

Chinese Business Activities in Latin America and Human Rights:

*Cases in Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico,
Peru, and Venezuela*



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Colectivo sobre Financiamiento
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Third Cycle of the Universal Periodic Revision
Of The People's Republic Of China
Contributions of the Civil Society

Case Studies From Argentina, Bolivia, Brazil, Ecuador, and Peru



2017

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DERECHOS HUMANOS Y
ACTIVIDADES EMPRESARIALES
CHINAS EN LATINOAMÉRICA

Casos de Argentina, Bolivia, Brasil, Chile,
Colombia, Ecuador, México, Perú y Venezuela

Informe de mitad de período del Examen Periódico
Universal de la República Popular de China



2022

2023

Actividades empresariales chinas
y derechos humanos
en América Latina

Casos de Argentina, Bolivia, Brasil, Chile, Colombia, Ecuador, México, Perú y Venezuela

Cuarto Ciclo del Examen Periódico Universal
de las Naciones Unidas
República Popular de China



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Implementation of the Previous Recommendations

- **28.130** "Promote measures that ensure that development and infrastructure projects inside and outside its territory are fully consistent with human rights and respect the environment and the sustainability of natural resources, in line with applicable national and international law and the commitments of the 2030 Agenda for Sustainable Development" (Ecuador)
- **28.131** "Consider the establishment of a legal framework to guarantee that activities carried out by industries subject to its jurisdiction do not negatively impact human rights abroad " (Peru)
- **28.134** "Establish a regulatory framework to assess the human rights and environmental impacts of corporations headquartered in China so as to promote and respect human rights, in follow-up to the recommendations contained in paragraphs 186.185, 186.193, 186.224 and 186.251 of the report of the Working Group, accepted during the second cycle" (Haiti)



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Progress

- China has launched guidelines and plans to guide the activities of its companies and financial entities abroad
- Human Rights Plan (2021-2025)
- Complaint and Consultation Mechanism for the Mining Industry and the Minerals Value Chain by the CCCMC



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28 Cases in 9 Latin American Countries

Non-compliance with international human rights conventions and covenants.	Number of cases	%
Right to a healthy environment	28	100.00%
Rights of indigenous peoples	19	67.86%
Economic, social and cultural rights	16	57.14%
Right to life, liberty, integrity, and peaceful assembly	14	50.00%



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Key Recommendations

1. Demand immediate implementation of the **CESCR Concluding Observations of the latest evaluation of China** related to business and human rights and climate change, in line with the CESCR General Comment No. 24 on State obligations.



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Key Recommendations

2. Urge the **Chinese Embassies** in each Latin American and Caribbean country to **become formal channels of communication between host-country civil society organizations and Chinese entities**, so that Embassies facilitate timely dialogue on environmental and social conflicts linked to projects and prevent their escalation.



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Key Recommendations

3. Request the State-owned Assets Supervision and Administration Commission of the State Council, the National Financial Regulatory Administration, and the National Development and Reform Commission to **conduct due diligence examinations and establish redress mechanisms for projects involving Chinese banks and companies abroad, meeting the highest international standards.**



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Key Recommendations

4. Request the National Financial Regulatory Administration to require Chinese policy and commercial banks to **establish independent complaint response mechanisms** as advised by the Green Finance Guideline for the Banking and Insurance Industry promulgated by the China Banking and Insurance Regulatory Commission in 2022; opening dialogue and dispute resolution platforms in a timely and secure manner for all types of lending, whether sovereign, direct, intermediated by other financial institutions or through investment funds.



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Key Recommendations

5. Request the financial institutions and Chinese companies involved in the 28 projects summarized in this report, to **take urgent measures to repair and remedy the negative impacts inflicted** on the affected communities, and incorporate control mechanisms that prevent the recurrence of such impacts.



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