

Voluntary Principles Initiative – Guidance on Certain Roles and Responsibilities of Governments

Governments should provide an enabling environment for the implementation of the Voluntary Principles. It is recognized that all governments participating in the Initiative of the Voluntary Principles on Security and Human Rights (the “Voluntary Principles Initiative” or “VPI”) remain bound by their existing obligations under domestic law and applicable international humanitarian law and international human rights law, including with regard to respecting and protecting human rights and fundamental freedoms. Governments should be guided by the UN Guiding Principles on Business and Human Rights, which provide guidance regarding the state’s duty to protect against human rights abuses and companies’ responsibility to respect human rights.

This document describes ways in which Participant Governments may contribute to fulfilling certain of their roles and responsibilities under the Governance Rules of the Voluntary Principles Initiative.

GENERAL GOOD PRACTICE	IMPLEMENTATION AND/OR ASSISTING IN IMPLEMENTATION	PROMOTION
<p>Commitment to the Rules of the VPI</p> <p>Participants in the Government Pillar are expected to:</p> <ul style="list-style-type: none"> • Abide by the VPI Governance Rules; • Attend Annual Plenary Meetings, and as appropriate and commensurate with resource constraints, extraordinary plenary and in-country meetings; and • Implement National Plan(s) (where applicable). <p>Engagement in the VPI</p> <p>Participants in the Government Pillar are encouraged to:</p> <ul style="list-style-type: none"> • Participate in Pillar Meetings; • Participate in Working Groups; • Participate in in-country meetings; 	<p>Rule of Law</p> <ul style="list-style-type: none"> • As related to the Voluntary Principles, Participant Governments are encouraged to work with other governments in countries where oil, gas, and mining extraction occurs. • Promote and protect human rights, consistent with its international human rights obligations, including by developing appropriate regulations, policies, programs and tools. • Abide by its obligations under international human rights law and international humanitarian law. • If requested and where appropriate and feasible, Government Participants may assist each other with security sector reform, strengthening of the rule of law, and developing institutional capacities. 	<p>Public Expression of Commitment</p> <ul style="list-style-type: none"> • Express through, laws, policies, and regulations, public statements, publicly available annual reports, and other means. <p>Outreach to Internal Stakeholders</p> <ul style="list-style-type: none"> • Conduct educational outreach to ambassadors, embassy and country officers; • Conduct educational outreach across government agencies, and ministries; and • Coordinate across departments, bureaus, and ministries to raise awareness and help identify linkages and opportunities. <p>Outreach to External Stakeholders</p> <ul style="list-style-type: none"> • <u>National Level</u>

<ul style="list-style-type: none"> • Promote cross-Pillar coordination to support implementation of the Voluntary Principles; • Share lessons learned through regular exchanges, at project level, in country, regionally, and at the Plenary-level as a mechanism to share good practices, improve cross-Pillar understanding, and identify continuous improvement opportunities; and • Work to maintain the Voluntary Principles Initiative as a leading multi-stakeholder initiative, aligned with international norms and best practice in the field of business and human rights. 	<ul style="list-style-type: none"> • Government Participants should identify opportunities for intra-pillar and cross-pillar collaboration on projects within their jurisdiction. • Within the context of the Voluntary Principles and in accordance with national and international law, Government Participants should take appropriate steps to prevent, investigate, punish and redress human rights abuses within their territories and/or jurisdiction by third parties, including extractive companies and public and private security service providers, through policies, legislation, regulations, and adjudication, as well as take appropriate action to prevent recurrence. • Government Participants should provide effective guidance to extractive companies on Voluntary Principles implementation, when requested. • Create an enabling environment to allow local stakeholders to contribute to Voluntary Principles implementation. 	<ul style="list-style-type: none"> ○ Recognize and support the role civil society can play in Voluntary Principles implementation; ○ Coordinate awareness raising activities among diplomatic missions, companies, and NGOs of Voluntary Principles participant countries to help ensure a coherent approach in promoting outreach and implementation on the ground; ○ Regularly conduct outreach with domestic extractive companies to encourage them to implement the Voluntary Principles and join the Initiative of the Voluntary Principles; and ○ Encourage in-country government representation (embassies etc.) to lead host government dialogue on the Voluntary Principles <ul style="list-style-type: none"> • <u>International level</u> <ul style="list-style-type: none"> ○ Regularly conduct outreach with governments to build their understanding of the Voluntary Principles; encourage them to support the Voluntary Principles; and encourage them to join the Voluntary Principles Initiative; ○ Engage with external stakeholders to coordinate efforts, share best practices and promote discussion and learning through case studies. This can be done through, for example, speeches, conferences, presentations and
<p>Transparency and Dialogue</p> <p>Participants in the Government Pillar are expected to:</p> <ul style="list-style-type: none"> • Submit annual reports on efforts to implement or assist in the implementation of the Voluntary Principles; • Communicate publicly, at least annually, on efforts to implement or assist in the implementation of the Voluntary Principles; 	<p>Risk Assessment</p> <ul style="list-style-type: none"> • When possible and appropriate, share information needed for adequate company risk assessments (bearing in mind confidentiality concerns) with Corporate Participants and local civil society; • Consult as appropriate with companies about the impact of their security arrangements on local communities, and 	

