

Conflict Analysis Tool for Companies

Voluntary Principles Initiative



The Voluntary Principles Initiative Conflict Analysis Tool consists of the present document and two .xls file worksheets.

The present document is divided into four modules.

The fourth module consists of instructions for using the worksheets.

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Preface

What is the Conflict Analysis tool?

This document is part of a tool for corporate practitioners working in fragile and conflict-affected contexts. The tool is a resource that helps company staff to understand the dynamics of conflict in their area of operation, determine the company's impacts on those dynamics, and generate options to mitigate negative impacts that might drive human rights and conflict risks to the company and its stakeholders.

The tool consists of this overview document and two accompanying worksheets.

Who produced this tool?

The tool is a product of the <u>Voluntary Principles Initiative</u> (VPI), a voluntary membership organization comprising non-governmental organizations, governments, observers, and companies, mostly in the extractive industries. The VPI is committed to the promotion and use of the <u>Voluntary Principles on Security and Human Rights</u> (VPSHR) to protect rights-holders in the context of corporate security operations.

The VPSHR observe that conflict in the external environment may drive the company's exposure to security risks and recommend that companies perform conflict analysis as an element of their risk assessment processes.

The VPI's 2019–2022 strategy commits VPI members to understanding conflict and, where possible, acting to prevent it and working toward an enabling environment for human rights. This tool serves that end.

The VPI also envisions that the tool will complement companies' efforts to perform due diligence for responsible business conduct, per the OECD¹, and may be used as an element of heightened human rights due diligence as appropriate to conflict-affected and post-conflict operational environments, as stipulated by the UN Working Group on Business and Human Rights².

The tool was developed by a Conflict Working Group internal to the VPI. The membership of the Working Group included VPI members from all of the sectors that are represented in the Initiative, including observer members. Collectively, the authors of and contributors to this tool have an unusual breadth and depth of experience with conflict analysis, conflict sensitivity, peacebuilding, and business operations in situations of conflict. The tool is a reflection of that practical, cross-sectoral expertise.

A number of other high-quality tools, guidance, and case studies about operating in conflict-affected environments also exist. Throughout this document, there are references, often with hyperlinks, to some of those other resources. At the end of this document, there is a bibliography of additional resources, also with hyperlinks. Some or all of those resources may be of use in identifying ways of operating constructively in complex and fragile settings.

¹ OECD Due Diligence Guidance for Responsible Business Conduct, 2018. Paris: OECD.

^{2 &}lt;u>Business, human rights, and conflict-affected regions: towards heightened action,</u> 2020. New York: United Nations Working Group on business and human rights.

Module 1: Conflict and Conflict Analysis

1.1: What are some potential risks for companies in contexts of conflict?

In contexts that are affected by conflict:

- Violence, insecurity, or unrest at and around the company's operations sites may disrupt operations and expose staff and stakeholders to serious risks:
- Company/community conflicts may be tied to broader, regional, or society-wide conflicts;
- As they unfold, conflicts within the wider society may become salient at operations sites;
- The company's presence or activities may sustain, enflame, or drive conflict issues, both at the sites of the company's activities and more broadly within the host- state;
- The company's presence and activities may be linked to conflict actors or to conflict issues, even if they are at a distance from the company's sites, creating legal and reputational risks;
- If the government is a party to conflict, the existence of a commercial relationship between the company and the host government can link the company to human rights abuses perpetrated by the government and to conflict issues in which the government is involved;
- Conflict within the host-state may undermine political stability and generate a range of risks that threaten operational continuity; and,
- Companies operating in conflict-affected contexts may need to demonstrate that they have performed appropriately robust due diligence.

1.2: Why is conflict analysis useful for companies?

Conflict analysis can help companies:

- Understand the level and nature of the risks to political stability in an operational context;
- Understand the risk of sustained violence within the vicinity of the company's operations;
- Understand likely trigger events and scenarios;
- Identify and mitigate the company's own unintended impacts on the factors that drive and intensify conflict;
- Identify opportunities to engage in efforts to mitigate or prevent violence and instability within the operational context; and
- Meet expectations for due diligence and corporate citizenship that may bear on human rights duties as well as legal and reputational risks.

Together, this document and accompanying worksheets guide users through a process that helps them:

- Understand factors in the external environment that drive the risk of conflict, widespread violence, and political instability;
- Understand the company's connections to those factors;
- Prioritize those factors for mitigation on the basis of the materiality and salience of the factors; and
- Develop options to mitigate the company's impact on those factors and mitigate conflict risks.

1.3: What is meant by conflict?

While ongoing, armed conflict between states, or between armed non-state groups and states, is readily identifiable as conflict, **it is an inappropriately narrow definition of conflict** for the purpose of understanding and assessing risks and impacts in the context of business operations. In many conflict-affected contexts, conflict is not immediately apparent. While conflict is a normal part of social, economic, and political life, there are circumstances in which conflicts and tensions can easily and quickly escalate, become violent, spread, and become exceedingly difficult to contain, manage, or resolve. These circumstances are diverse, and it may be counterproductive to attempt to define them exhaustively.

Indications of a high risk of conflict

Illustrative examples of circumstances that may indicate a high risk of conflict include:

- Societies in which there are histories of violent conflict without effective reconciliation;
- Societies with longstanding, accumulated, or unresolved grievances between groups or against a state;
- Societies in which influential social groups perceive that they have vital and conflicting interests and no credible channel for resolving them peacefully;
- Societies in which politics or elections are perceived as a zero-sum game for control over power and resources, and in which all actors believe that the other actors are willing to violate established rules in order to win;
- Societies in which political and economic competition tends to take violent forms, and where organizers and perpetrators of violence are rarely held accountable for their actions; and,
- Societies in which violent criminal organizations operate with relative impunity or co-opt state institutions such as police or judicial entities.

Scenarios that are of particular concern are:

- Latent conflict: Some conflicts exist as background social or political tension without conspicuous, ongoing violence. Low levels of observable violence may coexist with a high risk of violence and some likelihood that, if triggered, violence might be sustained and widespread. Elevated levels of tension and a high risk of conflict can also exist within states that are relatively strong, stable, and effective as bureaucracies.
- The government is a conflict actor: States or governments can participate in or contribute to conflicts and tensions. For instance, some governments use state powers to undermine political opposition systematically, or to suppress the political participation of particular social groups.
- **Transitions:** When a society is in a transition out of violent conflict, the grievances that originally drove conflict may not be fully resolved, transitional justice may be partial or incomplete, and new norms of governance may not yet be established. The risk of a return to some form of violent conflict may be high.

