

Final report:

“Networking and Coalition building as a tool to enhance Business and Human Rights – what have been the best practices? Case studies from East Africa and South Asia”

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Abstract

The aim of this report is to study the importance of networking for civil society organisations (CSOs) and how they use networking as a tool with regards to business and human rights. Seven CSOs working in East Africa and South East Asia were interviewed for this study. The study is conducted as an assignment for KIOS foundation, who was also interested in learning about the challenges the CSOs face when they network, how networks of the CSOs look like and what are the core benefits of networking. The research questions were formed around these themes and interviews conducted as semi-structural interviews. The interviewed CSOs are funded by KIOS foundation.

The report follows a standard structure, starting off by clarifying a list of important abbreviations that are used throughout the report followed by an introduction. After which there is a literature review where information about civil society, national action plans, business and human rights as well as networking is presented. The literature review also gives a general overview of the current situation of the civil society in Uganda, Kenya, and Nepal, which are the countries that are included in the interviews. A further description of the project is given followed by a brief description of the different organizations that were included in the interviews. After which, the method is disclosed, and the ethical aspects discussed. The report ends with a presentation of the findings retrieved through the interviews, as well as an elaborate discussion of the findings and a conclusion.

In the interviews it came up that most of the CSOs do network towards governments and private sector, but this does not necessarily mean that these relationships are unproblematic or even the most important. A lot of importance was given to networking with local communities and inter-CSO networking especially on national and international level. The networking practices mentioned by the CSOs ranged from small-scale (word-of-mouth) to large-scale (international advocacy). The greatest advantage of networking that was emphasised by all CSOs was the creation of larger platforms, which created opportunities to work together on a common agenda and give a larger voice to the issues of BHR. Key challenges of networking related both to relations with other CSOs, governments or private sector, and more concretely to themes such as security.

Abbreviations

CSO – Civil society organization

CSR – Corporate social responsibility

BHR – Business and human rights

ESCRs – Economic, social, and cultural rights

KIOS – KIOS foundation (in Finnish: Kansalaisjärjestöjen ihmisoikeussäätiö)

MNCs – Multinational corporations

NAP – National Action Plan

NGO – Non-governmental organization

OHCHR – Office of the United Nations High Commissioner for Human Rights

UNDP – United Nations Development Programme

UNWG – United Nations Working Group on Business and Human Rights

1. Introduction

KIOS is a Finland-based foundation working on the human rights challenges of civil society in developing countries in East Africa and South Asia. The strategic focus is on six countries, including Kenya, Rwanda, Uganda, Nepal, Sri Lanka, and Tibetan organizations working in exile. Chosen areas are amongst the many battling with issues such as gender inequalities, marginalising of the disadvantaged, societal conflicts, and other human rights violations. The aim of KIOS therefore is to strengthen the role of human rights in the said countries, something that they do by funding different projects focused on the issues mentioned (KIOS, 2021).

In this project, KIOS was interested in finding out more about the networking practices and coalition building of their partner organizations, specifically in relation to business and human rights. Another aspect of interest for KIOS was the challenges that CSOs faced when networking. In addition, we were interested in finding out the core benefits and value-added that CSOs gain from networking.

Our research questions for the report are as follows:

1. Why are the CSOs networking on BHR? What do their networks look like? Which of the networks are most important?
2. What kind of networking practices do the CSOs find most effective when working towards BHR? What is the value-added of the networking?
3. What kind of challenges have the CSOs faced in networking on BHR?

KIOS put us into contact with seven of their partner organizations to facilitate the process. These organizations were from Uganda, Kenya, and Nepal, and thus these are also the countries that the report is centred around.

To build a theoretical framework for the purposes of this study, we studied themes such as civil society, business and human rights as well as national action plans on BHR. We also researched the societal situation of civil society organisations in the countries relevant to our report. In the literature review we also elaborate further on different networking practices between CSOs, between CSOs and governments and between CSOs and the private sector.

Before moving on to the results and discussion the methodology will be discussed as well as brief introductions will be given to each of the organizations interviewed. These descriptions were kept short since the organizations are kept anonymous, to avoid include obvious identifiers. We then continue present the results and discuss the findings, as well as give some suggestions for further research.

2. Literature review

2.1 Civil society and civil society organisations (CSOs)

Defining civil society is not an easy task: civil society is among the most studied concepts in societal studies. References to civil society date back to Aristotle and extend to famous names such as Gramsci, Marks and Hobbes (see e.g. Anjum, 2010; Kaldor, 2003). According to Anjum, the concept is characterized by a lot of theoretical ambiguity and conceptual complexity, because it has been given different meanings in varied contexts and periods by various thinkers and theorists (Anjum, 2010). In the twentieth century the content of the concept was narrowed to forms of social interaction that are distinct from both the state and the market (Kaldor, 2003).

According to Buyse (2018), civil society has with time become the layer between state, business and family, a space for a range of associations and social practices. It can be described as the field in which citizens organise, debate and act (Buyse, 2018). According to the definition provided by the European Union, civil society “refers to all forms of social action carried out by individuals or groups who are neither connected to, nor managed by the State” (Eurlex 2021). A CSO, in turn, is an organisational structure that consists of members who serve the general interest of the CSO through democratic process. Interestingly, the definition of the EU also defines that the CSOs should “play the role of mediator between public authorities and citizens” (Eurlex, 2021), indicating that also in this study networking towards public authorities or government could play crucial role.

Today, civil society consists of a large scale of different actors, and civil society organisations are just one type of actor within it. The literature on this category of organisations uses various terms, such as ‘non-profit organisations’, ‘voluntary associations’ and ‘civil society organisations’, among others. The idea in all cases is that these organisations are neither constituent of the public sector nor part of the profit-making sector. (Hasenfeld and Gidron, 2005) In addition to humanitarian or grassroots organisations, CSO can also include, for instance, organisations like networks for women’s rights or trade unions (Buyse, 2018). The definition by the EU distinguishes at least these three levels of CSOs: social partners (trade unions & employers’ groups), non-governmental organisations (e.g. for environmental and consumer protection) and grassroots organisations (e.g. youth & family groupings) (Eurlex, 2021). According to Buyse (2018), the recent research has showed that civil society is a nuanced collection of organisations and networks. With this, an emphasis has been put on the interactions and activities of people, instead of formal memberships of an organisation (Buyse, 2018.)

Consequently, in addition to non-profit organisations, different kind of social movements can be considered to form part of civil society. Hasenfeld and Gidron develop an expanded conception of civil

society. They conclude that interrelated attributes to these actors include: 1) mission to uphold and promote cultural values that are typically at variant with dominant or institutionalised values; 2) the actors provide services to members and the public that express their distinct values, using the services as a model and to accelerate social change; 3) in addition to their instrumental goals, they aim to meet the expressive and social identity needs of their members by promoting a collective identity; and 4) they evolve into hybrid organizations that have multiple purposes. This means that often, to various degrees, the civil society actors combine goals of value change, service provision and mutual aid (Hasenfeld and Gidron, 2005). According to Kaldor (2003), what is crucial for civil society is that it is engaged in process of debate or negotiation with governments, companies and international organisations, and today it is also often transnational. The groups that are involved in these debates has expanded from the urban elite to groups that firstly were more excluded, such as women and the indigenous people.

This study focuses on CSOs that operate in developing countries. There are a lot of studies that do focus on civil society and cases related to civil society in different parts of the world. In chapter 2.3. we aim to give an overview to the conditions that prevail in the countries that are in the focus of this study. However, the trend of decline in global freedom noticed by Buyse (2018) is described here, because it seems to affect civil society globally.

