department also provides funding and oversight of projects to eliminate exploitive child labour around the world (U.S Department of Labour, 2018).

Child labour that is proscribed under international law falls into three categories (United Nations, n.d.):

- The unconditional worst forms of child labour, which are internationally defined as slavery, trafficking, debt bondage and other forms of forced labour, forced recruitment of children for use in armed conflict, prostitution and pornography, and illicit activities.
- Labour performed by a child who is under the minimum age specified for that kind of work (as defined by national legislation, in accordance with accepted international standards), and that is thus likely to impede the child’s education and full development.
- Labour that jeopardizes the physical, mental or moral well-being of a child, either because of its nature or because of the conditions in which it is carried out, known as “hazardous work”.

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In August 2020, Convention No.182 on the Worst Forms of Child Labour was ratified by all countries that are parties to the International Labour Organization. Convention No.182 “provides for the elimination and prohibition of the worst forms of child labour, including slavery, trafficking, and forced labour. It prohibits children in armed conflict, pornography, prostitution, and other legal activities such as drug trafficking, as well as in hazardous work” (Library of Congress, 2020). By being ratified by all countries, this convention has set an international standard and will further the global commitment to end child labour. The DRC is also a member of the Minimum Age Convention (Convention No.138) which specifies the minimum age for admission to employment is 15 years old. The Committee on the Rights of the Child (CRC) monitors implementation of Convention No.182 and Convention No.132 in the Democratic Republic of Congo.

Conclusion

Young children in Glencore International’s cobalt mining concessions in the Democratic Republic of Congo have been economically exploited and taken advantage of in horrific ways. In small-scale and artisanal mining supply chains, the lack of oversight has led to the increase in child labour in the DRC’s mining industry. Through government-funded projects such as the Cobalt Project, increasing government oversight will help to uphold child labor laws in small-scale mines, and therefore, stop large corporations such as Glencore International from profiting off child labour and dangerous working conditions.



Editor: Mr Carlos Arbuthnott

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Thank You!