Regardless of the nature of the conflict in a company's area of operation, understanding the dynamics that make up the conflict is essential to ensure the company's actions, activities, and behaviours do not worsen the dynamics of conflict.

1.4: What is conflict analysis?

Conflict analysis is the "deliberate study of the causes, actors, and dynamics of conflict." Conflict analysis can "diagnose" and untangle the complexities of a social and/or political conflict. It is a crucial tool for actors working in contexts that are affected by conflict, regardless of the type or phase of conflict. It helps "organizations trying to address conflict to know how to promote positive changes in the situation, to reduce the potential for violence, and/or transform the conflict to make room for development and social justice."

³ https://gppac.net/files/2019-02/Acknowledgement%20and%20introduction.pdf page 9

⁴ Ibid.

Fundamentally, conflict analysis involves identifying:

- 1. The factors that are driving conflict;
- 2. The factors that are working to mitigate conflict or working toward a more peaceful environment;
- 3. The actors that drive the factors and/or are affected by conflict; and,
- 4. The patterns of interaction among these three items (factors for conflict, factors against conflict, and key actors).

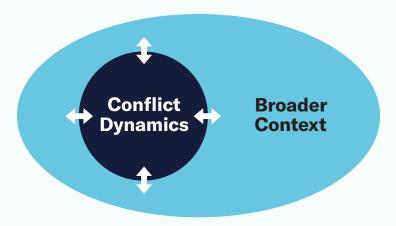
Context analysis versus conflict analysis

Context analysis and conflict analysis are distinct.

Context analysis seeks to understand the broader situation, including all economic, social, and political factors. **Conflict analysis** explains how a conflict taking place within that context works. To understand the difference, consider the following:

Context analysis often indicates poverty, and people often assert simply that poverty contributes to conflict. In many cases, however, poverty exists without conflict. **Conflict analysis** should explain *how* poverty generates conflict. To answer that question, it is necessary to go beyond the simple existence of poverty to examine issues and dynamics related to wealth, poverty, privilege, and access to resources to discover which economic factors contribute to the potential for violent conflict and how they contribute.

The conflict exists within the context and is influenced by it, but the conflict has its own important dynamics.



Source: https://gppac.net/files/2019-02/Acknowledgement%20and%20introduction.pdf page 9

Module 2: Whether and When to use this <u>Tool</u>

2.1: Whether to use this tool

If you are asking yourself "do I need to use this tool or one like it?", then the answer is probably "yes".

The UN Guiding Principles on Business and Human Rights indicate that due diligence should be proportional to risk. The level of conflict risk in a company's operational environment should determine whether or not a conflict analysis is necessary.

No proxy indicator can predict the risk of conflict with perfect reliability. Nevertheless, it may be possible to assess certain issues within the operational context that tend to predict conflict: perceived levels of corruption; effectiveness of judicial systems; levels of civic and political freedom; social and cultural freedoms; treatment and inclusion of indigenous and minority groups; histories of conflict; and similar issues.

There are a number of publicly available resources that might help companies to determine whether the level of risk in their operational environments warrants a conflict analysis. Some of these are listed in the "Additional Resources" Annex of this document, in the section headed "Risk Indices and Screening Tools". Whether a company operates in a context where violent conflict is taking place or where conflict is latent and people have strong grievances, a conflict analysis will help companies to better identify, manage and mitigate the risks of conflict, including those that may unintentionally result from their operations.

2.2: When to use this tool

There are a number of junctures when a conflict analysis would add important perspectives and insights to planning and decision-making. These include:

- During a political risk assessment to determine whether to pursue a license, acquisition, or entry into a joint venture (JV).
- Upon entry into a new jurisdiction as an operator or JV partner. If it is not performed prior to country entry, it should be performed shortly thereafter.
- Prior to major decisions/changes in operations or activities, such as launching construction or an exploration campaign in a new license.
- In response to, or anticipation of, changes in the operation environment (e.g. rising social tensions, elections, etc.)

If you have not yet performed a conflict analysis and you perceive that you are working in a high-risk setting, launch one as soon as it is feasible to do so in order to mitigate risks before the situation on the ground deteriorates, and to ensure that even initial company operations do not create or worsen conflict dynamics.

Conflict analysis should be updated or even repeated wholesale on a periodic basis, or when significant events take place in the company's activity or in the context of operations. Conflicts can be stable or "frozen", with little or no violence, for long periods of time. They can also be rapidly changing and highly dynamic. They can move extremely quickly from frozen to dynamic or vice versa. Further, company projects have phases that generate different impacts at widely divergent scales.

Examples of events that warrant an update or repeat of a conflict analysis

Events that might warrant an update or repeat of conflict analysis include:

- Significant events in the political life of a country (such as upcoming or recent elections, controversial changes to the constitution, the release of the findings of an important commission, the arrest or killing of a prominent dissident, the issuance of a politically significant court ruling);
- Events that shape relationships between social groups that are significant in the host-state (such as escalating intercommunal violence in an important city, actions by public security forces that are perceived to target a specific community, or a politically significant announcement by leaders of a sectarian group);
- Major industrial accidents or the launch of a new phase of company activity (such as an FID, the failure of a tailings dam, layoffs as construction winds down, the launch of pipeline construction, the acquisition of a new license adjacent to an existing one).

If no such events take place, then companies working in high-risk contexts should consider undertaking a conflict analysis annually, at a minimum. If the company's initial analysis or other evidence indicates that there is a high risk of conflict, you may wish to consider updating the analysis semi-annually or quarterly; if initial analysis or other evidence indicates a low risk, you may wish to consider updating it less frequently.

Module 3: Gathering Evidence for Analysis

3.1: Scope and principles

A process of evidence gathering should precede analysis. The quality of evidence gathering directly correlates with the quality of the conflict analysis. The steps and processes relating to evidence gathering are discussed in this section.

What should the analysis cover?

