Complaint to the GPSNR against the Bridgestone Corporation for Violation’s of the Platform principles and Code of Conduct

December 4, 2019

For the Attention of:
Secretariat of the Global Platform for Sustainable Natural Rubber

Complainant:
Mighty Earth
2000 M St NW #720,
Washington, DC 20036
United States

Complaining Against:
Bridgestone Corporation

Type of Complaint:
1) Violation of Principles
2) Violation of Code of Conduct

Description:
The Bridgestone Corporation, via its subsidiary Bridgestone Americas Inc., is the sole owner of the Firestone Liberia rubber plantation, the largest single natural rubber operation in the world. Firestone Liberia has been in operation since 1926, and has renegotiated its concession agreement with the Government of Liberia several times over the past 93 years.

Firestone has contributed significantly to the economy of Liberia, and is the country’s largest private employer. However, the company has also been involved in a number of controversies down the years, ranging from questions about its influence over the Government of Liberia, to labor unrest, deforestation, land rights disputes, and allegations about environmental pollution.¹

A particularly turbulent period for the company was the mid-2000s, when Firestone Liberia was renegotiating its concession agreement following the second civil war – initially with the transition government, and subsequently with the administration of Ellen Johnson Sirleaf. During this time, Firestone was confronted with a number of serious allegations from local and international civil society organizations around labor rights abuses and environmental pollution. The company strongly and consistently defended its track record.

Since 2009, Firestone Liberia has faced less intensive scrutiny, although this year it has faced criticism when scaling back its workforce, with allegations that it sacked full-time union members, who were then hired back as contract workers.²

In March 2019, Mighty Earth commissioned a short study to assess potential ongoing concerns relating to: 1) employees’ rights, including violations of labor laws or
international norms, and/or undermining the position of trade union workers; and 2) environmental problems, especially regarding pollution of local fresh water resources. The research scope also included understanding steps that Firestone Liberia has taken to respond to any ongoing labor or environmental issues.

This research was commissioned in the context of two significant developments with Firestone’s parent corporation. First, in February 2018, Bridgestone Corporation published its group-wide Global Sustainable Procurement Policy (GSPP), which outlined a set of key principles and standards for the company’s purchasing of materials, including natural rubber.

Second, during 2018, Bridgestone acted as one of the key drivers within the Tire Industry Project to birth the Global Platform on Sustainable Natural Rubber. In March of 2019, Bridgestone was a prominent part of the inauguration of the Platform, signified by its election to the Executive Committee to represent the tire industry.

Through both its own GSPP, and its membership of the GPSNR, Bridgestone has therefore subscribed to certain principles in order to ensure that – as both a natural rubber producing company, and the largest natural rubber buyer in the world – it does not contribute to negative environmental, social, labor, or human rights outcomes.

Regrettably, however, Mighty Earth’s recent field research at Firestone Liberia has uncovered several issues of concern that seem to put Bridgestone Corporation at odds with its commitments under the GPSNR. The key findings of the research, which accompany this document as a supporting document, can be summarised as follows:

Mighty Earth has taken these findings to Bridgestone/Firestone and discussed them with company representatives via electronic communications, telephone conversations and a face-to-face meeting, which took place in early October 2019. Although some progress has been made through this dialogue, Mighty Earth has not been satisfied that Bridgestone/Firestone have adequately addressed our concerns. Nor do we feel that sufficient consideration has been given by Firestone as to how it should seek to redress the legacy of water pollution which, eleven years after committing to install a state-of-the-art water treatment facility, the company has admitted is still an ongoing problem.

In relation to GPSNR, Mighty Earth believes that the current impasse leaves Bridgestone in breach of its commitments as a member of the Platform. Specifically, we submit that, through the operation of its Firestone Liberia rubber plantation, the Bridgestone Corporation is in violation of six of the key GPSNR Principles, as outlined in the table below.