In 2016, the Freedom House also noted the tenth consecutive year of decline in global freedom. According to Buyse (2018), in the last decade, it seems that a lot of countries have been structurally and purposefully limiting the civic space. Concerned civil society organizations even released a joint statement in 2014 where they underlined that, 'States are seeking to exert control over these spaces, to silence critical and challenging voices' (Article 19 as cited by Buyse, 2018, p. 967). Even some governments within the UN have become increasingly hostile to civil society engagement in the work of the global organization (Buyse, 2018). Examples span from Russia, where civil society organizations, that participate in 'political activities' have been obligated to register as 'foreign agents,' in Russia, which is synonymous with foreign spies, to Ethiopia, where human rights organisations are prohibited to receive more than 10% of their funding from abroad. CSOs in many countries have been attacked and even criminalised for accepting external funding. Other ways that governments have interfered with civil society include pressure put on independent media as well as interference with protests. Increasing amounts of public protests and demonstrations have been caught up in nets of brutal police and bureaucratic rules. Even established democracies have taken measures to limit operations of civil society organizations, in an attempt to fight terror (Buyse, 2018). This trend might be visible also in the context of our focus countries.

2.1.1 The concept of Business and Human Rights

Human rights are rights that are inherent to everyone, regardless of nationality, sex, national or ethnic origin, colour, religion, language, or any other status. Among human rights are the most fundamental, such as the right to life, but they range to many rights that make life worth living, such as the right to nutrition, work, health, education and liberty (OHCHR, 2021c). They have been accepted by all UN member countries and date from the Universal Declaration of Human Rights (1948).

The UN Guiding Principles on Business and Human Rights is a framework which aims to guide both the private sector and states with how to deal with issues surrounding human rights in business operations (Business & Human Rights Resource Centre, 2021). The principles were developed by the Special Representative of the UN Secretary General, John Ruggie, and were endorsed in 2011 by the Human Rights Council (OHCHR, 2013). According to Ruggie, “the root cause of the business and human rights predicament today lies in the governance gaps created by globalization—between the scope and impact of economic forces and actors, and the capacity of societies to manage their adverse consequences. These governance gaps provide the permissive environment for wrongful acts by companies of all kinds without adequate sanctioning or reparation” (2008, p. 189). The Guiding Principles, or “the Ruggie principles”, were developed as an attempt to answer to these governance gaps (Active Sustainability, 2019).

The Guiding Principles consists of three pillars: they call upon states to protect human rights, corporations to publicly commit to respecting human rights, as well as compensating victims through access to remedies (Business & Human Rights Resource Centre, 2021). These can be summarised as protect, respect and remedy (Ruggie, 2008). The Guiding Principles emphasise the duty of the state to protect human rights, also when they are abused by businesses. This can be done through e.g. legislation, regulation or guidance (OHCHR, 2013). The Principles also call on companies to respect human rights and give guidelines on how companies can assess their impacts and “prevent, mitigate and, where appropriate, remedy human rights abuses that they cause or contribute to” (OHCHR, 2013, p. 3). Thirdly, the Principles point out the duty of the state in making sure that victims of human rights abuses by the private sector must be able to access appropriate remedies (OHCHR, 2013). Together, Ruggie argues, “the three principles form a complementary whole in that each supports the others in achieving sustainable progress” (2008, p. 191).

2.1.2 National Action Plans on Business and Human Rights

The UN encourages governments around the world to strengthen their work with human rights with a tool called National Action Plan (NAP). O’Brien et al (2015, p. 3) describe National Action Plans (NAPs) as “government-drafted policy documents that articulate State priorities and indicate future actions to support implementation of legal obligations or policy commitments on a given topic”. Before being

applied to business and human rights, NAPs were already introduced in other relevant policy areas, such as human rights in general and corporate social responsibility (O'Brien et al., 2015). In the Vienna Declaration and Programme of Action (1993), the World Conference on Human Rights recommended States to consider the desirability of developing a National Action Plan that identifies steps whereby States would improve the protection of human rights. Nepal has developed a general National Action Plan in 2004, but neither Kenya nor Uganda has a general NAP yet (OHCHR, 2021a).

In 2016, the UN working group on Business and Human Rights (UNWG) strongly encouraged all States to develop, enact and update a specific NAP regarding Business and Human Rights as part of the State's responsibility to disseminate and implement the Guiding Principles on Business and Human Rights. The NAPs on Business and Human Rights can be independent documents or integrated with other relevant frameworks. Kenya was the first African country to develop NAP on Business and Human Rights in 2019. Uganda is currently in the process of developing a NAP on Business and Human Rights. Nepal is not mentioned among countries in the process developing a NAP on Business and Human rights (OHCHR, 2021b).

In the context of business and human rights, a NAP of a state is described as an evolving policy strategy. Its goal is to protect against human rights impacts by businesses in conformity with the UN Guiding Principles on BHR. Four criteria are considered to be essential for an effective NAP on BHR. Firstly, the NAP needs to be founded on the UN guiding principles: it needs to reflect the state's duty to protect against harmful business-related human rights impacts and provide access to remedy. Secondly, the NAP must be specific to the context of the developer country to address the country's actual and potential business-related human rights violations. Thirdly, the NAP must be developed inclusively and transparently in a process where relevant stakeholders are heard. Fourthly, the NAP process needs to be re-estimated regularly and updated if needed. According to the working group's recommendations the NAP process consists of five phases: 1) initiation, 2) assessment and consultation, 3) drafting of initial NAP, 4) implementation and 5) update. These are further divided into a total of 15 steps (UNWG, 2016). Civil society as a stakeholder should be actively involved in all the steps except the first. Stakeholder consultations should take place in phase 2, 3 and 5, and multi-stakeholder monitoring in phase 4. According to the UNWG, the value-added of the NAP on BHR is to ensure a process of inclusion and continuous monitoring, measuring and evaluation to implementation, a platform for multi-stakeholder dialogue and greater coordination and coherence within the Government and on the range of public policy areas that relate to BHR (UNWG, 2016).

The UNWG encourages all governments to take action to strengthen their work on Business and Human Rights by adopting a National Action Plan on Business and Human Rights. Because of the

recommended strong interaction between the developer state and stakeholders, a NAP process would seem to bring a good reason for active networking between the civil society and the government. States should seek inputs from stakeholders in the development process. The stakeholders should be able to participate in identifying priority business and human rights issues for their country: “in terms, for example, of actual or potential severity of abuses in which businesses operating or domiciled in the jurisdiction may be implicated, and their level of incidence”, describe O’Brien et al (2015, p. 11).

However, De Felice and Graf (2015) note that there are differences in content and quality of the NAPs, and the potential of the NAPs cannot be fully exploited if it is developed inadequately. Drafting process of the NAP differ for example on the form of cooperation among state administrations, the level of consultation with external stakeholders and on the extent of participation of independent experts. The content varies spanning from vague aspirations to forward-looking plans, they argue. The production of a strategy does not coerce the governments to take action (De Felice and Graf, 2015). Also, O’Brien et al. (2015) noted that at least in 2015, most advocates were concerned about the NAPs being more declaratory about existing commitments rather than including promises of new action. Basically, all NAP processes included a stakeholder consultation, but their level of transparency and inclusiveness varies (O’Brien et al, 2015, p. 11).

2.3 Overview of civil society in Uganda, Kenya and Nepal

This chapter aims to give an overlook to what kind of conditions exist in countries where the studied CSOs operate. The role and possibilities to operate can be very different between developed democracy and autocracy or semi-democracy, for example.

Human Development Index (HDI) is an index created by the United Nations Development Programme (UNDP). It is a summary of different measures on key dimensions of human development, e.g. average of life expectancy, expected education and per capita income. It was developed because economic growth alone is not enough to measure the development of a country and capacities of its people. (UNDP, 2021) The HDI value/the ranking of the countries studied in this report is the following: Nepal 0.602/142. and Kenya 0.601/143 and Uganda 0.544/159 of the 189 countries measured. The higher the index is, the more developed the country is seen. For comparison, Finland’s value is 0.938, Bulgaria’s 0.816, India’s 0.645 and Afghanistan’s 0.511. Nepal and Kenya’s value falls under the category of medium human development, Uganda’s under low human development (UNDP, 2020).

Nepal and Kenya fall under the category “partly free” and Uganda under the category “not free” in Freedom House’s three-stepped classification. Kenya holds multiparty elections and Nepal has

adopted a permanent constitution and held competitive elections after the ending of a civil war in 2006. Despite the elections, corruption remains among the gravest problems in both countries. Journalists and human rights defenders remain vulnerable in Kenya, Nepal continues to have problems for example with bonded labour and gender-based violence, and transitional justice bodies have had problems with fulfilling their mandates. The same party (the National Resistance Movement) and the same president have governed Uganda since 1986. The party remains in power through manipulation and intimidation, and the civil society suffers from harassment and state violence (Freedom House, 2021).

