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Annual Report VPSHR 2019

Government of Switzerland

A. Commitment to the Voluntary Principles on Security and Human Rights

1. Commitment and endorsement of the Voluntary Principles

Switzerland has been endorsing the Voluntary Principles (VPs) since September 2011, when it joined the initiative. In 2019-2020, the government took the responsibility to **chair the initiative** for a second time after 2013-14. During the year, Switzerland demonstrated its commitment to the Voluntary Principles Initiative (VPI) through its implementation work in priority countries, outreach in Switzerland and abroad, its contributions to the initiative's strategic focus and operational support for the VPs Secretariat.

2. Progress on implementation of its National Plan

Switzerland's commitment to the VPs and all related actions are included in Switzerland's National Action Plan for the implementation of the UN Guiding Principles (UNGP). On 15 January 2020, the Swiss Federal Council updated its **National Action Plan on Business and Human Rights** (NAP), four years after its inception. With this new version, the Federal Council renewed its commitment to security and human rights in measure 2 (security and human rights), measure 5 (multistakeholder initiatives) and measure 35 (grievance mechanisms).

Measure 2 (security and human rights) expects private security service providers to meet their obligations under the Federal Act on Private Security Services Provided Abroad (PSSA), notably their obligation to become signatories of the International Code of Conduct for Private Security Providers (ICoC). It also expects active involvement in the Voluntary Principles Initiative as a regular steering committee member and chair, as well as in implementation in priority countries. As originators of the Montreux Document, Switzerland and the ICRC promote respect for international humanitarian law (IHL) and International Human Rights Law (IHRL).

This measure comes with the following objective and indicators:

Objective	Indicator	Responsibility
Ensure that business enterprises subject to the Federal Act on Private Security Services Provided Abroad uphold their human rights obligations.	Annual Federal Council reports on implementation of the Federal Act on Private Security Services Provided Abroad. Concrete examples of initiatives to promote the protection of human rights by private security providers.	FDFA

Measure 5 (multistakeholder initiatives) mentions the engagement of the federal government in ICOCA, the VPs, as well as the multistakeholder work in the responsible organization of major sports events. The Swiss government also backs multistakeholder initiatives that focus on human rights issues in sectors such as textiles, cocoa and gold. Objectives and indicators chosen are as follows:

Objective	Indicator	Responsibility
Support multi-stakeholder initiatives on business and human rights	Federal government support for at least two projects launched as part of multi-stakeholder initiatives.	FDFA, EAER

Measure 35 (grievance mechanisms) aims to improve access to remedy through multistakeholder initiatives, as stipulated by the UN Guiding Principles (UNGPs). Options of involving judicial authorities and mediators in multi-stakeholder initiatives in the field of business and human rights will also be explored. Objectives and indicators are:

Objective	Indicator	Responsibility
Involve legal actors in multi-stakeholder initiatives on business and human rights with a view to improving access to remedy in keeping with the UN Guiding Principles.	Participation of representatives from the legal community in a multi-stakeholder initiative meeting on ways to improve access to remedy.	FDFA, EAER, FDJP

Among the 35 measures, others may have a complementary impact on responsible business practice in high-risk sectors:

Pillar 1

Measure 4 – The Geneva Center for Business and Human Rights was established in 2019 and is the first human rights center at a business school in Europe (similar to the Stern Center at NYU).

Measure 6 – Switzerland supports the work of human rights defenders and recognizes the role of businesses in their protection.

Measure 7 – Switzerland aims to reduce human rights associated with gold extraction and trading, notably by improving the traceability of gold imported to Switzerland, strengthening multi-stakeholder dialogue and expanding development cooperation on responsible gold production.

Measure 13 – Switzerland supports the OECD guidelines on human rights due diligence in conflict-affected and high-risk areas and specific work on business and conflict by the UN Working Group. Proposals for mandatory due diligence on minerals from conflict areas are currently being examined and discussed by the Parliament.

Measure 14 – A role is devoted to Swiss representations abroad, given they are well placed to raise awareness on human rights among businesses and provide country-specific advice.