This tool is designed for analysis of conflicts that would exist even in the absence of the company. Though the company's presence and activities may not originate such conflicts, it is relatively common for a company's presence and activities to influence the nature and intensity of the conflict and to determine partly which locations are affected by it; and for conflicts to influence the company's risks and the stability of its operations. If conflicts that exist at the site of the company's operations are tied to broader issues and dynamics, then understanding conflict dynamics "above" the site-level can be critical to conflict management at site-level.

Such conflicts may affect entire states, regions within states, or specific locations. They may affect broad areas that encompass the company's project, its stakeholders, as well as other areas; regions of the country where the company has no presence; or the host state in its entirety.

Site-level analysis of conflict (for the purposes of conflict sensitive operations, for instance) will very likely require detailed consideration of the company's own operations.

Cross-border conflicts

Some conflicts have cross-border or international dimensions. For instance, in some cases, a foreign state or a non-state actor based in a foreign state provides material support to an armed group operating in the host state. In others, armed groups in the host-state use a neighboring state as a refuge from host-state military forces. These issues should be included in the analysis process. It may be difficult or impossible to develop mitigation options that are effective outside of the host state. Even if this is the case, understanding the dynamics and relations involving other states may be important for understanding the dynamics of conflict within the host state.

The processes of gathering information and defining a scope of analysis often drive each other. More information leads to refinement of the scope; refinement of the scope defines a need for additional information.

What are the key principles that make a conflict analysis effective? As you proceed, bear in mind the following:

- Do no harm: A conflict analysis is not a neutral activity. The analysis of the conflict can sometimes be an intervention itself. Users of this tool should recognize that the way data is collected and analyzed may lead to harm. This should be considered throughout the entire exercise.
- Inclusivity: Whom you engage in the conflict analysis and how the data is gathered and analyzed will impact the reliability and creditability of the information. It is important to ensuring that all perspectives are captured. This means considering gender dynamics, vulnerable populations, and other cultural sensitivities.

- **Local ownership:** When feasible, it is important for people living in the situation to support data gathering and analysis. In contexts of conflict, this is not always possible.
- Purpose-oriented: Conflict analysis is not an end in itself. It is only useful when it becomes the basis for planning and decision-making.
- Good enough: The goal of a conflict analysis is not to be perfect, but to be good enough for the purposes it will be used for, and recognizing that over time, the conflict itself will change and the analysis will be updated and refined.

3.2: Gathering evidence

Evidence should be gathered through desk review, key informant interviews, and focus group discussions. It is advisable to begin with desk review activities, particularly if it is possible to locate existing conflict analyses or conflict status reports. Desk review may provide useful direction for pursuing additional evidence, as well as frames for understanding or contextualizing it.

As you gather evidence, avoid information overload. Early on in the process, the dynamics under consideration may not be clear. Start with modest and focused efforts at gathering information, and then assess what has been learned and what else may be needed before seeking more information. As new evidence is gathered, new issues or new perspectives on known issues may be uncovered.

Desk review

Consider gathering data and evidence from the following types of documents:

- Existing conflict analysis or conflict risk assessments Identify and read any written conflict analyses or publicly available conflict risk assessments published within the previous several years.
- Conflict status reports Review recent UN or other humanitarian reports (e.g. International Crisis Group).
- Contextual analysis Existing context analysis from UN or other agencies or NGOs.
- Guidance and reports from home-state departments (such as departments of trade) and embassies.
- Internal documents Assemble any internal (country or HQ-level) documents, such as:
 - Political risk analyses
 - Security analysis
 - Baseline studies
 - Stakeholder mappings
 - ♦ ESIAs
 - ♦ HRIAs

Interviews and focus groups

The process of evidence gathering should be understood as an element of a company's stakeholder engagement. There may be people whom the company does not consider project stakeholders who also have valuable information and perspectives, however.

Diverse issues, diverse perspectives

Conflicts are driven by multiple factors. Conflict analysis therefore encompasses issues that are diverse: economic issues, diplomatic or political issues, governance issues, historical issues, and so on. It is common for interviews and focus groups discussions about conflict to be wide-ranging.

As you discuss issues with different actors, you are likely to hear people describe the same issues from different perspectives, emphasizing different facts and events. Triangulating among different perspectives will help you understand the situation with some degree of objectivity. Subjective beliefs – sometimes factually inaccurate ones – drive conflict, however. The diversity of perspectives about the same issues should also be understood as indicative of the divergent experiences of different actors. One of the goals of interviews and focus group discussions is to understand the range of views that exist about issues that are contested or in dispute.

For these reasons, good conflict analysis requires that a range of perspectives and a diverse body of evidence be considered. Consider including:

- Expert and inexpert or "person-on-the-street" perspectives;
- Perspectives of a broad range of the social groups that are important in the context, such as ethnic or racial groups, organized labor, governing party and opposition, state security actors, and so on. If it is safe and legal to engage with any armed non-state actors, their perspectives should also be included;
- Men's perspectives and women's perspectives;
- The perspectives of people in authority and people over whom authority is exercised.

Local dynamics

The perspective of members of local communities and other local actors (e.g. government, NGOs operating locally, and so on) with whom the company should engage as a matter of routine are particularly important because local manifestations of conflict may implicate the company and its local stakeholders directly, creating major risks for both. It is critical to determine whether macro-level conflict issues have local manifestations or create risks within the immediate vicinity of operations. If it is possible to prevent larger conflict issues from becoming salient at the project site, then the company should try to do so. Whether local people perceive themselves as stakeholders of larger conflicts may also help the company to understand its own position vis-à-vis the conflict issues.

Potential key actors

Consider consulting or performing interviews with:

- Diplomats from the company's home state, from states that work in concert with the home state, or from states that have a particular interest in the host state.
- Senior staff of multi-lateral and bi-lateral agencies such as the United Nations Development Programme, the United National Peacebuilding Support Office, the UK Foreign, Commonwealth & Development Office, the OECD, the ICRC, the United States Agency for International Development, and so on. This group might include senior staff working in the offices of any UN Special Representatives or Special Rapporteurs whose mandates include the host state.
- Experts on the national context, including foreign and host-state nationals, scholars, staff of think tanks, and senior staff of important institutions that operate locally.
- Senior staff of prominent local or international NGOs.
- Representatives of local civil society organizations.
- Community leaders.
- Leaders or representatives of minority and indigenous groups.
- Senior staff in any local ombudsman's offices.
- National human rights institutions.
- Formal or informal representatives of local artisanal miners.
- Women's rights groups.
- Trade unions.
- Suppliers and contractors beyond tier 1.
- Human rights defenders.
- Journalists.