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<thead>
<tr>
<th>GPSNR Principle</th>
<th>Brief Description of Alleged Violation(s)</th>
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<tbody>
<tr>
<td>Water management</td>
<td>Ongoing discharge of untreated or insufficiently treated effluent from Firestone Liberia’s rubber processing factory into local watercourses. This is despite commitments by the company as early as 2008 to install a “state of the art, multi-million dollar water treatment system.”</td>
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<tr>
<td>Human rights</td>
<td>Allegations of rashes and sickness of local people resulting</td>
</tr>
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from water pollution from Firestone’s rubber processing factory, impacting upon their right to health
Allegations of fish kills in local water sources resulting from water pollution from Firestone Liberia’s rubber processing factory, impacting upon livelihoods and the right to food.

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<tr>
<th>Labor rights</th>
<th>There is a history of tension with Firestone’s rubber plantation workers. Firestone has failed to adequately engage with labor concerns and has not engaged in effective mediation with various independent trade union leaders. Lack of recognition of independent trade union, due to potential misinterpretation of Liberian law.</th>
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<tr>
<td>Free, Prior &amp; Informed Consent (FPIC)</td>
<td>Lack of effective communications and consultations with local communities affected by Firestone Liberia’s rubber plantation and factory operations.</td>
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<td>Transparent reporting</td>
<td>Neither Firestone Liberia nor Bridgestone have adequately communicated ongoing problems, risks or disputes in its annual reports or other corporate communications.</td>
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<td>Auditing protocols</td>
<td>Firestone Liberia does not publish the results of testing the company does on local watercourses within and near to the plantation area. This is especially problematic as the Liberian Environmental Protection Agency (EPA) does not regularly conduct its own testing, leaving local people without access to vital information about potential water quality issues.</td>
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Mighty Earth has encouraged Bridgestone bilaterally to undertake seven key remedial steps in order to bring itself into compliance with both its own GSPP, and with the GPSNR Principles. We now seek the GPSNR Secretariat’s assistance in mediating and resolving them. They are:

- **Firestone Liberia should redress highlighted labor injustices and recognize legitimate independent trade union representation.**

- **Firestone Liberia must urgently accelerate the installation of wastewater treatment technologies to minimize and clean up factory effluent into local water sources. It should work with the EPA to undertake regular testing of the water and publish the results in a publicly transparent manner. It should also declare what actions it intends to take where waterways are found to have been contaminated by the company’s operations.**

- **Firestone Liberia should discuss and agree to remediation with local communities that have been affected by pollution from the company’s operations entering local waterways over the past decade, including for the effects on peoples’ health and livelihoods.**

- **Firestone Liberia should review and reform mechanisms for regular and fully inclusive community dialogue. It should engage independent experts to set up effective community dialogue fora and processes so as to both provide information to local communities, as well as to hear and respond to community concerns or grievances.**
Given the discrepancies between the problems reported to Mighty Earth by local people and the account of Firestone/Bridgestone – as well as the lack of scrutiny by key government agencies – Bridgestone Corporation should jointly (with local civil society and trade unions) commission a comprehensive, independent social and environmental audit of Firestone’s Liberia’s operations. The results of this should be made publicly available.

Bridgestone must publish an implementation strategy and timetable for its Global Sustainability Procurement Policy with regards to natural rubber, while Firestone Liberia should publish its own action plan for implementing the group Policy.

Mighty Earth therefore hereby requests that:

1) the GPSNR Secretariat submit this complaint through the Platform’s interim grievance mechanism;
2) the issues and outlined in this complaint (and in greater detail in the supporting documentation) are each individually interrogated; and
3) the recommendations set out above are fully or partly endorsed, amended, or rejected.

Mighty Earth proposes a month-long period for the consideration of these issues, from the date of submission noted at the top of this document, no later than January 4th.

Supporting Documentation
Fully referenced research report attached.

Declaration:
We do not wish to remain anonymous and consent for this data to be stored and used by the GPSNR Secretariat for communications related to this complaint case.

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