<ul style="list-style-type: none"> • Participate in dialogue with other Participants; • Provide timely responses to reasonable requests for information from other Participants to facilitate understanding of issues related to assistance in implementation of the Voluntary Principles; • Publicly promote the Voluntary Principles; and • Proactively implement or assist in the implementation of the Voluntary Principles. <p>Participants in the Government Pillar will endeavor to:</p> <ul style="list-style-type: none"> • Share information about their efforts to implement or assist in the implementation of the Voluntary Principles with other Participants and the public; • Support implementation of the principles on the ground; and • Abide by their roles and responsibilities set forth in this document. 	<p>risks presented by the potential for violence; and</p> <ul style="list-style-type: none"> • Where appropriate, in-country Voluntary Principles Government Participants, at the embassy level, should endeavor to support company risk assessment processes, for example, through conversation with host government on risks. <p>Policies, Procedures & Guidelines</p> <ul style="list-style-type: none"> • Enable and support companies in implementing the Voluntary Principles; • In conflict areas, engage at the earliest stage possible and assist Corporate Participants to help them identify, prevent and mitigate the human rights-related risks of their security arrangements and provide adequate assistance to assess and address the heightened risk of abuse; • Support company efforts to implement the Voluntary Principles on the ground by working with stakeholders – including governments, companies, NGOs, local communities, and local and regional government institutions – to engage in joint learning and mutual problem solving; and • Work closely with companies, communities and civil society organizations on the ground to help develop, identify, deliver and record best practices on implementation of the Voluntary Principles and seek ways to share these with Participants in the Voluntary Principles Initiative. 	<p>statements made in multilateral and bilateral forums;</p> <ul style="list-style-type: none"> ○ Use multilateral forums and engagements to reference and promote the Voluntary Principles, where appropriate; ○ Use bilateral engagements to encourage cooperation by government entities responsible for security, licensing/concessions, oversight, and other potentially relevant issues with extractive companies, NGOs and other relevant stakeholders; and ○ Promote greater awareness of the Voluntary Principles among relevant national and sub-national government entities in bilateral engagements.
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	<p>Public Security</p> <ul style="list-style-type: none"> • Promote and allow adequate and effective training for public security providers, including on international human rights law, international humanitarian law, local and national laws, and international law enforcement principles; • Cooperate with companies as appropriate in developing the human rights record of both public security forces and local and national law enforcement personnel; • When providing public security to companies, support companies' efforts to take appropriate steps to a) avoid hiring individuals who are credibly implicated in human rights abuses, including through appropriate vetting mechanisms, b) work to ensure that force is only used when strictly necessary and to an extent 	

	<p>proportional to the threat, and c) work to ensure that public security forces do not violate the rights of individuals to freedom of association and peaceful assembly, the right to engage in collective bargaining, or other related rights as recognized by the Universal Declaration of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work;</p> <ul style="list-style-type: none"> • Promote and enable inclusion of Voluntary Principles language in agreements between companies and public security providers; and • Promote and enable making security arrangements transparent and accessible to the public, subject to any overriding safety and security concerns <p>Private Security</p> <ul style="list-style-type: none"> • Promote and allow adequate and effective training for private security providers, including on international human rights law, international humanitarian law, local and national laws, and international law enforcement principles; • Cooperate as appropriate with companies in developing human rights record of private security providers; and Develop appropriate policies and oversight for the government’s own use of private security service providers. <p>Accountability</p>	
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	<ul style="list-style-type: none">• Promote and provide adequate and effective training for local prosecuting authority and the judiciary on international human rights law, international humanitarian law, local and national laws, and international law enforcement principles;• Update Participants on implementation via annual reports and periodic presentations;• Participate in open discussions and peer-review of implementation as outlined in the Government Pillar Verification Framework;• Where appropriate, support/chair/ in country working groups on Voluntary Principles implementation; and• As related to the Voluntary Principles, Participant Governments should take appropriate steps through judicial, administrative, legislative, or other appropriate means to ensure that when company-related human rights abuses occur within their territory and/or jurisdiction, those affected have access to effective remedy.	
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