How to approach interviews and focus group discussions (FGDs)

Because perspectives and beliefs are important to conflict dynamics, interviews that are focused on conflict should be based on open-ended questions that allow interviewees to discuss the issues that are most important to them and to frame those issues in their own terms. A "semi-structured" interview approach is recommended: develop a list of issues to discuss,

but allow the interviewee to direct the conversation, and allow discussion of specific topics to keep going as long as the discussion is fruitful. Do not feel obliged to introduce new topics or to cover 100% of the items on your list. Elicit details, examples, and connections between issues through follow-up and probing questions. Using this method might allow you to uncover unforeseen aspects of the conflict.

Basic principles of social science research and research ethics also apply. Some relevant considerations that may affect the quality of interviews and FGDs include:

- **Recording and note-taking:** If you would like to take notes or make an audio recording of interviews and FGDs, ask permission at the beginning of the meeting. Respect the wishes of discussants.
- **Confidentiality:** In contexts of conflict, it is relatively common for people to be circumspect about sensitive issues. Be honest. If you cannot guarantee confidentiality, say so. If you offer confidentiality, make good. If necessary to shield interviewees from potential retaliation, consider not recording their names or identifying information.
- **Gender:** In some contexts, women do not attend meetings with men, or talk during meetings in which men are present. You may find it useful to convene FGDs for women only. Consider designating a female interviewer, translator, and note-taker to run the session.
- **Social hierarchies:** In some contexts, people who perceive themselves to be of lower status are reticent in the presence of people whom they perceive to be of a higher status than themselves. In some contexts, especially some contexts in which the state is a conflict actor, people may not speak freely when public officials are present. If possible, consider excluding government representatives and convening only people of similar social standing in the same meeting.
- Access and vulnerability: The most accessible and easiest-to-talk-to people do not always speak for or represent the group to which they belong. It may be necessary to take deliberate steps to access marginal and difficult-to-access groups and individuals.

3.3: Organizing an analysis workshop

Companies may be tempted to organize the analysis process as an internal workshop, or as a largely internal workshop. The experience of companies working in conflict-affected settings, however, suggests that such an approach can unintentionally create a reliance on people who think in similar or identical ways, share fundamental assumptions, and have (and lack) access to the same information. Including the diverse perspectives and involving external actors in analysis workshops is best practice, as it guards against this potential shortcoming.

Who from within the company participates in the analysis process will depend on a range of factors that are particular to the company. Experience suggests that companies deal with conflict risks more effectively when there is a shared understanding of conflict issues and their implications across internal departments and first-tier contractors. Consider including Manager-or Director-level staff in the following functional areas:

- Security
- Social Performance or Non-Technical Risk
- Procurement or Local Content
- Human Resources
- Community Affairs or Relations
- Public or Government Affairs
- Finance

If possible, analysis workshops should also include:

- The Executive Committee or similar internal, executive body
- Representatives of joint venture partners
- First-tier contractors, including security providers

The analysis process itself calls for the development of lists, the population of tables, and the development of action plans. Workshop materials such as flipchart paper or a whiteboard and markers are essential. In addition, the tool includes worksheets in .xlsx format; equipment for projecting or otherwise sharing a view of a computer screen may also be useful.

Module 4: Using the Conflict Analysis Tool

4.1: Overview of the tool

The tool has five steps, each of which builds upon the prior steps. The figure below presents a visual diagram of the steps.

Tool Overview



The steps are grouped into two parts.

- Part I: Establishes the materiality and salience of conflict factors and their connections to the company.
 - **Step 1:** Identify the factors driving the conflict
 - Step 2: Prioritize the key factors driving conflict
 - Step 3: Determine the company's connection to the key factors driving conflict
- Part II: Determines the relevant mitigation actions that may address key factors driving conflict.
 - Step 4: Generate mitigation options
 - Step 5: Analyze and plan mitigation options

The rest of this document is a guide to the five steps of the tool. There are two .xlsx worksheets that are also part of this tool. The worksheets should be completed as the analysis process unfolds. The worksheets consist of the tables that are presented in this document.

A note on salience and materiality

Salience

In the language of human rights risk assessment, salience is the severity of a risk (to anyone). This tool uses the term "salience" to indicate **the degree to which a factor drives conflict**, that is, the degree to which a factor causes, sustains, or intensifies conflict. "Salience" is not related to the degree to which the company's presence and business activity affect the factor.

Materiality

In general, "materiality" means relevance to a particular actor or audience. For the purposes of this tool, we have defined "materiality" as the degree to which a factor that drives conflict is connected to the company that is using the tool and seeking to mitigate conflict risks.

"Materiality" relates to the degree to which the company's presence and activities affect the factor. It does not relate to the degree to which the factor drives the conflict.

The Shift Project provides a robust discussion of materiality and its relationship to salience.

4.2: How to use the tool

Part I: Materiality and salience

The three steps below will guide you through the process of establishing the materiality and salience of factors driving conflict.

Step 1: Identify the factors driving the conflict

Explanation

This step involves identifying the range of factors that drive conflict and the range of factors that mitigate conflict. When thinking about factors, bear in mind the following:

- Factors can be tangible or intangible: Tangible factors are observable features of the context, such as inequalities in access to land or violent clashes between ethnic groups. Intangible factors are features of the conflict that might not be readily observable but are nevertheless important elements of the conflict. These might include attitudes and perceptions that are associated with the conflict, such as perceptions of superiority among members of a certain group or the perceived legitimacy of the government.
 - Factors can be structural: Structural factors that contribute to conflict are elements of social or political systems and institutions in the context. Structural factors might include, for example, "susceptibility of judicial processes to political influence" or "bureaucratic barriers to acquiring land titles".
 - Factors can be attitudinal (intangible): Attitudinal factors that might contribute to conflict include perceptions, culture, and psychological dimensions. These factors might include, for example, "vilification of Sunni community by Christian community" or "the perception of physical insecurity".
 - Factors can be behavioural: Behavioural factors that might contribute to conflict include actions taken by various stakeholders in the context. These might include, for example, "frequency and lethality of violent incidents between members of different ethnic groups", or "violent actions by militias against non-combatants".

