

## Committee on Foreign Affairs and Defence – 7<sup>th</sup> Dec 2021

### Opening Statement – Conor O’Neill, Head of Policy & Advocacy, Christian Aid Ireland

I want to thank Rosa María for speaking about what’s been happening in Cerrejón and how communities there have been impacted. Last year Christian Aid Ireland [published detailed research](#) on the situation at the mine, but also crucially on the Irish links to it.

For two decades, the state-owned Electricity Supply Board (ESB) has imported millions of tonnes of coal from the Cerrejón mine, despite years of extremely serious human rights abuses and environmental harms associated with it. Since 2001, it has provided the bulk of the coal burned at Moneypoint power plant in County Clare.

Our Colombian partners rightly ask that we question the energy we consume – where does it come from, how does it get here? We cannot ignore that this coal, burned to light our homes and help fuel the country, has been drawn along a supply chain littered with serious human rights concerns, ranging from displacement and intimidation, to ecological destruction, pollution of air, soil and water, and associated health problems. This is not consistent with ESB’s obligations under the [UN Guiding Principles on Business and Human Rights](#).

These principles apply to a state-owned company like ESB, but also to the many multinationals based here. Ireland has a particular responsibility in this regard. Our FDI model and low tax environment have made the country a hub for some of the biggest, most powerful companies in the world. This can bring employment and tax revenue but it also brings a requirement to ensure that those companies are operating responsibly.

Cerrejón again illustrates this well. While the coal is mined over 7500km away on the other side of the world, it’s sale and delivery is actually managed through a small subsidiary based in Dublin. The Coal Marketing Company (CMC) was established in 2003 by the mining giants which then owned Cerrejón: BHP, Anglo American, and Glencore. In the years since it has recorded billions of dollars of revenue, so not only does much of the coal flow from Colombia to Europe, some of the profit does too.

In Cerrejón we see the role that powerful corporate actors can play in fuelling human rights abuses, as well as the failure of states to hold them accountable. As my colleague Garry will set out, Ireland and other EU states have taken a largely voluntary approach, seeking to ‘encourage’ corporate respect for human rights rather than make it mandatory. That is precisely where the ICBHR’s proposal and [‘Make It Your Business’](#) report come in.

Many of the international aid and development organisations in the ICBHR have been active on this issue because we see the impact businesses can have on human rights all over the world, in the different countries in which we work. It’s not just about Colombia, or one country or context. It’s about a global power dynamic in which a relatively small number of companies yield huge influence, generate significant profit, but can often evade accountability for human right abuses. The complexity of modern corporate structures and elaborate supply chains have made it even more difficult for impacted communities to seek justice, often across several jurisdictions.

There are many more examples of this dynamic, in industries ranging from mining to textiles, in the EU and in Ireland, contained in the report. It also includes the case of a Palestinian man, Awni Shaaeb, whose farmland in the occupied West Bank was seized by Israeli settlers, and a settlement established on it. This is illegal under international law, a presumptive war crime under the Rome Statute of the International Criminal Court, but over the years the settlement has nonetheless expanded and Awni can no longer access much of his land to farm.

However, any of us can this afternoon log onto Airbnb.ie, and book a holiday rental in the illegal settlement built on his family's land. Those bookings are made through Airbnb Ireland, based in Dublin's Docklands. What makes this more egregious still is that the rental is made under conditions of inherent discrimination: Israeli citizens and international tourists can pay to stay there, but Palestinians are effectively prohibited.

Here we have a company based in Ireland, profiting from these rentals, despite the unambiguous illegality of the settlement project and the myriad human rights abuses associated with it. Airbnb themselves, to their credit, publicly recognised this in 2018 and announced that they would delist these properties. Sadly, in the wake of intense pressure and potential legal action, the decision was at least temporarily reversed.

The crucial point is that these cases, and the others included in the research, are illustrative of a wider trend. The uncomfortable truth is that many large European companies, including some based in Ireland, have been linked to serious human rights and environmental harms throughout their supply chains and global operations. My colleague Garry will speak in more detail about our proposal for new, binding corporate accountability legislation to help address this.

Thank you.