

The Voluntary Principles on Security and Human Rights: Backgrounder for Governments on Company Implementation

Established in 2000, the Voluntary Principles on Security and Human Rights (VPs) Initiative is a multi-stakeholder initiative involving governments, companies, and non-governmental organizations (NGOs) that promotes implementation of a set of Principles that guide companies in the industries of extracting, harvesting, or developing natural resources or energy on providing security for their operations in a manner that respects human rights.

Participants in the Initiative take part in shared learning and joint problem-solving, combining resources to innovate best practices around security and human rights challenges.

VPs Initiative: Multi-Stakeholder Approach Creates Platform for Tangible Change

Each group of stakeholders offers a unique perspective and contribution. Governments possess diplomatic information related to the public and private security sector; companies have firsthand knowledge regarding the challenges of working with public and private security on the ground; and NGOs have access to information regarding how security-related issues impact local communities. By working together and sharing information, stakeholders are better equipped to address security concerns collectively. Examples include:

- **Peru.** In Peru, VPs Participants share successful approaches and challenges in promoting and implementing the Principles through an in-country working group, which consists of international and national non-profits, embassies of VPs governments, VPs companies, as well as, in the role of observers, the Peruvian Ministry of Foreign Affairs and other Peruvian government representatives. Through this process, VPs Participants have developed a solid foundation to address security and human rights concerns and to encourage the Government of Peru to join the VPs Initiative.
- **Colombia.** In Colombia, where both the national government and many extractives companies have committed to the VPs, companies report that joining the VPs Initiative has helped them become more accustomed to analyzing, discussing, and addressing human rights issues within the context of everyday business operations. The Government of Colombia regularly engages with company Participants to develop strategies to reduce human rights risks and facilitate sustained growth. Drawing on results from companies' own risk analyses, the Government is adapting its new security model so that the armed forces and the police are better equipped to act in accordance with human right principles. The Government is also preparing a guide for current operators and potential investors that will provide political, social, institutional, and economic context and tools to mitigate the risks of operating and to achieve sustainable development in the country. The Colombian Ministry of Defense and several VPs companies have signed memoranda of understanding that incorporate the Principles as the standard of conduct for the Colombian forces protecting company projects.

Integration of the Principles into Corporate Practices Builds Respect for Human Rights On-the-Ground

Many VPs companies have integrated the Principles into the relevant steps of their corporate policies, procedures, and assessments to build respect for human rights in the provision of security for their facilities and premises.

- **Human rights risk assessments.** The VPs Initiative provides a forum to assist companies in translating the Principles into internal policies, procedures, and assessments to minimize the risk of human rights harm and bring about tangible results on-the-ground. For example, a VPs mining company seeks to decrease the likelihood of inappropriate use of force by not allowing security forces to carry firearms unless a risk

assessment first determines their use would be justified. To reduce risk of sexual assault, another VPs Corporate Participant assigns responsibility for apprehending and monitoring female trespassers to female security officers.

- **Contracts with security service providers.** Many VPs companies have already integrated the Principles into their contracts with private security service providers. One mining company, for example, includes the Principles in all contracts with private security providers. These contractual provisions include criteria for identifying an individual's suitability to carry and use firearms, defined rules of engagement based on international principles for public law enforcement officials, and incident reporting and investigation procedures. VPs companies also seek to integrate the Principles into contracts with public security service providers, often beginning the process by familiarizing the national and local government with the Principles.
- **Reporting and remedying problems.** VPs companies have established a variety of grievance reporting mechanisms. Several VPs oil companies offer independent and confidential hotlines. VPs companies have also instituted processes for forwarding grievances to responsible designated personnel, and for resolving them in a timely fashion.
- **Human rights training for security service providers, employees, and contractors.** VPs companies have made significant investments in developing and deploying human rights training programs for public and private security service providers, company employees, and contractors. For example, a VPs mining company conducted 28,500 hours of specific training on the company's human rights policy in 2011 in Indonesia alone. Five thousand employees, 7,000 contractor employees, and 1,700 others – including police, armed service, students, and community organizations – received the training. Another VPs company uses verbal and written assessments to ensure that its trainings for security personnel, which it conducts at least annually, are producing a measurable understanding of human rights responsibilities.
- **Employees on the ground with VPs-specific responsibilities.** Most VPs companies designate responsibility to implement the Principles to specific employees at the project level, which enables more effective integration of the Principles into company operations. For example, in Colombia, a VPs company employs two Public Security Relationship Advisors who are accountable for promoting implementation of the Principles. Similarly, a VPs mining company deploys Human Rights Compliance Officers at each of its international operating mine sites; these officers receive, document, and follow up on allegations of human rights violations.

Accountability in Action

VPs companies regularly review their internal VPs policies and procedures as they strive to constantly improve their practices. Many companies have internal processes for assessing their implementation of the Principles, and some also commission external assessments. Participants then develop procedures to implement recommendations arising from the assessments. One VPs mining company, for example, uses a checklist of VPs-related indicators as part of its internal assessment process; the company reports that the checklist has helped it to mitigate human rights risk. Another VPs company uses the risk assessment process to categorize operations as high, medium, or low-risk. All high-risk and medium-risk operations are annually or semi-annually assessed by independent external specialists. Other VPs companies have deployed independent investigators in specific instances to ensure implementation of their VPs commitments.

For specific examples of Voluntary Principles implementation in particular countries or sectors, please contact the Voluntary Principles Secretariat at voluntaryprinciples@foleyhoag.com.