Measure 17 – Establishment in 2020 of a permanent, legally established national human rights institution.

Measure 20 – Promotion of the UN Guiding Principles in consultations, human rights dialogue and bilateral projects.

Pillar 2

Measure 23 – External evaluations of the implementation of the UN Guiding Principles by businesses will be conducted. Benchmarking tools are also in the works.

Measure 24 – Support for industry initiatives, associations and chambers of commerce, and any business action contributing to due diligence and implementation of the UNGPs.

Measure 26 – Promotion of best practices through a forum on Swiss Business and Human Rights (3 April 2020).

Measure 27 – Promotion of efforts to end all forms of child exploitation in supply chains.

Measure 29 – Public-private partnerships to promote respect for human rights in specific value chains such as textile, cocoa and sectors with migrant workers.

Measure 30 – Help identifying guides, tools and certification mechanisms to promote the UNGPs, keeping in mind the specific needs of SMEs. This includes the commodity sector guidance that makes explicit reference to the VPs.

Pillar 3

Measure 31 – Strengthening collective redress mechanisms and removing obstacles.

Measure 32 – Strengthening of the rule of law and the promotion of human rights in host States.

Measure 33 – Increase the visibility of non-judicial grievance mechanisms such as the OECD NCP and ombudsman services.

B. Domestic Policies, Laws and Regulations

3. Policies, legislation, procedures and/or guidelines relevant to promoting and protecting human rights

The protection of human rights is anchored in the Swiss Constitution's art. 55 and is a cornerstone of the Swiss foreign policy. Commitment to the VPs is mentioned explicitly in the Ministry of Foreign Affairs' **Human Rights Strategy**. The support to the VPs is also part of the recommendation of the Report of the Federal Council from 2018 'The Swiss commodities sector: current situation and outlook'¹. A team at the Human Security Division (HSD) focuses exclusively on business and human rights (B&HR).

Switzerland favors a **smart mix** approach between voluntary and mandatory measures. The main policies, legislation and procedures relative to business and human rights are those referred to in the **NAP** (adopted 09.12.2016, revised 15.01.2020).

¹ <https://www.news.admin.ch/news/message/attachments/55063.pdf>

4. Steps taken to prevent, investigate, punish and redress human rights abuses within the territory and/or jurisdiction

Switzerland recognizes its state duty to protect human rights (art. 7 of the Constitution) and has ratified the main human rights treaties. Switzerland recognizes for businesses a corporate responsibility to respect human rights and to provide access to remedy. In certain cases, the government has legislation in place (PSSA) or issued recommendations and guidance (commodities sector). Finally, Switzerland facilitates access to remedy through different means.

Complaints of human rights violations are first lodged at cantonal level. Switzerland has a federal criminal court and a federal tribunal acting as the supreme judiciary body. In rare instances, cases are settled at the European Court of Human Rights in Strasbourg.

Liability of employers:

Article 55 of the Swiss Civil Code, from 1972, determines the **principal liability** of employers over the conduct of their employees (equivalent to vicarious liability in Common Law):

¹ An employer is liable for the loss or damage caused by his employees or ancillary staff in the performance of their work unless he proves that he took all due care to avoid a loss or damage of this type or that the loss or damage would have occurred even if all due care had been taken.

² The employer has a right of recourse against the person who caused the loss or damage to the extent that such person is liable in damages.

The liability of parent companies to human rights violations by their business subsidiaries is derived from article 55.

Mandatory human rights due diligence:

Besides the PSSA (2013), there is no mandatory human rights due diligence (mhrdd) legislation in Switzerland.

A “responsible business” (KoVI for its German acronym) popular initiative lodged in 2016 proposes to introduce mandatory due diligence on human rights and the environment (based on the UNGPs and OECD guidelines), starting an ongoing debate on the necessity **to amend the Swiss Constitution**. In 2017, the Federal Council had initially decided to strictly oppose the initiative, preferring to rely on its current mix of voluntary and mandatory measures. However, the Swiss National Assembly offered to elaborate a legislative counter-project to the initiative. Parliamentary debate on the counter-project has been divided but is still ongoing (until March 2020). If no agreement is found in Parliament, a **popular vote** on the text of the initiative will be organized in 2020. In the meantime, a legislative project has been elaborated by the Federal Department of Justice and Police (FDJP) at the request from the Federal Council. The new legislation would require due diligence from companies presenting risks of dealing with **conflict minerals** (following a new European regulation entering force in 2021 on gold and 3T) and **child labor** (similar to regulation in the Netherlands).