2.3.1 Civil society in Kenya

In Kenya, CSO's include a variety of organisations with different characteristics and approaches, such as non-governmental organisations (NGO), self-help groups, cooperatives, professional associations, faith-based organisations, and community-based organisations (Munene and Thakhathi, 2017). Over the years, CSO's have altered the state-society relations and their actions have had a boarder influence on political changes around the African continent (Ndegwa, 1994). Turbulent protests have taken place against perceived social, economic, and political injustices and defects of the society. As argued by Mati, the main forces explaining the emergence of CSO's are the demand for neoliberalism and the opposing of it (2014).

The neoliberal economic policies in Kenya have developed social and economic problems, reducing the state's ability to deliver essential collective goods, increasing unemployment and inequality in the society (Mati, 2014). In the 1980s, the public healthcare and education systems started to crumble, and infant mortality and life expectancy began to decline. Furthermore, the weakening capacity of the government to provide basic necessary services has led to the increase of civil societies (Kanyinga et al., as cited by Mati, 2014). Overall, the amount of CSO's in Kenya raised from in 1997 to 2005 with 307%.

The lack of political consciousness in the mainstream civil society has been highlighted by the complexities of counterterrorism, that has emerged in Kenya after the 2007 election crisis (Lind and Howell, 2010). In the aftermath of the rigged elections, violent clashes erupted between ethnic groups, with 300,000 people displaced and 1,000 killed (Munene and Thakhathi, 2017). Previously, the civil society groups have failed to respond to human rights violations as well as the treatment of minorities (Lind and Howell, 2010). Based on the research conducted by Munene and Thakhathi, it is argued that Kenyan CSO's lack essential capacities such as funds, staff, offices and equipment to act against poor governance (2017).

Overall, the governance issues in Kenya have led to corruption, inequalities, land grabbing and other human rights concerns. Today, the freedom of expression in Kenya is limited; recently, bloggers and journalists have been harassed, attacked and arrested for publishing corruption allegations and information that to the government seemed misleading about COVID-19 (Amnesty International, 2020a). Other significant challenges are extrajudicial killings and lack of accountability for serious abuses (Human Rights Watch, 2021).

2.3.2 Civil society in Uganda

A diverse variety of same types of CSO's operate in Uganda as in Kenya; notably religious and faith-based groups, NGO's and human rights groups among others. The CSO's can be divided to pro-government and opposing government organisations (Kansiime, 2019). The pro-government CSO's are taking part in service deliveries, such as supporting schools and the health sector, whereas opposing organisations operate in, inter alia, policy advocacy and legal advocacy. Some of the human rights organisations work as the watchdog of the state, identifying unlawful detentions, state corruption and inhuman prison conditions (Dicklitch and Lwaganda, 2003).

An amount of grassroots organisations emerged in response to state failure in rural areas around 1970s and 1980s, taking part in livelihood-promoting activities such as operating credit and loan schemes (Omach, 2014). As the Ugandan government collapsed in 1986, an insurgent group the National Resistance Army (NRA) came to power, argued to end state's human rights violations, lawlessness and state-inspired violence (Omach, 2014). Yet, the organisations own military approach quickly led to more human rights abuses and NRA lose the support of the civilians. After this, a number of other rebel groups lacking political agenda emerged, only to turn the general public to once again support the government.

More recently, as a response to the lack of state delivery of social services, international donors assigned NGOs to ensure the accountability in implementation of poverty reduction policies and programmes (Omach, 2014). Today, the CSO's of Uganda include a mix of local and international organisations with different objectives, values, motivation and rules. It has been argued that Uganda's top-down international donor support schemes are anti-development, as the CSO's are only accountable to the donors but not the grassroot level population (Kansiime, 2019).

Despite 2019 High Court order ruling the state's obligation to protect rights of those being evicted, no protection procedures were carried out for 35,000 Maragoli Indigenous people evicted from their homes in 2020 (Amnesty International, 2020b). Authorities have restricted freedoms of expression online and assembly, oftentimes with excessive force (Human Rights Watch, 2021). Ugandan security

forces abuse and torture numerous people allegedly failing to comply with government's COVID-19 restrictions (Human Rights Watch, 2021).

Corruption is outlined as one of the complexities of Ugandan government, creating tension between the state and the CSOs (Kansiime, 2019). Furthermore, the lack of commitment from the state has created constraints to CSOs, highlighting why the cooperation of the government and civil societies is crucial (Omach, 2014). The state does not tolerate CSO activities concerning policy advocacy, causing diminishing operations for certain civil societies (Kansiime, 2019). Lack of funds, strong trade unions and leadership in Uganda are among the main challenges for CSOs. Additionally, the human rights organisations focusing on civil and political rights, often turn their heads away from issues such as military spending, military involvement and multiparty politics (Dicklitch and Lwaganda, 2003). These organisations lack network amongst themselves, therefore being unable to uplift the positive human rights culture in Uganda. Overall, the hostile environment the CSOs operate in is far from the ideal concept of civil society.

2.3.3 Civil society in Nepal

Civil societies have formally existed in Nepal since the 1980s, yet such movements have contributed to the social and economic development already far back in the country's history (Bhandari, 2014). The role of CSOs in Nepal is to bring together groups of people to work towards a common goal, oftentimes around larger societal issues such as human rights, women's rights, child labour and environment conservation. Commonly, these organisations are faster than government at responding to public needs including water, health, and sanitation, generally with lower prices.

There has been various ups and downs with the relationship of CSOs and the state in Nepal. In the 1990s, civil society started to oppose the state, yet after new regime in 2006, the trend has furthered to anti-state phase (Bhatta, 2016). Many NGOs have since sided with political parties to diminish the authority of the state, as they lack own resources and are dependent on these actors. In the other hand, some of the NGOs considered payment for human rights work to be invalidating it (Shrestha, 2011). More recently, NGOs have come to be seen as antipolitical, thus suggesting that in order to be politically credible, an organisation should be an "un-NGO like" as explained by Shrestha (2011, p.58).

Currently, the Nepalese government has proposed laws reducing free expression, whilst failing to investigate extrajudicial killings and delaying previously made commitments on enforcing transitional justice for abuses of 2006 civil conflict (Human Rights Watch, 2021). The government further failed to amend the 2014 Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act to bring it in line with international human rights law (Human Rights Watch, 2021; Amnesty International, 2020c). Marginalised groups such as Indigenous people, Dalits, Madheshis, Tharus and Muslims have

faced forcible evictions, discrimination, killings, torture and sexual violence (Amnesty International, 2020c). Further, the Nepalese government has not addressed constitutional flaws denying equal citizenship rights for women (Amnesty International, 2020c).

The amount of CSO's in Nepal have increased, with a mix of different sizes, scopes, objectives, and organisational competencies (Bhandari, 2014). Majority of these organisations are not self-funded, needing to rely on international donors (Bhandari, 2014; Shrestha, 2011). Other identified issues are lack of monitoring and evaluation, as well as weak management capacity from both the CSO's and the government (Dhakal, 2007). This poor coordination of the organisations has led to low efficiency, thus creating a real challenge for organisational credibility.

2.4. CSO practices of networking in working towards business and human rights

2.4.1 Networking and coalition-building: definitions

Networking and networking practices in the context of this study can be seen as situations “where organizations with different skills work in concert to change political behaviour and social outcomes” (Keck and Sikkink 1998 as cited by Murdie 2014, p. 310). This is distinct from coalitions and coalition-building, which functions on a more permanent basis where members are more highly committed and “have broader strategic aims than single-issue thematically focused networks” (Yanacopolous 2005, p. 95). For the purposes of this study, it was more applicable to research networking practices that would include a wide array of both formal and informal practices, but we did not exclude from including coalition-building in the study as some of the networks were in fact more formalized.

