

December 10, 2020

H.E. Michelle Bachelet (mbachelet@ohchr.org: by email only)
United Nations High Commissioner for Human Rights

Dear Madame High Commissioner,

In the spirit of Human Rights Day, the Investor Alliance for Human Rights expresses its deep concern regarding the human rights crisis in the Xinjiang Uyghur Autonomous Region (Uyghur Region). The Investor Alliance supports the United Nations Office of the High Commissioner for Human Rights conducting an investigation in the Uyghur Region in early 2021, and the calls by global NGOs and human rights experts for the monitoring, reporting, and documentation of the situation in the Uyghur Region.

The Investor Alliance¹ is a collective action platform for responsible investment grounded in respect for people's fundamental rights. Its membership of institutional investors includes asset management firms, public pension funds, trade union funds, faith-based institutions, family funds, and endowments. Collectively, its members represent over US\$5.4 trillion in assets under management in 18 countries. The Investor Alliance is an initiative of the Interfaith Center on Corporate Responsibility.

Institutional investors as business actors have a responsibility to respect human rights in line with the UN Guiding Principles on Business and Human Rights (UNGPs). As you recognized in your speech at the UN Global Compact meetings in September of this year,² the adoption of the human rights due diligence process by corporations and investors is necessary to help meet their human rights and fiduciary responsibilities and is an essential component of global efforts to meet the Sustainable Development Goals.

Investors are taking meaningful action to use their leverage to encourage companies and governments to respect and protect human rights in line with the UNGPs. Investors have placed **proposals on human rights concerns to a vote at corporate annual meetings**, which has helped to push companies to adopt and implement policies consistent with international human rights norms, and to improve transparency on their performance.³ Investors have called on companies to make

¹ Investor Alliance for Human Rights. <https://investorsforhumanrights.org/>

² "UN Global Compact Private Sector Forum." September 2020. Office of the High Commissioner for Human Rights. <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=26270&LangID=E>

³ Kanzer, Adam. "Fighting Slavery in Brazil: Strengthening Local Solutions, from the Social Sustainability Resource Guide." Interfaith Center on Corporate Responsibility, June 2011. https://www.domini.com/uploads/legacy/fighting_slavery_v1.pdf

commitments to respect and protect human rights defenders.⁴ Recognizing the need for a level playing field for responsible business, the Investor Alliance coordinated a statement **calling on all governments to develop, implement, and enforce mandatory human rights due diligence** requirements for companies.⁵

Investors are deeply concerned about the egregious human rights abuses that have been widely reported by the UN's human rights mechanisms⁶, in the press, through in-depth investigative reports, and in direct victim testimony. The Chinese government's involvement in human rights violations, evidence of wide-spread forced labor underpinned by the mass surveillance of the people from the Uyghur Region, and the lack of transparency make the Uyghur Region a high-risk investment, production, sourcing, and business environment. Companies with business activities or business relationships in or connected with the Uyghur Region are at significant risk of causing, contributing, or being directly linked to actual or potential human rights harms and impacts.

The Investor Alliance recently published an Investor Guidance⁷ to educate investors about the salient risks to people associated with the business activities of their portfolio companies in, or connected with, the Uyghur Region, and to help guide investors on how best to engage with portfolio companies on this issue. The guidance also provides recommendations for investors to engage other stakeholders, such as civil society organizations, governments, and international organizations, to identify, prevent, and mitigate those risks, as they may arise at different stages of the business process or the product lifecycle.

Given the complexity of the situation in the Uyghur Region, it is challenging for investors to evaluate human rights risk effectively across the value chains of their investment portfolios that could be linked to the human rights harms in Uyghur Region. The Investor Alliance has noted with interest the public statements made by governments⁸, civil society⁹, and UN human rights experts¹⁰ calling for monitoring and reporting, action by the UN Human Rights Council and appointment of a high-level UN position. We are also aware that your Office has been extensively engaged in dialogue with the PRC government to establish the conditions for a country visit and, specifically, access to the Uyghur Region.

We fully support robust engagement by your Office to collect information about the human rights situation in the Uyghur Region, and to disseminate it broadly to the international community.

⁴ "Investor Statement of Concern on The Increasing Harassment and Attacks on Human Rights Defenders." Investor Alliance for Human Rights. May 2020. https://investorsforhumanrights.org/sites/default/files/attachments/2020-05/investor_alliance_for_human_rights_hrds_sign-on_final04.23.18.pdf

⁵ "Investors with US\$5 trillion call on governments to institute mandatory human rights due diligence measures for companies." Investor Alliance for Human Rights. April 2020. <https://investorsforhumanrights.org/news/investor-case-for-mhrdd>

⁶ Specifically, the 2018 review of the Committee on the Elimination of Racial Discrimination and Communications of the Special Procedures, including CHN 18/2019, 21/2019 and 14/2020

⁷ "Human Rights Risks in Xinjiang Uyghur Autonomous Region - Practical Guidance for Investors." Investor Alliance for Human Rights. August 2020. <https://investorsforhumanrights.org/publications/cover-human-rights-risks-xinjiang-uyghur-autonomous-region-practical-guidance>

⁸ Specifically, the joint statements delivered by [the government of the United Kingdom](#) at the 44th session of the Human Rights Council and by [the government of Germany](#) at the 75th session of the UN General Assembly's Third Committee.

⁹ "Global call for international human rights monitoring mechanisms on China." Human Rights Watch, September 2020. <https://www.hrw.org/news/2020/09/09/global-call-international-human-rights-monitoring-mechanisms-china#>

¹⁰ "UN experts call for decisive measures to protect fundamental freedoms in China." Office of the High Commissioner for Human Rights. June 2020. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006&LangID=E>

Reports of findings on the human rights situation in Uyghur Region by your Office are key to assuring our portfolio companies of the credibility and actionability of such findings, allowing them to better implement their policies and procedures and, where needed, adjust their operations in order to ensure responsible business conduct in line with the UNGPs.

In this regard, we support measures to monitor and report regularly on the situation in the Uyghur Region. In so doing, you can help ensure a more informed business sector, a more rights-respecting investment climate, and a more sustainable development to the benefit of all.

Yours sincerely,



Rev. David Schilling
Senior Program Director
Investor Alliance for Human Rights
dschilling@iccr.org



Anita Dorett
Associate Program Director
Investor Alliance for Human Rights
adorett@iccr.org

Copy to - (by email only):

Katayoun Vessali; Carmen Dominquez, Executive Office
Georgette Gagnon, Head of Field Office and Technical Cooperation Division
Peggy Hicks, Head of Thematics, Special Procedures and Right to Development Division
Lene Wendland, Chief of the Business and Human Rights Section
Francesco Motta, Head of Asia; Rory Mungoven, East Asia and Pacific; Sébastien Gillioz, Desk Officer