The text of the responsible business initiative with detailed commentary can be found here: https://corporatejustice.ch/wp-content/uploads/2018/06/KVI_Factsheet_5_E.pdf.

Prevention of human rights violations in Switzerland:

Switzerland is committed to the protection of human rights in internal and external affairs. This commitment is expressed in its external human rights policy, economic policy, asylum policy, protection of vulnerable groups etc.

Switzerland hosts a **vibrant civil society** and an **independent and critical media**. Organizations and reporters regularly report on cases involving Swiss businesses all over the world. The initiative on responsible business was brought by a collective of NGOs that focus on preventing human rights violations by Swiss businesses abroad.

The creation of an official **national human rights institution** has been accepted by the Federal Council in December 2019. Its mandate will include prevention of human rights violations, providing expertise and working with cantons. Unresolved questions remain on the budget of this institution, originally set at one million CHF.

Redress / access to justice:

Access to remedy in Switzerland is based on **judicial and non-judicial means**. The Swiss government recognizes its role to facilitate access to grievance mechanisms and dispute resolution mechanisms, including when victims affected abroad do not have appropriate access to effective remedy. It also encourages businesses to develop grievance mechanisms, notably as part of multistakeholder initiatives.

In response to a postulate on the extra-territorial dimension of judicial mechanisms (postulate 14.3663), a comparative law study ordered and delivered in 2017 serves to identify possible measures in the Swiss context. It remains possible under Swiss law for individuals to bring an action or appeal before Swiss courts if they believe their rights have been violated by Swiss companies. Cases are assessed individually.

In terms of non-judicial dispute resolution mechanisms, the **national contact point (NCP)** of the OECD in Switzerland, at the State Secretary for Economic Affairs, is able to organize sessions of mediation between parties.

The B&HR team at the Human Security Division also reacts to allegations of human rights abuses brought by communities, NGOs or the press. It regularly receives civil society representatives in their offices or meets companies for informal meetings to assess needs and opportunities. The team then provides advice and monitors the situation.

C. Promotion and Implementation

Promotion of the VPI

5. Public commitment to the Voluntary Principles

Switzerland has committed to promote the VPs since **2011**. It uses bilateral meetings and multilateral recommendations (see 6 below) to promote the uses and benefits of the VPI to governments and companies of priority.

In 2019-20, Switzerland organized or participated in panels at the following **international fora and events** that were relevant to the promotion of the Voluntary Principles:

- OCDE forum on responsible mineral supply chains in Paris (April) (organization)
- SAMAO mining week in Ouagadougou, through its SDC office and in partnership with the government of Canada (September) (participation)
- East & Central Africa Mining Forum in Kigali, Rwanda (October) (organization)
- DRC during a field trip, in coordination with the OECD (November) (organization)
- UNOG, on a panel on businesses and conflict during the UN B&HR Forum (November) (participation)

Switzerland also mentions the VPs in its **report on the commodity sector** (30.11.2018), which has been widely promoted and circulated in the sector. One of its recommendations reads as follows:

Switzerland should pursue its efforts to develop, disseminate and effectively implement responsible governance of states and companies. It should continue its activities within the EITI, including the development of standards on transparency of payments to governments in commodities trading and the adoption of these standards by the OECD. It should pursue its commitment to the Voluntary Principles on Security and Human Rights, in particular by promoting the accession of private security service providers of commodities companies to the International Code of Conduct (ICoC).

The VPs are also part of the "Commodity Trading Sector Guidance for the implementation of the UNGPs"² that has been developed, under the lead of Switzerland, by a multistakeholder group. This guide has been used in order to raise awareness about security and human rights among commodity trading companies.