Networking practices can include a wide array of practices. Holmén writes that “networking can mean a lot of things, from the not so demanding habit of “keeping in touch” (Shepherd 1998: 227), over the production of a regular newsletter and/or field visits and joint seminars, to national and even global campaigning (Holmén and Jirström 2000)” (2002, p. 6). Thus, networking practices vary in both scope and levels of interaction. For the purposes of this case study, we researched CSO networking practices in relationship to three other forms of organizations: other CSOs, governments and the private sector.

2.4.2 Networking between CSOs

Since the 1980s, the number of CSOs working with development questions have increased rapidly globally (Holmén, 2002). Simultaneously, inter-CSO networks are increasingly valued (Abelson, 2003) and an important part of the narrative surrounding international development (Murdie, 2014). Because many of the challenges facing developing nations are seen as ‘systemic’ (Yanacopolous, 2005), working through wide-reaching networks is a strategic way of working towards development. This is also the case when working towards business and human rights, which includes civil society,

the private sector and the state. However, although networks and networking practices have brought about positive outcomes, there are also several challenges to be considered.

One of the greatest advantages of networking is the sharing of resources. Pfeffer and Salancik's 'Resource dependency perspective', which sees organizations as taking part in a given environment with a given number of resources (1978 as cited by Yanacopulous, 2005), is a useful tool here. Yanacopulous argues that "to function within a resource-scarce environment, these organizations [e.g. CSOs] are frequently driven to work with other organizations" (2005, p.96). This is further underlined by Ochieng Odhiambo, who describes the most positive impact of networking as 'pooling resources' (2004, p.132). These resources include "organizational legitimacy, funding and access to information and knowledge" (Yanacopulous, 2005, p. 97). Many CSOs are small, short-staffed and lack the necessary funding and/or arena to make significant change. By joining together through networking, they can have a larger impact and a stronger voice (Holmén, 2002). This can be particularly important in the case of business and human rights, where the resources of the private sector are often vast in comparison to the CSOs.

An example of the importance of networking for resources can be seen in the case of the Treatment Action Campaign (TAC) in South Africa, an activist movement that through its networking with other civil society actors has been praised for its advocacy for antiretroviral (ARV) drugs (Grebe, 2011). Important networking partners here were e.g. the University of Witwatersrand as well as civil society and religious organisations, which provided TAC with legitimacy and resources that were otherwise difficult to obtain. This legitimacy and the urgency of the issue, further exacerbated by the denial of AIDS and ARV drugs by the South African government, brought about further support from transnational networks. Furthermore, "this international mobilization helped enhance the legitimacy of the activists' demands in the eyes of the world media and scientific community" (Grebe 2011, p. 862). This was thus a case where drawing on networks for resource mobilization, and specifically raising the legitimacy of the cause through strength in numbers, was vital for TACs success.

However, resources are also one of the main challenges of networks. Networks can require high levels of resources to be effective and networking practices might also serve to redistribute resources from the main objectives of the CSO (Ochieng Odhiambo, 2004). In fact, research shows that networking is more usual among CSOs with more resources, indicating that this is something that is required to partake in networking (Murdie, 2014). The question of resources can also lead to "problems of disparate capacity among its membership" (Abelson, 2003, p. 10). Do CSOs with more resources get a larger vote? Whose voices are being heard? Are some CSOs forced to lose control over their own programmes? (Yanacopulous, 2005). Holmén argues that "by working together on prioritized issues,

by learning from each-other and by utilizing each-others' skills and resources, NGOs can gain both flexibility, strength and efficiency. This, however, requires equal status among members of a network" (2002, p. 5). He further argues that this equal status is seldom realized, and moreover, CSOs rarely share the same aims and goals, which could make networking futile. Holmén suggests that best practices for networking would be where "different participants in a network fulfil complementary tasks for the benefit of the whole network" (2002, p. 12). This would mean that each CSO could participate with the resources available to them.

The question of resources in the form of foreign aid is often framed as a large challenge to networking. Abelson argues that "competition for international funding is perhaps the greatest roadblock to cooperation through networks" (2003, p. 10). Rather than collaborating, CSOs often must compete for scarce resources from donors (Holmén, 2002). Donors want fast results and often provide short contracts, which further exacerbates competition (Cooley and Ron, 2002 as cited by Murdie, 2014). This inter-CSO competition can stunt networking practices. On the other hand, since networks are appreciated by international donors, there is also the risk that "too much networking is done in order to impress those outside the networks and too little to improve the lives of those in whose name networks are often built" (Holmén, 2002, p. 16).

Looking further than at just the opportunities and challenges, Murdie argues for the importance of not only considering what the best practices of networking are, but to examine the contexts in which networking works best (2014). Through her study on inter-NGO networking in non-Western states she puts forward two important dimensions: trust and opportunity. Her findings indicate that "inter-NGO cooperation is more likely (1) as quality of governance increases and (2) when humanitarian military interveners are present" (2014, p. 325). For qualitative networking to take place, it is important that NGOs can trust that their networking partners are non-corrupt and that there is good governance to guide the collaborations (Murdie 2014). This is especially vital within the area of BHR. As the countries researched fall under the categories "partly free" and "not free" (see section 2.3), this indicates that the contexts do not provide the most conducive environments for networking, especially on sensitive issues such as BHR.

2.4.3 Between CSOs and governments

When considering the possibilities of CSOs to network with their own governments, it is necessary to examine the kind of societal context that the partner CSOs of KIOS work. The contexts of this study have been described in chapter 2.3. Relations between CSOs and their own governments and their abilities to discuss and cooperate vary but research does show that in developing countries the relation is not always easy. Oppositely, networking with foreign state governments may be very

valuable for CSOs. Foreign governments often act as donors and additionally, the international community gives the CSOs more visibility and safety, as they can more easily report about grievances to the international community.

Still in early 1990s, many donors viewed NGOs as working together with developing country governments to deliver essential public services, to build vivid civil societies and to enhance democracy. In addition, governments did appreciate the money of foreign donors, because their own resources were scarce (Dupuy et al., 2016). Sadly, like Buyse (2018) notes, the pressure by state on the civil society is getting heavier and heavier in many countries. This is visible especially in countries governed by a dictator, but also in “semi-democracies” or hybrid regimes that do organize elections but lack strong culture of pluralism, rule of law and civic participation, and in some cases even in democratic countries (Buyse, 2018). Ideally, the state should offer an enabling environment for civil society, but often the case is the opposite. The restrictions carried out by the states vary from new, restrictive legislation to threats of or actual use of violence (Buyse, 2018, p. 982). Foreign flows might have accounted even for 10 % of the GDP of aid-receiving countries between 1990 and 2012, but in the last two decades, 39 of the world’s 153 low- and middle-income countries risked their international reputation and potential reductions in foreign aid by restricting overseas financing to domestically operating NGOs (Dupuy et al., 2016). One may wonder why countries do this. To ensure their regime durability, they at least want to monitor and regulate the flow of goods, people, money and ideas, suggest Dupuy et al. Another cause is the growing donor preference to channel the aid through non-governmental mechanisms, contrary to government wishes. The government’s fears are not idle, as locally operating NGOs can and often do wield real influence – sometimes in a way that promotes anti-government sentiments. Even if the NGOs themselves are not directly linked to government’s political challengers, their resources can easily empower government rivals.

In addition, rights-based trend has been growing among international development community, which urges NGOs to conduct data-gathering, public advocacy and policy critique to their possibly influential international audience. Governors often attack CSOs after (more or less) democratic elections: regimes that have recently experienced competitive elections are particularly likely to crack down on foreign aid to locally operating CSOs (Dupuy et al., 2016, p. 302-303.) As a conclusion Dupuy et al. found that rising levels of restrictive finance legislation are slowing the NGO sector’s global expansion and reducing political optimism about civil society’s ability to promote economic development, enhance democracy, and spread liberal norms. Instead, the Western-supported global civil society projects do face increasing government opposition in recipient countries (Dupuy et al., 2016).

