

A PARTNER IN NEED IS A PARTNER INDEED

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War in Ukraine. People are dying every day.¹ Cities and villages are destroyed. As of 9 March 2022, more than 2.2 million people have fled Ukraine according to the UN refugee agency UNHCR.² About two million people are displaced inside Ukraine.³ The war led to the complete shutdown of 50% of Ukrainian enterprises, and the other half are working to the limit.⁴

Nobody knows what will happen next. Nobody can tell when the war will end. The EU and North America countries declare their support for Ukraine, impose sanctions against Russia, and supply weapons to Ukraine. Multinational companies stop or suspend business with / in Russia. Thousands of humanitarian aid vehicles arrive in Ukraine. For people (mostly women and children) who left the territory of Ukraine, conditions are created for living in other states.

Ukrainians really feel the support.

During the first 15 days of the war, I received invitations from my Business and Human Rights (BHR) colleagues and friends to leave the country for a research stay (or with other support) from more than 20 countries in the world. Collections of proposals from European universities and research centers are distributed among Ukrainian scholars and researchers, which also offer assistance to those who are leaving Ukraine.

But I have not seen any such program for those scholars (researchers) who remain in Ukraine.

Moreover, my university receives emails from some international partners that express *their believe* the university is not able to continue to participate in the projects at the moment. Emails with the best intentions. These are emails in which

¹ Війна в Україні забрала життя щонайменше 516 цивільних, ще 908 поранено, [The war in Ukraine claimed the lives of at least 516 civilians and wounded 908 others], <https://interfax.com.ua/news/general/810488.html>.

² 'Invasion of Ukraine: Neighbours struggle with refugee influx; UN expresses 'horror' at Mariupol hospital attack', 9th March 2022, <https://news.un.org/en/story/2022/03/1113652>.

³ The official Twitter account of UN High Commissioner for @Refugees, Filippo Grandi, <https://twitter.com/FilippoGrandi/status/1502209903062142979>.

⁴ 'Збитки України через війну сягнули 100 мільярдів доларів — радник президента' [Ukraine's losses due to the war reached \$ 100 billion - adviser to the president], 10th March 2022, <https://suspilne.media/216181-zbitki-ukraini-cerez-vijnu-sagnuli-100-milardiv-dolariv-radnik-prezidenta/>.

we are directly told what our other partners are silent about. They freeze payments for projects, postpone planned research and activities for an indefinite period, and cancel other joint initiatives. Or they just keep silent.

For those of us who remain in Ukraine, every canceled initiative and every silence seems to be a signal that there is no faith in the end of the war. There is no faith that everything will be fine HERE.

But let's talk without emotions. What we really need:

1. Support for researchers and think tanks in Ukraine.

Those who remain need support. They continue to work, conduct research, organize events. They do what they did before the war and more because of the context of the war. As example, Yaroslav Mudryi National Law University in cooperation with Polish Institute for Human Rights and Business conducted the webinar 'Business conduct in times of the war' on 10th of March, 2022.⁵ Representatives of the corporate sector, academia, international non-governmental organisations, CSOs, state authorities took part in the discussion to indicate key challenges and options to cooperate.

As a BHR expert, I see that we need to research business conduct in times of the war and post-war period. We need to provide responsible companies with recommendations taking into consideration the environment where businesses operate - occupied territory, territories with active military actions and the rest of the territory. We need to collect our BHR lessons as, unfortunately, it's not going to be the last war / armed conflict in the world.

To put it bluntly: I understand that it is much more comfortable and reliable, from the point of view of possible risks, to protect someone who has left the conflict zone. But the one who remains is much more vulnerable. And such person can understand the context and challenges better.

Ask if your partners in Ukraine are ready to continue working on the current project or start a new one, whether they need to change the project implementation schedule, what adjustments the war is making to the project implementation today, whether the project focus needs to be changed. Ask them - do not answer these questions yourself without having a dialogue with partners in Ukraine.

Do not refuse to cooperate just because of the risks caused by the war. The risks of absence of cooperation could be much more serious.

⁵ <https://pihrb.org/seminarium-nt-postepowania-biznesu-w-czasie-wojny-10-marca-br-11-13/>.

2. Communicate with business and support responsible companies.

The circumstances of the war put everyone in a very vulnerable position. Business behaves very differently. Reformulating Erich Maria Remarque said, *dark times always reveal good people*,⁶ and these good people develop good corporate practices.⁷

It is important to ensure the exchange of best practices between responsible companies, to support those that need to establish a human rights impact assessment in times of war, as well as to include the criteria for responsible business conduct in the programs for the restoration and support of businesses that operate in Ukraine: Whether the company has made appropriate efforts to continue to provide critical services / goods? Whether the company has made appropriate efforts to ensure the safety of employees, including, if necessary, their evacuation? etc. Responsible companies need support.

3. Building the capacity of government agencies to respond to wartime challenges.

Issues of responsible business conduct remain practically out of the state authorities' agenda in the war time. The main request to business is to support the army and allocate funds for humanitarian aid. That is philanthropy, commonly mixed into the Corporate Social Responsibility (CSR) agenda. The demand for BHR agenda is limited to a call by the Ukrainian Minister of Health to open pharmacies where possible, since most of them in war zones were closed from the first day, and the introduction of state regulation of prices for critical products on the 13th day of the war.

4. Support Civil Society Organizations.

The war has exacerbated problems that have already existed during times of peace: persons leaving the territory of Ukraine are at high risk of human trafficking and forced labor, discrimination, vulnerabilities of persons with disabilities, environmental degradation etc. At the same time, civil society organizations are significantly limited in human and financial resources now. For example, CSR Ukraine, led by Maryna Saprykina, has started to collect responses of Ukrainian companies to human rights risks during the war.⁸

⁶ 'Dark times always reveal good people.', *Erich Maria Remarque, All Quiet on the Western Front (A.W. Wheen, trans., Grosset & Dunlap authorized reprint of the Little Brown ed. of 1929, February, 1930).*

⁷ See as example, 'Support employees and the army: how business works during the war', <https://eba.com.ua/en/pidtrymuyut-komandy-ta-armiyu-yak-pratsyuye-biznes-v-umovah-vijny/>.

⁸ Maryna Saprykina made this announcement during the webinar 'Business conduct during the war', 10th of March 2022.

Maryna Saprykina, CSR Center in Ukraine: collecting information on role of companies in UKR in the war. Up to now they gathered info on 195 companies, ms@csr-ukraine.org.

European Business Association⁹ provides companies with recommendations on how to support employees and Ukraine during the war.

Many Ukrainian CSOs and civil society networks continue to operate - coordinate humanitarian aid, organize evacuation of civilians, support vulnerable persons, provide free legal aid for internal displaced persons and asylum seekers, collect evidence of crimes against humanity during Russia's war aggression against Ukraine. Most of them do it as volunteers without getting paid or any other financial support. It's extremely important to involve CSOs that have BHR capacities (or will to built such capacities) to monitor the business conduct in times of the war.

The war could be a chance to enhance cooperation. But also it's a test in solidarity.

⁹ EBA, <https://eba.com.ua/>, Contact: office@eba.com.ua.