- Factors exist in the present: Factors are elements of the conflict that exist now, not something we hope for or something that is lacking. Historical events or patterns may explain aspects of the present, but they do not exist in the present time. When considering how past events or historical patterns shape the conflict today, ask "how is this manifest today?" or "what is the present-day legacy of this history?"
- Factors are not your preferred solution in disguise: "Community development" or "transparency about royalties" would not be factors, but "economic marginalization of certain communities" or "perceived mismanagement of royalties by public officials" might be.
- Actors are not factors: Their actions might be, however. For example, "the military" is not a factor for conflict. But "violent suppression of peaceful protest by the military" could be a factor.

Examples of factors drawn from previous conflict analyses:			
Syria	Mindanao, Philippines	Northwestern Kenya	
"The militarization of the political opposition"	"Ability of the local population to access land"	"Extent of involuntary displacement (due to interethnic violence and drought)"	
"The presence of extremist actors within the opposition"	"Intensity of intracommunity power struggles"	"Degree of community understanding of oil and gas laws"	
"Level of violence against civilians by all factions"	"Local people's access to livelihoods"	"Degree of manipulation by politicians"	
"Degree of political fragmentation amongst opposition groups"	"Displacement of the local ethnic group by outsiders"	"Levels of perceived corruption"	
	"Community support for the armed groups"	"Degree of resource competition between ethnic groups"	
		"Ambiguity of applicable land laws"	

Action

Using Worksheet 1 in the accompanying tool (which includes the table below), generate a list of factors (intangible and tangible elements of the conflict) that drive conflict and a list of factors that mitigate conflict. Keep going until the team is unable to think of additional factors.

- Factors for conflict are factors that sustain, enflame, or create conflict.
- **Factors against conflict** are factors that mitigate the existence of conflict, such as peace negotiations or disarmament initiatives. These are also factors that support a conducive environment for human rights.

FACTORS FOR CONFLICT	С	FACTORS AGAINST CONFLICT
Elements or forces in the context that exist now and create, sustain, or enflame conflict. Factors for conflict are tangible or intangible elements of the context. These features are often most intuitive to identify.	O N F	Elements or forces that work against conflict. They are tangible and intangible aspects that work to mitigate the conflict and are positive drivers within the context.
List factors below		List factors below
Factor 1		Factor 2
	_	
	·	
	T	

Step 2: Prioritize the key factors driving conflict

Explanation

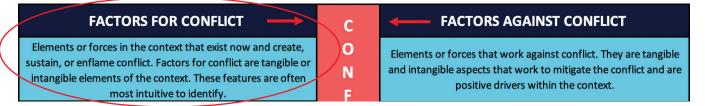
This step identifies the factors that are most salient to the conflict. While there are usually many factors that contribute to conflict, some are more important than others. Priority factors are factors without which the conflict would not exist or would look entirely different.

Rule of thumb: Ask "if I were to change this factor, would the conflict change fundamentally or cease?" If the answer is yes, then that is a priority factor.

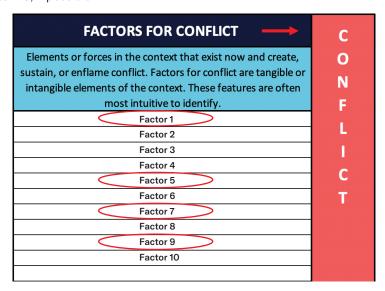
In this step, you are trying to determine which factors on the list of "factors for conflict" are the most important ones, that is, the ones which play the biggest role in driving, sustaining, or shaping the conflict. Identifying these will offer a manageable entry point for generating mitigation options.

Action

Using Worksheet 1 in the accompanying tool, look at the column of factors for conflict:



Ask: which of these factors are the most important ones driving this conflict. Circle, star, or highlight those factors. Limit the number of priority factors to 4-6, if possible.



Note for facilitators/leads: the process of discussing which factors are most important is itself an important element of the conflict analysis. Allow sufficient time to unpack issues, present evidence, explore different ways of seeing the issues, and change opinions.

Step 3: Determine the company's connection to the key factors driving conflict

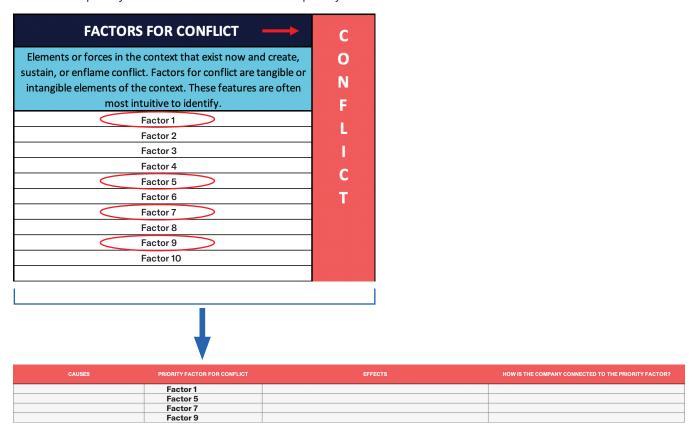
Explanation

This step identifies the company's connection to the factor driving conflict and can be used to determine materiality.

Part of this step involves understanding how factors interact with one another. Discerning causes and effects of each priority factor will allow you to see the relationships between priority factors and other elements in the context. Determining how factors connect with each other will better help you understand how the company may have broader impacts (for better and for worse) on the context.

Action

Write the 4-6 priority factors from Worksheet 1 in the "priority factor" column in Worksheet 2.



Cause and effects

In the column to the left of the Priority Factors column (marked "Causes"), consider what causes the Priority Factors to exist, to be important, or to be the way that they are.

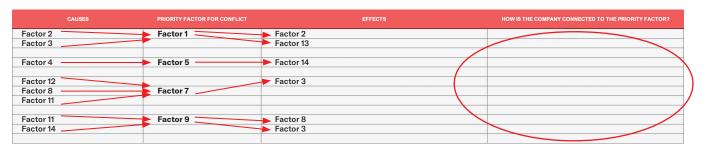
In the column to the right of the Priority Factors column (marked "Effects"), consider the knock-on effects of the Priority Factor.