As human rights are universal and should be respected by all the UN members, the UN has developed the tools of National Action Plans that are supposed to aid the governments to advance BHR. The NAP is a process that should be carried through in strong collaboration to the stakeholders, including CSOs. The process and functionality of NAPs is described in detail in chapter 2.1.2.

2.4.4 Between CSOs and the private sector

The past 20 years have seen an increase in collaborations and networking between CSOs and businesses (Darko, 2014, p. 2). Although the relationship has traditionally been built upon financial support in the form of CSR-measures, it has evolved to become more complex and dynamic. Wettstein argues that the concept of human rights was noticeably lacking withing the CSR-agenda until the publication of Ruggie's reports on business and human rights (2012). The concept of business and human rights has given another perspective upon the responsibility of the private sector in working towards a sustainable development, but it has also been argued that the emphasis upon the legal and political aspects have overridden the moral aspects, causing somewhat of a divide between the concepts of CSR and BHR (Wettstein, 2012). However, although the approach varies, what is clear is that the private sector has been given both the global mandate and responsibility in working towards development through the SDGs, and SDG 17 in particular (Partnerships for the goals) (Buhmann, Jonsson and Fisker 2019).

There are several reasons underlying the need for CSOs and the private sector forming partnerships and networking. CSOs have seen the need to engage with the private sector not only to receive resources, but to learn useful ways to operate in the global economy and to work with businesses towards poverty eradication (Darko, 2014). Similarly, businesses can gain important contextual information from the local know-how of the CSOs (Dahan et al., 2010) as well as building their image and reputation through partnerships (Darko, 2014). Mena et al. argue that "owing to globalization, the increased power of transnational corporations (TNCs), and a lack of leadership and guidance among involved stakeholders with regard to the protection of human rights, there is a need for enhanced cooperation between different actors operating in the international community to deal with arising human rights challenges" (2010, p. 162). CSO-private sector networking is one of the tools in enhancing this cooperation, where the practices can include "dialogue, empowerment, constructive engagement, and participation in broader mechanisms of global governance, such as multi-stakeholder initiatives" (Mena et al. 2010, p. 162).

A survey of NGOs based in the UK, the C&E Corporate-NGO Partnerships Barometer Survey of 2013, suggests that businesses and CSOs place different emphasis on the reasonings for networking and cooperation (Darko, 2014). While the private sector sees reputation-building and the prospect of

innovation as the most important reasons underlying their involvement in cooperation, the access to financial resources as well as to contacts are highlighted from the CSO sector (Darko, 2014). There is thus both an opportunity to share the resources available to the CSOs and private sectors through networking. However, it can also prove challenging if the two are seeking different outputs from the networking and collaboration activities. Indeed, argue that the “lack of common experience, trust and communication can sometimes result in conflict, even when partnerships appear to have shared values and commitment” (Dahan et al., 2010, p. 336).

3. Project description

The goal of our project was to research how networking and coalition-building activities are used as tools by CSOs in building business and human rights, as well as to research best practices. Our literature review and discussions with KIOS Foundation formed the base for our research questions. Firstly, KIOS were interested in gaining an understanding of the types of networks and networking practices their partner organizations are involved in. Secondly, we wanted to research what kind of networking practices are important and add value in working towards business and human rights. Thirdly, we wanted to examine what challenges the CSOs are facing in networking and coalition-building, specifically regarding the area of business and human rights.

KIOS Foundation put us in contact with seven of their partners working within the area of business and human rights. Five of the CSOs are working in East Africa (one in Kenya, four in Uganda) and two are working in South Asia (Nepal). The selection of CSOs also allowed us to make comparisons between the CSOs working in the contexts of East Africa and South Asia, which was of interest for KIOS.

3.1 Organizations

Organization J is a CSO based in Nepal that offers free legal support and advice to people in difficult situations, unable to otherwise afford a lawyer. They also work on human rights issues as well as trying to educate people on their rights.

Organization K is a lawyers association based in Nepal that gives legal support and advice to people who cannot otherwise afford it. They are especially focused on supporting and improving the rights of the indigenous people of Nepal.

Organization L is a Kenyan civil society organisation that works on environmental and human rights challenges, such as poverty, injustice and inequality.

Organization M is a coalition of CSOs working towards corporate accountability in Uganda.

Organization N is a human-rights based CSO in Uganda working towards social and economic justice through advocacy, capacity building and empowerment programmes.

Organization O is a CSO based in Uganda working with development and poverty-eradication as well as business and human rights in the context of oil and natural gas excavations.

Organization P is a local CSO based in Uganda, working to enhance good governance, corporate accountability, respect for human rights and fundamental freedoms of the most marginalized and vulnerable groups.

3.2 Methodology

The aim of our research was to gather information regarding networking practices as well as challenges faced in networking. In addition, we were interested in examining what kind of networks work well in strengthening the organisations' work in the field of BHR and what the value added can be in successful networking. The study is a case study which aims to deepen the understanding of the work done by the CSOs, and the aim is thus not to generalize the results.

The topic of the case study is broad, and includes themes ranging from networking to business and human rights to development. We thus decided to use semi-structured, open interviews to give the interviewees the possibility to express aspects outside the scope of the prepared questions, and not to restrict the answers to our understanding of the issues. However, having a question outline as a base ensured that the same kind of questions were asked in all interviews. We grouped our interview questions into themes corresponding with our research questions: networking and BHR, best practices in networking on BHR and challenges in networking on BHR (see Appendix 1 for full interview outline). Prompts, explanations and alternative wording were added to all the questions. This was done with the help of our academic supervisors as well as KIOS Foundation.

KIOS Foundation put us in touch via e-mail with seven CSOs that they fund and that work with questions surrounding business and human rights. All organisations agreed to cooperate in the study, and interviews were held in March 2021. We strived to have two interviewers from our team in each interview: one main interviewer who was responsible for the overall questioning, and one interviewer who could follow along and pick up on themes in case the main interviewer did not catch it. Only one interview was conducted alone, and one interview was conducted with two partner organizations at the same time. The interviews were held through Teams or Zoom.

The interviews were conducted in English and were recorded and transcribed. They varied in length between 15-70 minutes. In most of the interviews there were minor problems with the recording and internet connection, resulting in some smaller gaps in the transcripts. In addition, minor problems occurred due to different accents and vocabulary. This was however on such a small scale that it should not affect the outcome of the study. However, these minor problems together with the limited time we had for each interview, affected to the amount of follow-up questions that were asked. Once transcribed, the interviews were analysed thematically according to our research questions, which formed the basis for the discussion (see chapters 4 and 5).

3.3 Ethical aspects

In a case study like this, there are several ethical considerations that we needed to take into account. Because the topic of business and human rights can be a sensitive issue, specifically within the contexts we were researching, questions regarding ethics and security were prioritized. All interview participants were asked to sign an informed consent form prior to the interviews, stating that they agreed to be part of the study and that the interviews could be recorded. The recordings were deleted after the transcripts were done, and the transcripts were safely stored. The CSOs were anonymized and given aliases in the final report in order to retain confidentiality. No direct quotes are used to further reinsure this.

4. Findings

4.1. Networks of the CSOs

The table under describes the networks mentioned by interviewed CSOs. In brackets is expressed how many of the interviewees mentioned existence this type of network during the interview.

Type/level of network	Mentioned networking partners
Local	Communities (4), affected people (1), leaders of the communities (1), volunteers, regional actors but not specified (2), local/regional human rights defenders (2)
National	Government and government agencies (5), government department of gender, labour and social development (1), parliament (1), private sector (5), recruiting agencies (1), other CSOs (3), consortiums (3), umbrella organisations/entities (2), UCCA (1), CISGO (1), Publish what you pay (1), Coalition on Human Rights in Development (1), African Cooperation on Corporate accountability, member organisations (1), Uganda Entrepreneurship Association (1), National Network of Safe Migration (1), national human rights commission (1)
International	International CSOs (1), UN Office of High Commissioner for the Human Rights (1), UN Environmental Programme UNEP (1), financiers, foreign governments as funders (3), African Commission Human and People's Rights (1), African Committee of Experts on the Rights and Welfare of the child (1), Universal Periodic Review (1), the UN Committee on Economic, Social and Cultural Rights (1), international level but not specified (1), Zero tolerance initiative (1), international networks for indigenous people's rights (1), Business Standard Human Rights, UNDP

Table 1. Networks of the CSOs.

