

## INITIATIVE OF THE VOLUNTARY PRINCIPLES ON SECURITY AND HUMAN RIGHTS

### PARTICIPATION CRITERIA

#### Participants

- Governments
- Companies
- Non-Governmental Organizations

#### Overview

At the 2007 Annual Plenary Meeting in Washington DC, the Participation Criteria were formally adopted. The Participation Criteria articulate the responsibilities of current and future members of the Voluntary Principles Initiative; it is anticipated that the Participation Criteria will further strengthen implementation and accountability, increase the number of Voluntary Principles Initiative Participants, and encourage more robust and constructive dialogue among Participants.

Some of the key features of the Participation Criteria include: minimum requirements for participation; a dispute resolution process to raise concerns about the performance of a Participant; accountability mechanisms that include the possibility of expulsion; and more transparent procedures for accepting new members.

Additionally, the criteria enshrine a commitment by Participants to report publicly on their implementation of, and/or their assistance in the implementation of the Voluntary Principles.

#### Voluntary Principles Participation Criteria

Participants confirm that the core objective of the Voluntary Principles is to “guide companies in maintaining the safety and security of their operations within an operating framework that ensures respect for Human Rights and fundamental freedoms.” Participants acknowledge that engagement and dialogue among the Participants are central to reaching this objective.

To facilitate the goals of the Voluntary Principles and encourage full and open dialogue, Participants confirm that all proceedings of the Voluntary Principles process are on a nonattribution and non-quotation basis and no distribution of documents to non-Participants is permitted except as required by valid legal process or otherwise required by law.<sup>1</sup>

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<sup>1</sup>As stated in Appendix 4, Observers are required to sign a statement acknowledging the confidentiality which all Participants in the Voluntary Principles Initiative are expected to follow, as set forth in the Participation Criteria.

**All Participants are expected to meet the following criteria:**

1. Publicly promote the Voluntary Principles;
2. Proactively implement or assist in the implementation of the Voluntary Principles;
3. Attend the Annual Plenary Meeting and, as appropriate and commensurate with resource constraints, other sanctioned extraordinary and in-country meetings;
4. Communicate publicly, at least annually, on efforts to implement or assist in the implementation of the Voluntary Principles;
5. Prepare and submit to the Steering Committee, one month prior to the Annual Plenary Meeting, an Annual Report on efforts to implement or assist in the implementation of the Voluntary Principles according to criteria determined by the Participants;
6. Participate in dialogue with other Voluntary Principles Participants;
7. Subject to legal, confidentiality, safety, and operational concerns, provide timely responses to reasonable requests for information from other Participants with the aim of facilitating comprehensive understanding of the issues related to implementation or assistance in implementation of the Voluntary Principles.

**In Addition:**

- A Participant may be declared inactive if it fails to submit an Annual Report that meets mutually determined criteria (Participation Criteria number 5, above) and/or categorically refuses to engage in direct dialogue with another Participant.<sup>2</sup>
- Participants are permitted to raise concerns regarding whether any other Participant has met the Participation Criteria and, where appropriate, concerns regarding sustained lack of efforts to implement the Voluntary Principles. The ultimate goal of all concerns raised with regard to performance under the Voluntary Principles should be to strengthen individual and collective efforts to implement or assist in implementing the Voluntary Principles through constructive engagement.
- Corporate and Government Pillar Participants are expected to pay contributions for Secretariat services.

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<sup>2</sup> Engaging with another Participant refers to engagement in good faith.

- Participants are to seek to resolve any concerns through direct dialogue with another Participant. If direct dialogue fails to resolve the issue, a Participant may submit its concerns to the Steering Committee. If determined by the Steering Committee that these concerns are based on reliable information and that the Voluntary Principles Initiative would be strengthened by further consultations, the matter is to be referred to the Secretariat within 60 days of its submission to the Steering Committee. The Secretariat is to facilitate formal consultations between the interested Participants, subject to the requirement of confidentiality set forth in this document. In no more than six months, the Participants involved in these consultations may present the matter to the Plenary at an Annual or Extraordinary Plenary Meeting. The Plenary is to decide what, if any, further action is appropriate. The Plenary's role is to make recommendations that strengthen and/or support implementation of the Voluntary Principles. A party to a complaint may request the Steering Committee to conduct a status review of a Participant's efforts to implement the Plenary's recommendation. The Steering Committee, on its own discretion, may also initiate this review. Categorical failure to implement the Plenary's recommendations within a reasonable period as defined by that Plenary will result in inactive status.
- The Participant raising the concerns and the Participant about whom the concerns are raised may present their position to the Steering Committee or Plenary, as the case may be, but otherwise do not participate in decisions to expel a Participant. In the event concerns are raised about more than one Participant, the decisions with respect to each Participant are to be reached separately.
- To facilitate the goals of the Voluntary Principles and to encourage full and open dialogue, Participants acknowledge that implementation of the Principles is continuously evolving and affirm that the Voluntary Principles do not create legally binding standards and participation in, communications concerning, and alleged failures to abide by the Voluntary Principles are not to be used to support a claim in any legal or administrative proceeding against a Participant. This does not preclude any Participant from criticizing the conduct of any other Participant, publicly or privately, subject to the requirement of confidentiality set forth in this document.