It is important to note that cause-and-effect is not a 1:1:1 linear relationship. Most priority factors are caused or driven by more than one other factor. Similarly, most priority factors have a spectrum of knock-on effects. Most factors are caused by factors that are structural, behavioural, and attitudinal, and in turn cause other factors that are structural, behavioural, and attitudinal. Your list of factors for conflict (developed in Step 1) may be useful in populating the cause and effects columns.

CAUSES	PRIORITY FACTOR FOR CONFLICT	EFFECTS	HOW IS THE COMPANY CONNECTED TO THE PRIORITY FACTOR?
Factor 2	Factor 1	Factor 2	
Factor 3		Factor 13	
Factor 4	Factor 5	Factor 14	
F 10		F	
Factor 12 Factor 8	Factor 7	Factor 3	
Factor 6	ractor /		
Tactor II			
Factor 11	Factor 9	Factor 8	
Factor 14		Factor 3	

The company's role

Next, with the group, brainstorm the ways in which the company might be connected to the priority factors. There may be zero connections, one connection, or multiple connections to any priority factor. Use the same worksheet and complete the final column.



When considering how a company might be "connected" to a priority factor, a useful rule of thumb is to ask "does any aspect of our presence contribute to this?" or "do people perceive that this has something to do with us?" or "would this be happening in a different way if we weren't here?" Conflicts are driven as much by perceptions (including factually inaccurate ones) as by concrete actions and demonstrable harms.

Illustrative Example

In brownfields areas, new entrants are sometimes blamed for or associated with negative historical events and relationships which transpired before they arrived. If local people perceive that the government's approach to communities in mining/oil and gas areas has been predatory or disrespectful in the past, or if the prior conduct of other companies leads local people to see the industry as a whole as harmful, then new entrants may be perceived as the latest episode in a larger history of conflict, even if their own conduct is exemplary.

It is important to note that establishing connections is not intended to establish legal liability, responsibility for causation, or whether impacts on the company's stakeholders are direct, indirect, or linked to the company. It is intended to identify ways in which external actors may perceive events or relationships and how they may act on the basis of what they perceive. It may also help to identify action that mitigates conflict in the external environment, which may include efforts to change people's perceptions.

Illustrative Example

In many countries, the government performs land acquisition processes for large-scale, land-intensive projects. The companies whose projects will use the land **are connected** to the land acquisition process, even if they themselves **are not responsible** for implementing that process, for compensation rates, for the government's approach, etc. If the land acquisition process affects primarily an ethnic minority group that harbors longstanding grievances against the state, then the land acquisition process may also **connect** the company to any deterioration of the relationship between the ethnic group and the state, if people of that ethnic group perceive that it does.

Populate boxes in the last column with explanations of the company's connection to the factor, including any events or actions by the company or another actor that established that connection. Consider asking:

Does the company's presence and/or activities affect the priority factor? Does it diminish the significance of the factor, or does it intensify it? How?

Note that the company may have multiple, different impacts upon a single factor, and that some of those impacts may be positive (in that they mitigate conflict) while others may be negative (in that they contribute to conflict).

Part II: Mitigation

This section supports the generation of mitigation options for the company to address its impacts on the priority factors for conflict. It focuses first on generating options and then on analyzing, testing, and implementing those options.

Companies may find that a peace and conflict actor mapping is helpful for defining effective mitigation options. Many useful mitigation options will involve external actors, and all mitigation options are likely to affect external actors. Understanding those actors and their relationships may therefore be important. In addition, this kind of actor mapping may add a layer of context to the company's existing stakeholder mappings.

The Global Partnership for the Prevention of Armed Conflict has provided a useful <u>actor mapping tool</u> (and other conflict analysis tools).

Step 4: Generate mitigation options

Explanation

This step structures thinking about how the company can mitigate its impacts on the priority factors as a way to improve conflict dynamics. A mitigation option is any action that might diminish or reduce the significance of a priority factor.

Mitigation options might include actions that the company itself undertakes. They may also include actions that the company cannot undertake on its own and that require the collaboration of other stakeholders. They may also include actions that the company cannot undertake directly, but that the company may be able to facilitate, catalyze, or support.

Illustrative Example

If "Vilification of Ethnic Group A by Ethnic Group B" is a priority factor driving conflict, the company might seek to identify practical actions that reduce the vilification of Group A by Group B. Such actions might include one or more of the following:

- a. Engagement of political and community leaders from Group B with the intention of altering their perspectives or encouraging them to change the way they think and talk about Group A.
- b. Fund local NGOs, peace committees, or other, appropriate local institutions to convene and facilitate community-level dialogues amongst members of Group B and Group A in volatile areas of the country.
- c. Hold internal workshops that aim at building solidarity or resolving tensions among the company's and/or its contractors' Group B and Group A staff.

The company may discover that its own business practices contribute to this priority factor. In the course of the analysis, the company may realize that Group B vilifies Group A in part because Group A is economically and politically dominant within the host state, and many members of Group B perceive Group A's dominance as unfair. The outcomes of the company's own recruitment process may become germane to the priority factors. Are those outcomes fair in the eyes of stakeholders? If stakeholders perceive that the company favors Group A unfairly, the company might consider adopting recruitment and training practices that gradually achieve a balance within the company that stakeholders perceive to be more fair.

Setting priorities

Several issues should be considered in prioritizing amongst mitigation options.

Companies should prioritize for mitigation the factors that are BOTH most salient AND most material in Step 2 and Step 3.

It is likely, though not necessarily always the case, that the factors that are the most salient and material also drive the most significant risks to the company. Performing a separate risk analysis that is informed by the conflict analysis will help to identify specific risks that conflict poses to the company.

Depending on the circumstances, other considerations may play a role in setting priorities. For example, if it is possible to address a minor factor quickly and definitively, it may be reasonable to prioritize that mitigation action as a "quick win". Other relevant considerations might include the likelihood of a good outcome, the political sensitivity of the issue, the need for partnerships that are not possible in the context, the cost of the mitigation option, and so on.

Action

Use Worksheet 2 in the tool to generate options for mitigating the company's impact on the priority factor. As part of this process, answer these questions:

- What is the role of the company in this mitigation activity?
- Who else needs to be engaged in this activity? Are they willing to engage?
- Who will resist/undermine this activity? How will they resist/undermine it?
- What resources are needed to support this activity?
- What is the timeline for undertaking this activity? Is it realistic given the risks and constraints?