Most often mentioned networks included government/government agencies and private sector (each was mentioned 5 times). In addition, some of the CSOs who did not network towards the government regularly, mentioned still having had contacts with government or public servants (such as the police

or judicial system) on individual cases. The scope of networking towards the government varied from almost not at all to more active networking. Almost all the interviewed CSOs were participating in meetings of or managing meetings of a consortium bringing together many CSOs. All interviewed CSOs described networking towards private sector. A prominent finding was the extent and importance given to networking with local communities and on the other hand, to international networks. Many of the interviewed CSOs considered local communities or even individual people (affected by human rights abuses) as crucial part of their networks.

4.2. Importance of different networks

Overall, every one of the CSO's underlined the importance of fellow CSO's in their networks. The interviews highlighted, that value of working together towards a common goal is in the core of the best practices of networking. Each of the interviewed organisations had specific coalitions or national networks consisting of like-minded CSO's collaborating on human rights issues. This was argued to be especially important on the issue of BHR, where there was a large discrepancy between the resources of the private sector (resourceful enough to even compromise governments) and the CSOs. Networking provided a tool to combine CSO specialities and different approaches to respond to this discrepancy in resources.

In addition to the national CSO's, the organisations highlighted the importance of international cooperation in linking up resources and funding. The Kenyan organisation worked on the NAP on BHR with UN Environmental Programme, developing the policy and consequently UNEP attended the organisations' own environmental agenda workshop to speak directly with the participants. Ugandan organisation P additionally underlined NAP, working with UN Office of High Commissioner for human rights and partnering up with the national consortium on corporate accountability. Organisation K named several international networks they collaborate with, including multiple organisations working on the rights of indigenous people. The cooperation with international networks ensured that calls for accountability are made on a higher level. It is also a way to share knowledge between different levels: grassroots, regional, national and international levels. Furthermore, international organisations seem to oftentimes engage in funding of the CSOs. Some funding institutions mentioned were KIOS, UN and an embassy of a foreign country.

The interaction with the government differs slightly between the organisations. For some, it is a crucial partner in the projects, whereas for some collaborating with the state is more like the necessary evil. The Ugandan organisations underlined the importance of governmental institutions in relation to working together on the NAP, meanwhile the Kenyan organisation's aim was more on enlightening

the police on the work of human rights defenders. Compared to the African organisations, the ones in Nepal seemed to have somewhat closer relations with the government. Especially one of the Nepalese organisations underlined how government was a significant player in the network in relation to coordination and was required to get approval for projects and other objectives.

Networking directly with the private sector was also presented as difficult, and businesses were described as trying to minimize their interactions with civil society. Organization O argued that if issues are brought up by CSOs, businesses often use the tactic of derailing the problems raised by referring them onwards. Similarly, organizations M and N argue that businesses tend to hide behind bureaucracy. Moreover, they argued that when the private sector engages in BHR, it is often only a front or a form of branding, but they are hesitant to do anything that would cut into their profits. This makes networking with the private sector difficult, although it does take place through e.g. common meetings.

4.3. Networking practices

The main networking practices that close to all interviewed CSO's found effective included creation of platforms, collaboration with other CSO's as well as meetings. These three practices are intricately linked to each other. Many of the interviewees highlighted the importance of platform building to bring CSO's and other stakeholders together in the network to solve shared issues. Moreover, the organisations collaborated with both national and international CSO's, from small grassroots organisations to large institutions such as the UN. Contacting other organisations led to, inter alia, visibility and created awareness. According to the interviews, sharing of experiences and knowledge often seemed to take place in meetings. Forms of meetings included everything from annual workshops to regional and quarterly meetings.

To efficiently bring all CSO's and other stakeholders together, building good platforms is crucial. Through these platforms, the organisations and other actors can raise awareness on challenges and opportunities within the networks. One of the Ugandan organisations underlined that creating platforms allow grassroots networks and to come together as a movement. An important point raised was that coalitions should align their work plans and aims to the goals of the networking organizations. This would ensure that even though the CSOs engage in different activities and must follow different reporting requirements, there are no competing interests between the work of an individual CSO and the work of the coalition.

In addition to these interlinked practices, other highlighted methods of networking were word of mouth, social media, and the use of thematic clusters within the consortium, all of which were mentioned by the African CSO's.

4.4. Networking and the development of NAPs on BHR

As discussed in section 2.1.2., each of the three countries are in different phases in development of NAPs on BHR. To begin with, Kenya has had its NAP finalised in 2019, however it has not yet been implemented. Our Kenyan organisation had been involved in the process, working closely together with the Office of High Commissioner for the Human Rights in Kenya. Furthermore, the organisation collaborated with UN Environmental programme, giving their input to the revision on UNEP's policy. As mentioned in section 4.2, UNEP then attended the organisation's environmental agenda workshop.

The Ugandan government is currently embracing the NAP on BHR, with a number of organisations working together with the ministry to develop it. One of our interviewed organisations partnered up with the Ministry of Gender, Labour and Social Development to assist with consulting, preparing of documents and getting them ready for presentation through various ways of policy agreement. The CSO initiated the cooperation, offering technical assistance to ensure the country's NAP process moves on. Further, they reached out to Kenya for support in discussing the process and expectations with the government.

For our Nepalese organisations, it was clear that there was no NAP on BHR on place in Nepal. There is law, policy and an action plan to implement laws in place for labour migration issues, yet it seems as it would be beneficial to develop an actual NAP. One of the organisations interviewed had been the first CSO to raise the issue of NAP with the government of Nepal, advising the government to prepare a plan for BHR. They worked jointly with National Human Rights Commission to embrace the NAP, yet there has still not been sustained progress in the development of one.

4.5. Value added

The organisations were unanimous in one aspect: working together on a common agenda is the value added in networking. Similar expressions popped up in the conversations repeatedly; "single voices not effective", "one voice", "one big voice" along with others. Building partnerships is clearly in the core of networking, and it is interlinked with all the other aspects of value highlighted by the organisations. For instance, all relevant stakeholders must be brought together to make change and some of the organisations further underlined the value of networking regarding capacity building. Yet,

all the interviewed organisations acknowledged that cooperation is done essentially to gain resources, expertise, to share knowledge or in some cases to gain funds.

Working together to further shared agenda and capacity building are by no means the only upsides of networking. The Kenyan and one of the Ugandan organisations underlined the sense of security in working together, reducing the risk of attacks. This is particularly important in the case of working towards business and human rights, which can often be a sensitive issue. Furthermore, organisations group under an “umbrella”, as bigger networks are more likely to be recognised by the government, thus increasing legitimatisation. For organisation M, inclusion of a university department in the network gave the whole network a larger legitimacy, both within the state and private sector. Larger platforms of engagement further increase the ability to reach different stakeholders. When working towards BHR it was stated that international partnerships and networks are of great importance. These forms of partnerships mean that the CSOs can turn to international grievance mechanisms, but also that international networks have a greater mandate to build BHR on a higher level together with MNCs and/or the financiers of the MNCs.

4.6. Challenges of networking

Although all CSOs saw inter-CSO networking as an important tool in working towards BHR, it also brought about several difficulties. Nepalese organization J pointed out that CSOs generally are sceptical in the beginning, wondering what they can gain from the network and who benefits from it. This was also underlined by organization O, who argued that it is difficult to know who really sets the agenda in a network. The interests of the strongest CSOs might impact the agenda of the whole network. Furthermore, organization O stated that all CSOs have their own interests and goals in mind, which they need to prioritize. All CSOs also follow their own time-schedules, which means that in some cases there is a lagging in input and responses to the network, according to organizations M and N. Organization L also expressed that many smaller CSOs that are without funding generally have an especially hard time with networking. Moreover, because the CSOs rely on external funding, they are inclined to be more focused on their own funding than on maintaining funding for a coalition.

