

# Impact Case Study

## Embedding greater respect for international humanitarian law among Australian companies doing business abroad

### Introduction and background

RMIT's Jonathan Kolieb specialises in governance issues around the globe, with a particular focus on international conflict resolution, business and human rights, and the accountability of transnational corporations under international law.

In recent years, Dr Kolieb had come to realise that corporate knowledge of international humanitarian law was limited in Australia and around the world – a lack with industrial, social and policy repercussions, particularly in areas affected by conflict.

After speaking with the Australian Red Cross, Dr Kolieb explored how to engage with large Australian companies across a variety of sectors – from fashion to mining – to improve corporate understanding of this aspect of international humanitarian law.

Partnering with his Australian Red Cross collaborator, Ms. Fauve Kurnadi, Dr Kolieb set about engaging with and educating Australian companies on their rights, risks and responsibilities in international humanitarian law.

The Geneva Conventions of 1949 and its Additional Protocols form the core of what is known as international humanitarian law – sometimes referred to as the laws of armed conflict. This area of law aims to regulate how armed conflict is carried out and to limit its impact on non-combatants. The purpose of international humanitarian law is to preserve human dignity even during humanity's darkest moments.

While many leading businesses are generally aware of their global human rights responsibilities, as outlined by the United Nations (UN), they have less knowledge on how international humanitarian law (as opposed to similar but separate human rights law) applies to their operations within conflict-prone regions.

In those situations, businesses have both rights and responsibilities, the latter including the requirement to uphold the laws of the Geneva Conventions, including ensuring they are not directly involved, or indirectly aiding, in attacks on civilians. Companies operating in areas of conflict also need to be aware of how to mitigate risks to their organisation that may arise if international humanitarian law is not respected. Those risks could be financial or reputational in nature, and risks to the safety and security of corporate personnel and assets.

### The project

Dr Kolieb embarked on a series of direct consultations and roundtable discussions with some of Australia's largest and most prominent companies across a range of sectors to determine levels of knowledge and understanding of the related issues. He also presented ideas at academic conferences and industry-facing events and workshops.

Dr Kolieb's team also engaged with civil society organisations and the International Committee of Red Cross (in Geneva) to develop approaches to engaging and educating these companies.

As a result of these consultations, Dr Kolieb developed a number of resources for educating businesses on international humanitarian law.

### Funding and institutional support

Dr Kolieb received the following grants for his project:

- RMIT Malcolm Moore Industry Research Grant, 2019 (\$35K)
- Australian Red Cross research collaboration agreement, 2021 (\$35K)

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What's next...

## Project outcomes

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### The Guide

The project resulted in a world-first guide on business' risks, rights and responsibilities in conflict zones along with an implementation framework. These are unique contributions to the realm of responsible business practice.

['Doing Responsible Business in Armed Conflict: Risks, Rights and Responsibilities under international humanitarian law: What every Australian business should know'](#), with Fauve Kurnadi), 2020

### Information Hub

The collaboration also resulted in the Australian Red Cross establishing the Business and International Humanitarian Law Hub.

- <https://www.redcross.org.au/ihl/business-and-ihl/>

### Publications

- ['Seven Indicators of Corporate Best Practice in International Humanitarian Law'](#) (w/ Fauve Kurnadi), 2021
- ['Don't forget the Geneva Conventions: achieving responsible business conduct in conflict-affected areas through adherence to international humanitarian law'](#), *Australian Journal of Human Rights*, 2020

### Learning and training modules

Two innovative online learning modules were produced: one targeted at security personnel at companies; and the other an immersive, scenario-based simulation targeting university students, i.e. future business professionals.

The "War, Law and Business" module is free and universally accessible at <https://redcross.org.au/war-law-and-business>.

An introductory video to the module is available on [YouTube](#).

### Online speaking engagements

In 2022, Dr Kolieb will showcase his research and the educational materials in a variety of fora including Queens University, Canada and at the UN Principles of Responsible Management Education (Working group on Business for Peace); and in person at the International Committee of Red Cross HQ in Geneva.

## Overview of the impact

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This project had a meaningful impact on the conduct of individual companies, including changing security protocols and updated training and risk assessment procedures for prominent Australian-based resource companies. (The details are necessarily confidential.)

The work has contributed to the United Nations' Working Group on Business and Human Rights project on conflict-affected areas, and was cited in the final 2020 official UN report. Dr Kolieb was invited to attend the related Asia-Pacific consultation workshop in Davao, Philippines (2019).

The research and corporate guidance document has been included in the following world-leading online repositories:

- Security and Human Rights Knowledge Hub, developed by the International Committee of Red Cross (Geneva) and the Geneva Centre for Security Sector Governance
- the online Business and Human Rights Resource Centre.

Dr Kolieb's active collaboration with the Australian Red Cross for this project contributed to a stronger relationship between RMIT and the Australian Red Cross, which has become a prime founding industry partner of the RMIT College of Business and Law's new flagship Bachelor of Business Program.

### Awards

- Dr Kolieb received an Australian Red Cross National Outstanding Service Award (2021) in recognition of his contributions in breaking new ground in international humanitarian law dissemination and engagement amongst the Australian corporate sector.
- D Kolieb's Australian Red Cross research partner Fauve Kurnadi, also received a 2021 outstanding employee commendation in recognition of the impact of their collaboration.
- Dr Kolieb also received an RMIT Research Impact Award (ECR) in 2021 in recognition of his work.

## Next steps

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Dr Kolieb continues to work to embed knowledge of international humanitarian law and appropriate corporate conduct in conflict zones within Australian companies and organisations.

He is currently collaborating with the Australian Red Cross to build a Massive Open Online Course (MOOC) on this issue, which will be freely available to unlimited participants.

Formal submissions have been made to the Australian Stock Exchange, the Australian Treasury Department and the United Nations around this work to enhance governance regimes around responsible business conduct in conflict zones.

The work has also been presented at international "business and human rights" forums, academic symposia and private industry workshops facilitated by Australian Government.

In recognition of his work, Dr Kolieb has also been appointed to the Australian Red Cross, International Humanitarian Law Advisory Committee. He will continue to collaborate with the Red Cross on this topic.