Effective mitigation of a conflict factor might require several, sequenced and related actions; a detailed work plan may be necessary.

PRIORITY FACTOR FOR CONFLICT	HOW IS THE COMPANY CONNECTED TO THE PRIORITY FACTOR?	HOW CAN THE FACTOR BE ADDRESSED?	WHAT'S THE ROLE OF THE COMPANY?	WHO ELSE NEEDSTO BE INVOLVED?	WHO WILL RESIST? HOW?	WHAT RESOURCES ARE NEEDED TO UNDERTAKE THIS ACTIVITY?
Factor 1	Reason A					
Factor 5	Reason B					
	Reason C					
Factor 7	Reason D					
Factor 9	Reason E					
	Reason F					

Companies have specific mandates and areas of expertise, and these may make direct engagement in certain mitigation activities inapt. Similarly, local actors may perceive the company in ways that make it difficult for the company to play certain roles. A range of external actors may be useful or appropriate partners that can play some of these roles. Companies may wish to investigate the possibility of engagement, collaborations, or partnerships with some or all of the following:

- Other companies that are affected by or have similar concerns about conflict issues. Members of the VPI or In-Country Working Groups may be useful in this regard, as may members of local Chambers of Commerce or other business associations.
- Home state diplomatic missions or bi-lateral aid agencies. The UK Foreign, Commonwealth & Development Office, for example, is currently funding a consortium of NGOs to work on conflict and governance issues in an area of Kenya that is slated for oil pipeline development.
- Local offices of multi-lateral agencies, such as UN agencies.
- NGOs that have mandates and capacities to work on issues that the company has identified as conflict drivers. Here again, companies may find that NGOs participating in the VPI or in a local VPSHR working group are relevant or have relevant contacts or connections.
- Financial institutions such as Development Banks or the IFC that may have a mandate to establish projects in the host state.

Step 5: Analyze and plan mitigation options

The last step involves consideration of how the proposed mitigation actions may impact other aspects of the conflict. Very often, well-intended efforts have unintended negative impacts. It is important to analyze, test, and plan to determine how key stakeholders might receive or respond to each option and how the context is likely to be affected.

Actions

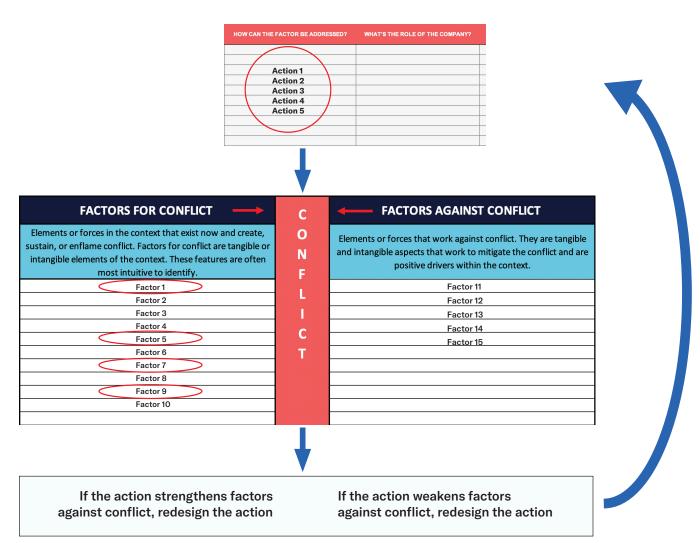
Use your answers in Worksheet 1 and ask yourself "how do the solutions that I developed in Step 4 impact the factors for and against conflict. Are there any potential unintended impacts?"

Ask:

- What are the likely outcomes of these proposed actions?
- Do those outcomes have impacts on any of the factors for or against conflict?
- Do the outcomes strengthen or weaken a factor for conflict?
- Do the outcomes strengthen or weaken a factor against conflict?
- Are there actors who will resist or steer efforts to change the dynamics of conflict? What will they attempt to achieve? How will they attempt to achieve it?

Redesign the activity if:

- it has the effect of STRENGTHENING A FACTOR FOR CONFLICT; or
- if it has the effect of WEAKENING A FACTOR AGAINST CONFLICT.



All proposed mitigation activities should be validated with communities and other stakeholders. Conduct focus group discussions and key informant interviews to understand if those groups think the proposed actions represent effective ways of addressing the factor or the company's impact. In many cases, the buy-in of these actors is essential for success.

Implementing mitigation options: Conflict considerations

As factors that drive conflict can be diverse, can exist at a range of scales, and can involve or affect a diverse range of actors, it is difficult to provide specific advice about how best to implement mitigation options.

From the standpoint of conflict management, companies should consider with care which external stakeholders to involve in mitigation actions (as, for instance, partners, colleagues, key interlocutors, or "target populations)". In conflict settings, there is often a high level of polarization amongst actors, with relatively little room for neutrality. Historical relationships amongst the actors may also fundamentally shape how they perceive each other today; alliances or collaborations with certain actors may inadvertently make enemies or opponents of others.

Similarly, practical efforts to mitigate conflict are likely to affect different people differently. Some people may perceive a conflict mitigation activity as a threat to themselves or their interests. Companies should consider carefully the ways in which different actors may perceive their actions, and how they might resist, push back against, or otherwise try to undermine mitigation efforts.

Project management

Conflict mitigation actions have all of the qualities of projects and can be managed as such. Beyond the aforementioned considerations, the practical aspects of conflict mitigation actions may be effectively managed using conventional project management tools and good practices, such as:

- assessing feasibility and costs;
- budgeting, tracking expenditures and "burn rates";
- allocating responsibilities to personnel who have the time and the skills to handle them;
- establishing timelines for deliverables;
- defining benchmarks, milestones, KPIs, and possibly other indicators of success and/or failure;
- identifying and assessing barriers to success and ways to overcome them;
- using risk management tools to increase the likelihood of success.

Annex A: Additional Resources

Resources Relating to Complex Operational Environments

<u>Guidance on Responsible Business in Conflict-affected and High-Risk Areas</u>, UN Global Compact and the Principles for Responsible Investment, 2010.

<u>Management in Complex Environments: Questions for Leaders</u>, Edited by Brian Ganson. Stockholm: International Council of Swedish Industry, 2013.