Another issue of trust between networking CSOs brought up in the Ugandan context was that there are cases when a CSO has taken on a project in a community and has asked for help for parts of the projects from a partnering CSO. If the partner CSO fails to deliver on the task, and thus the whole project fails, who is to be held accountable to the community? The issue of sustainability and how to maintain a network in the long run was also brought up by one of the Nepalese organizations. How

does one encourage the different organizations and institutions to keep working with each other after a project is finished?

Organisations M and N pointed out that there is a risk that networking CSOs might copy ideas to gain funding as well as claim works done by the network as their own. Furthermore, since working on BHR is a highly sensitive topic, they argued that the private sector could even work through individual CSOs in order to disorganize the whole network. Moreover, they stated that there could be PR-attacks against CSOs working towards BHR, meaning that other CSOs would be hesitant to work with them in case they would also gain a negative reputation.

An important issue brought up by Nepalese organisation K was that there is a lack of CSOs working on BHR to network with in the first place. Furthermore, organisation K faced particular challenges both from other CSOs and the government who are hesitant to include the rights of indigenous peoples into the broader concept of human rights. According to organization K a lot of people in Nepal don't want the rights of the indigenous people there to improve, making their biggest challenge discrimination. This made networking on BHR particularly challenging in their case.

On the theme of CSO-government networking there were also several challenges mentioned. CSOs both in the East African and Nepalese contexts mentioned that when working on BHR, governments describe them as anti-development, anti-economic or economic saboteurs. Because the private sector employs people and is also financially beneficial to the state, it is easy to brand and dismiss those with critiques against human rights abuses as anti-economic. Organisation O argued that the government sides with the private sector, since it provides them with money. Organization L argued that the government does not want CSOs to network because they would then demand accountability on a higher level. Organization O argued that it is difficult to network with the government, as a part of their politics they can say very different things in different contexts. There was thus often a lack of trust in the government, which makes networking problematic.

Networking directly with the private sector was also challenging. The companies in the private sector seem to think that the CSOs are working against them and that they have nothing to gain from cooperating with them. Organisation P argued that most businesses have not yet understood the importance of accountability, which has made it difficult to collaborate on BHR-issues. Organization O argued that the private sector tries to limit their communications with civil society and does this by avoiding or deferring attempts of contact. Organizations N argued that the private sector consists of actors with large budgets and large spheres of influence, making critique against businesses an issue of security. Furthermore, because businesses are powerful players, organization N argued that they can even go to the length of buying off people or influence funders of CSOs, ensuring that funding to

CSOs bringing up human rights challenges is cut. Their large PR-budgets can also work to disservice CSOs working on BHR, to the point that both governments and other CSOs might be fearful of associating with them. It was stated that this is a high-security issue, where there have even been cases of attacks.

5. Discussion

5.1 Networks of the CSOs

In section 4.1, we found that governments and the private sector were mentioned most often as networking partners. This, however, does not suggest that these relationships are unproblematic or even the most important, but does show that a wider form of networking than inter-CSO networking is taking place.

Interestingly, several CSOs mentioned local communities or even individual community members as networking partners. As we used the definition of networking by Keck and Sikkink (1998 in Murdie 2014, p.310) as *organizations* coming together, we had not considered that CSOs also saw the communities where they worked as being part of their network. Closer research on the networking practices of CSOs when reaching out to different communities and their members could thus be recommended for future studies. This finding could also indicate that the scope of networking partners we chose to focus on in our interviews was too narrow.

Inter-CSO networking on both the national and international level were mentioned more than regional networking. Nepalese Organization K stated that there are not many other CSOs working on the particular theme of BHR, which might be one of the reasons why higher-level networking bears more importance. In our literature review, we mainly focused on international networks in the form of funding partners, but our findings suggest that they are valued for many other reasons: being able to advocate on a higher level, capacity-building and sharing knowledge from the international to the local level. We thus recommend further studies on the networking practices and the importance of international partnerships.

5.2 Importance of different networks

As mentioned above, both national and international CSOs were highlighted as very important networking partners. The platforms and expertise these networking partners provided enhanced the work of the CSOs on the local levels, provided them with a certain level of legitimacy and were also able to advocate for issues at a higher level. Organisation O stated that larger platforms provide larger possibilities and greater stakeholder-engagement. However, the importance of regional networking should not go unmentioned. Regional meetings between CSOs provided the opportunity to work together on issues relevant to their specific contexts, which was highlighted as an important factor.

The state, government and local-level governments were also mentioned as important, although networking in practice was often described as problematic. Local governments of course must be

notified and agree to the workplans of the CSOs before commencing on new projects. Organization O saw the involvement of government representatives in the work of the CSOs as a tool to ensure their accountability. Often CSOs had to prove their capabilities, but once that was done, they described how governments would be in touch with them for collaboration. This suggests that building relationships between CSOs and governments take both time and trust, yet can be a very fruitful partnership in the long run.

Networking directly with the private sector also had its problematic sides. Although there were examples of successful networks, both in the East African and Nepalese contexts, generally it seemed as if the private sector tried to avoid contact with the CSOs through practices such as derailing, referrals and bureaucracy. When working on BHR, some CSOs saw that the private sector mainly followed minimum requirements and/or used the process for improving their own image. These relationships were made more difficult by processes such as sub-contracting, which raises questions of who is accountable for breaking human rights. It was also made more difficult because of the (often) strong relationship between the state and the private sector, where the state relies on the money gained from businesses. The private sector has its own aims and timelines, which often stands in contrast to the aims of the CSOs. As Dahan et al. argue, there does indeed seem to be a “lack of common experience, trust and communication” (2010, p. 336), which makes networking difficult.

5.3 Networking practices

The networking practices mentioned by the CSOs ranged from small-scale (word-of-mouth) to large-scale (international advocacy). Like Holmén (2002) argues, networking practices varies in terms of both scope and levels of interaction, and this was also the case with the CSOs researched.

Building platforms as a space for communicating and collaborating with other organizations requires time, trust, resources and energy. When asked what to consider when building platforms, several CSOs highlighted the importance of finding the right partners to collaborate with. Organization N argued that one should not invite other CSOs to the networks. Rather, a better practice would be for them to research the network and judge whether the aims of the network align with their own goals. Similarly, organization P argued for the importance of being critical when choosing networking partners, as there are organizations that might want to use the networks for purposes of building credibility or visibility. Moreover, it was stated that it should be made clear from the onset that a networking platform is not an opportunity to apply for extra funding. These are some of the tools that were highlighted as best practices when building a functioning network. Moreover, the importance highlighted of critically choosing one’s networking partners was not something that was heavily

emphasised in our literature review, but which came across as an important part to several of the CSOs interviewed.

5.4 Networking and the development of NAPs on BHR

All the interviewed CSOs were aware of the existence of NAP process regarding business and human rights, recommended to the governments by the UN. They were also aware of the actual situation of a NAP process in their country. In the countries where a NAP process was or had been going on, the CSOs who commented the question regarding NAPs had participated actively in the process. At least in one case the government had reached to the CSOs for civil society participation, like suggested by the UN guiding principles on BHR. In Kenya a NAP on business and human rights is already established, and Kenyan organization L was satisfied with the process. In Uganda where the process was still going on, the CSO commenting the process was a bit dubious to call the liaison on NAP as networking with or towards the government. The literature regarding NAPs suggested that these programs vary a lot in the quality of the content and can often be found vague (De Felice and Graf 2015; O'Brien et al 2015). However, in this research, we did not find strong criticism of the NAP processes. Even though the relations and stance towards the government varied a lot between the CSOs, the process of NAP was still in general found as a useful and preferred tool. Still we have to bear in mind that the NAP processes are meant to be on-going with regular possibilities for evaluation together with the stakeholders, and in the countries where our interviewees work, the processes are quite young.

5.5 Value added

The greatest advantage of networking that was emphasised by all CSOs was the creation of larger platforms, which created opportunities to work together on a common agenda and give a larger voice to the issues of BHR. This coincides with the findings in the literature review (see section 2.4.2). This larger platform is particularly important in the contexts researched, where the private sector has a vast number of resources and often cooperates with governments. Resource-scarce governments are more likely to listen to resource-laden businesses than single CSOs, but by networking and forming larger platforms the CSOs create a larger voice that cannot be ignored. This larger voice also provided the issues with a greater degree of legitimization, as was also an added value in the case of the TAC-campaign in South Africa (see section 2.4.2).