Risk Indices and Screening Tools (to help determine whether conflict analysis is necessary)

Freedom House Global Freedom Scores and Democracy Scores by country.

Fund For Peace Fragile States Index.

Geneva Academy Rule of Law in Armed Conflicts online portal.

Conflict Analysis Resources

Anglo American Social Way Toolkit, Section 4J.

<u>Conflict Analysis Framework: Field Guidelines and Procedures</u>. Global Partnership for the Prevention of Armed Conflict (GPPAC). The Hague: GPPAC, 2017.

Conflict Analysis Framework; Version 2.0. United States Agency for International Development. Washington, D.C.: USAID, 2012.

Conflict Stages, Beyond Intractability.

Designing Strategic Initiatives to Impact Conflict Systems: Systems Approaches to Peacebuilding, CDA Collaborative Learning, Cambridge 2016.

InSight Crime reports.

International Crisis Group reports.

Making Sense of Turbulent Contexts, World Vision, 2015.

Conflict Sensitivity Resources

Anglo American Social Way Toolkit, Conflict Sensitivity and Assessment Tool.

Conflict-Sensitive Business Practice: Guidance for Extractive Industries, International Alert, London, 2005.

<u>Getting It Right: Making Corporate-Community Relations Work</u>, Mary B. Anderson and Luc Zandvliet (2009). Sheffield: Greenleaf Publishing.

How-To Guide to Conflict Sensitivity, Conflict Sensitivity Consortium, 2012.

Preventing Conflict in Exploration <u>Tool</u> and <u>Toolkit</u>. CDA Collaborative Learning, the Prospectors and Developers Association of Canada, and World Vision Canada, 2012.

Conflict Management Resources

"Module 2: Approaches to Conflict Management", in <u>Conflict Resolution and Negotiation Skills for Integrated Water Resource Management; Training Manual</u>, International Network for Capacity Building in Integrated Water Resources Management, United Nations Development Programme, 2007. pp. 17-39.

Site-Level Tools and Frameworks

Conflict Prevention Tool, AngloGoldAshanti, DCAF, ICRC, Queen's University Center for International and Defence Policy, 2021.

Preventing Conflict in Exploration <u>Tool</u> and <u>Toolkit</u>. CDA Collaborative Learning, the Prospectors and Developers Association of Canada, and World Vision Canada, 2012.

Human Rights Tools, Frameworks, and Principles

<u>Addressing Security and Human Rights Challenges in Complex Environments</u>, DCAF – Geneva Centre for Security Sector Governance and the International Committee of the Red Cross.

OECD Due Diligence Guidance for Responsible Business Conduct, OECD. Paris: OECD, 2018.

<u>United Nations Guiding Principles on Business and Human Rights; Implementing the United Nations "Protect, Respect, and Remedy" Framework.</u> New York: United Nations Office of the High Commissioner for Human Rights.

The Voluntary Principles on Security and Human Rights.

<u>Voluntary Principles on Security and Human Rights Implementation Guidance Tools</u>, International Finance Corporation, International Council on Mining and Metals, IPIECA, and the International Committee of the Red Cross, 2012.

Stakeholder Engagement Guidance

OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector, Paris: OECD, 2017.

<u>Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets</u>. Washington, D.C: International Finance Corporation, 2007.

Annex B: Using Conflict Analysis with Other Standard Processes

Process	Applicable Standard/ Principles	Relationship to Conflict Analysis	Actions
Human Rights Due Diligence	UN Guiding Principles on Business and Human Rights	In conflict-affected and post-conflict environments, conflict analysis is an element of obligatory human rights due diligence.	 Perform conflict analysis as a part of HRDD. Prioritize risk mitigation as follows⁵: Issues that are salient for human rights AND conflict; Issues that are salient for conflict but not for human rights; Issues that are salient for human rights but not for conflict.
Due Diligence for Responsible Business Conduct	OECD Due Diligence Guidance for Responsible Business Conduct; OECD Guidelines for Multi-National Enterprises.	 Some adverse environmental impacts may also impact factors that drive conflict; Impacts that drive or contribute to conflict are ipso facto adverse impacts on people and/or society. "Conflict risk" may be understood as a risk in the terms used in the Guidelines. 	Perform conflict analysis as an element of Due Diligence for RBC.
International Finance Corporation Performance Standards on Environmental and Social Responsibility	IFC PS 2-8	Some issues covered by PS 2-8 may be relevant to conflict.	 Compare issues covered in PS 2-8 with conflict factors identified in conflict analysis to understand overlap. Note: company may be required to mitigate ALL impacts covered under PS 2-8, irrespective of links to conflict.
International Finance Corporation Performance Standards on Environmental and Social Responsibility	IFC PS 1	Conflict impacts and risk mitigation plan can be included in ESMS, even if impacts are outside scope of PS 2-8.	 Use ESMS to track conflict impacts; Use ESMS to track implementation of conflict mitigation plans.

^{5 &}quot;Business, Human Rights and Conflict-Affected Regions: Towards Heightened Action", UN Working Group on Business and Human Rights. New York: United Nations, 2020. Para 51.

Author's note

This framework was adapted from the Force Field Analysis analytical tool, which is also known as a "three box analysis". A peacebuilder's version of a Force Field Analysis can be found in CDA's 2016 Designing Strategic Initiatives to Impact Conflict Systems: Systems Approaches to Peacebuilding. The present document was adapted largely from the framework presented in the Global Partnership for the Prevention of Armed Conflict's (GPPAC) Conflict Analysis Framework: Field Guidelines and Procedures (2017), and from tools that CDA has used in its engagements with humanitarian actors. GPPAC's document is a public resource.

CDA, at the time a member of GPPAC, participated in the development of that framework alongside a number of other GPPAC member organizations. Those organizations, including CDA, have their own public analysis frameworks and in many instances have contributed to the development of the conflict analysis tools and frameworks of various governments and multi-actor initiatives. Our background research suggests that Force Field Analysis tools appear in a large number of the publicly available conflict analysis frameworks and "toolboxes".

Who we are

The Voluntary Principles on Security and Human Rights (VPSHR) are an internationally recognized set of principles that guide companies on how to conduct their security operations while ensuring respect for human rights. The Voluntary Principles Initiative (VPI) is a multi-stakeholder initiative dedicated to sharing best practices and mutually supporting the implementation of the Principles.