Our literature review on inter-CSO networking suggests that one of the greatest advantages is 'pooling resources' (Ochieng Odhiambo, 2004, p. 132), and this also seemed to be the case in the CSOs

researched in this study. The emphasis here was however not on the pooling of funding, but rather on sharing expertise and knowledge, as a form of capacity-building. Although the sharing of funds or ability to apply for greater funding were mentioned, funding was generally seen as a contentious notion in networking. Organizations M and N mentioned the problematic side of networking if organizations join to receive more funding. They stated that the expectations should be made clear from the start: networks are for enhancing work on a common goal, not for increasing the funding of individual organizations. In fact, the competition for funding could even in some cases lead to betrayal, copying or hijacking processes between CSOs, in what was described as a fight behind the scenes. This competition for resources was also mentioned as a challenge in our literature review (Abelson, 2003; Holmén, 2002). Thus, the value-added of networking lies not so much in the funding, but in the building of capacity through sharing information and knowledge.

A theme that was not heavily emphasised in our literature review on inter-CSO networking, but that was mentioned by several organizations was the issue of security. Working towards BHR is a sensitive and contentious issue, that carries high risks. Organization O stated that governments may target individual organizations but working through networks provides a strength in numbers. Similarly, several organizations saw that the government and the private sector had strong ties, and that working towards BHR is a sensitive and difficult subject that could have extremely harmful consequences and attacks. Networks provided security and dispersed the risks. This seems to be a value-added in particular when networking on BHR.

5.6 Challenges of networking

Although inter-CSO networking on different levels (regional, national and international) was portrayed as an effective tool, it also presented several challenges. The main challenge can be summed up as a lack of trust. There were trust-issues surrounding whose agenda the CSOs were working towards, issues around attribution and claiming work as one's own rather than the network's, breaches of trust when a CSO was unable to live up to expectations as well as issues of not being able to rely on gaining the responses or input needed from partner-CSOs. In order to confront these issues, Nepalese organisation J had developed guidelines prior to networking that laid out the premises of the collaboration. This ensured that expectations were aligned already on the onset. Moreover, they organize bilateral meetings with other CSOs before commencing on networking together, in order to build trust. Aligning expectations was also brought up by organisation M as an important tool in successful networking. These are some of the tools that can be used to build trust and strengthen inter-CSO networking.

The main challenge with networking with the government was suggested to be that the government often sided with the private sector, due to financial reasons. It seems governments often saw the CSOs as demanding, and in some cases even feared them. A lack of trust was an issue also here. However, several CSOs had suggestions on how this trust could be strengthened. By providing the government with technical support and expertise, relationships could be built. This had in some cases resulted in closer networking practices, where the government also reached out to the CSOs for their engagement in human rights issues.

Although positive examples were given, networking with the private sector was mostly described as difficult, and in some cases even dangerous. Our literature review had highlighted the positive impacts of this form of networking, both from a CSO and a business-perspective, but these impacts were not brought up by the CSOs (e.g. CSOs working together with businesses against poverty eradication as mentioned by Darko, 2014, in section 2.4.4). Although CSOs tried to reach out to the private sector, they were often met by silence or high levels of bureaucracy which made it difficult to advance the issue. A successful way or networking with the private sector could be to build the legitimacy of the network by cooperating with international organizations, the government or academic institutions such as universities.

6. Conclusion

To conclude, there are many uses for networking, and it is an important part of the work that the interviewed CSOs partake in. Through networking they have a stronger voice and as a group they can minimize the risk of governments targeting specific organizations. The CSOs we interviewed were therefore highly engaged in different networking practices. Despite this, many CSOs seem unwilling to network, which is one of the major challenges. There is a lack of trust between the CSOs that makes it difficult to maintain a cooperative environment. Certain organizations may tend to take credit for themselves when the network does something, which undermines the value of the network as well as increases level of distrust.

When it comes to networking with the government, the situation varied depending on country and situation. Some governments seem to be willing and helpful, while others see the CSOs as enemies. It was noteworthy that in some cases, such as in Nepal, the CSOs expressed very different experiences with networking, not only with each other but also with the government. Thus, it's clear that the government may have an agenda that affects which CSOs they are willing to network with. On the other hand, when it comes to the private sector the general consensus was that they see the CSOs as enemies and are quite unwilling to work with them. They use heavy bureaucracy and dismissive responses to make it more difficult for CSOs to come into contact with them, which discourages some of them to even try in the first place.

Overall, the most important relationships mentioned were inter-CSO networks. In both national and international levels, the CSOs join to work towards a common goal, supporting each other throughout the process. A crucial part of the relationship-building is finding the right partners to collaborate with. Best practice emphasised for the process was not to invite members to join the network, yet to let the right ones to find the network themselves. Additionally, the organisations highlighted the importance of the affected communities in their networks, as the starting point of the network.

In regard to business and human rights, the study found creation of larger platforms to be the most essential networking practice. This finding supports previous research conducted on networking, indicating that the more attention a cause gains the more efficiently CSOs can work towards resolving issues around it. Moreover, the study organisations underlined the benefits of networking in terms of sharing experiences, learning and gaining other valuable resources and links to new CSOs. It is noteworthy to mention that in addition to these capacity-building activities, organisations shed light on the sense of security that networks bring. Working on BHR includes processing of sensitive issues and consequently possesses a risk of attack. It could be of interest to look more into CSO practices in relation to legitimacy and security in BHR work in the future.

Our case study focused on the networking practices between organizations: CSOs, the government and the private sector. However, several of the CSOs saw local communities as their main networking partners. Further studies on the networking practices between CSOs and the communities where they work could be beneficial to gain a deeper understanding of networks. Another finding was the importance of international networks to the local CSOs. We suggest that further research could be done on these relationships. This is especially interesting regarding the case of networking together towards BHR, which necessitates an intricate relationship between several national actors. International cooperation and input in these questions and processes is an important but sensitive aspect that would be interesting to study further.

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8. Appendices

Appendix 1: Interview questions

Organization:

Name and title of interviewee:

Warm-up questions, getting to know the organization

1. Could you tell us more about your organization: what are your aims? What does your work look like in practice?
2. How do you work with business and human rights?

Networking and networking practices in working with BHR

3. What does networking entail in your organization? *(Reformulation: How do you interact/engage/ create relationships with other organizations or actors from different sectors? What significance/meaning do these relationships have?)*
4. What kind of networking practices do you engage in? *(Reformulation: What kind of activities do you use? What do you do to maintain these relationships?)*
(Examples of networking practices that can be used as prompts if needed: ‘keeping in touch’, meetings, campaigns – ask both about informal and formal channels if they understand it as only meaning very formal activities)
1. What kind of networks do you have? *(Reformulation: What kind of relationships do you have with...)* (with other CSOs, governments (which departments/levels), private sector?)
2. Have you been involved in the development of the National Action Plan on Business and Human Rights in Uganda/Kenya? How? With what results? (case of Nepal: have there been discussions about the development of a NAP on BHR?)

Networking on BHR: best practices

3. Why is it important to you to engage in networking? *(What kind of benefits do you associate with networking?)*
4. What kind of networking activities have worked well in strengthening business and human rights? *(What kind of networking practices have been beneficial?)* (How and why?)
5. What kind of networking relationships have been important in strengthening business and human rights? (relationships with other CSOs, relationship with state, relationship with private sector, international relationships?)
6. What, in your opinion, is the value-added of networking? *(Reformulation: is networking particularly valuable, compared to other means? If so, what are the core benefits of networking?)*

Networking on BHR: challenges

7. What kind of challenges have you encountered in networking on business and human rights? (When? How? Were you able to solve them? If so, how?)
8. What particular themes/subjects are there that are particularly challenging when it comes to networking on BHR in practice? (for example: different agendas or goals). (What are they? How can they be overcome?)

Conclusion

9. Do you have anything else that you would like to add?