6. Outreach and awareness-raising to governments, extractive companies and NGOs

Switzerland promotes the initiative **bilaterally and multilaterally**.

In 2019-2020, Switzerland featured the VPs as a main item in its human rights dialogue with Nigeria and Mexico. Switzerland also included VPs messages to the following countries as

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https://www.seco.admin.ch/seco/fr/home/Publikationen_Dienstleistungen/Publikationen_und_Formulare/Aussenwirtschafts/broschueren/Guidance_on_Implementing_the_UN_Guiding_Principles_on_Business_and_Human_Rights.html

part of its regular political consultations: **Ghana, Peru, Brazil, The Gambia, Senegal, Colombia and Mongolia.**

The foreign affairs minister in Peru is not yet open to consider an application to the VPs and priority will have to be given to implementation. The elaboration of a Peruvian NAP is a good opportunity in this regard. The ministry of Justice, which has the lead in the NAP process, is notably active in the Working Group. The ministry of the Interior has temporarily left the Working Group due to changes at the top and will have to be re-engaged.

Switzerland also uses the Universal Periodic Review (UPR) to issue business & human rights recommendations. In 2019, Switzerland issued the following **UPR recommendations** to the government of the DRC, which the DRC accepted :

S - 119.2 Consider acceding to the Voluntary Principles on Security and Human Rights (Switzerland);
S - 119.247 Eliminate all forms of exploitation of child labour in the mining industry (Switzerland)

In 2018, DCAF-ICRC translated its “Addressing Security and Human Rights Challenges in Complex Environments” toolkit in Mandarin. In 2019, DCAF-ICRC signed a **MoU with CCCMC**, the China Chamber of Commerce of Metals Minerals & Chemicals Importers & Exporters. CCCMC represents 5700 Chinese businesses active worldwide. CCCMC promotes CSR, has developed guidelines for its enterprises (2015) that closely follow the OECD guidelines and has developed local initiatives (responsible cobalt initiative in DRC) for example.

In the MoU, parties agreed to:

- Share the relevant technical resources and knowledge products with CCCMC members.
- Make good practices available to Chinese stakeholders through CCCMC networks and the development of a Mandarin section of the DCAF-ICRC Knowledge Hub.
- Conduct joint outreach activities to promote good practice with Chinese stakeholders, including through workshops in China, at international conferences and in complex operating environments
- Jointly develop standardized training resources for Chinese stakeholders (both at executive and operational levels), building on the DCAF-ICRC toolkit.

Switzerland also supports in-country meetings and projects through its embassies and partners. Switzerland also supports the Security and Human Rights Implementation Mechanism (**SHRIM**) housed at DCAF jointly with the UK, the Netherlands and Norway.

Swiss embassies contribute to VPs outreach in different manners.

The Embassy of Switzerland in Nigeria co-chairs the VPs group and hosts its meeting. It has been active in VPs stakeholder coordination and, by organizing visits by large delegations to ministries, in outreach. It is also active in monitoring implementation projects together with our partners (DCAF, Lite Africa, Prawa, see section 9).

In the DRC, the Embassy has made formal visits to ministries and met with on-the-ground stakeholders in the East and South-East, providing support to emerging local platforms in

Bukavu and Lubumbashi. These programs were run in collaboration with local partners (DCAF, OGP, Justicia asbl).

The Embassy in Myanmar participates in VPs meetings and its Ambassador has met in 2019 with the Security Oversight Committee (November), a body regulating private security services companies.

In Peru, the Swiss embassy continues to participate in the Lima working group. Switzerland supports the elaboration of the Peruvian NAP by building capacity and widening consultations to mining regions where security is a challenge. In this regard, Switzerland works together with academic institutions (IDEHPUCP, IED at UARM). With DCAF, a project to coordinate National Human Rights Institutions in the Latin-American region to increase the oversight of private security providers and the understanding of social conflict is also in the works.

There are few **extractive companies** in Switzerland. Glencore, the main Swiss extractive company, joined in 2014. Other Swiss sectors of interest to the VPs include trading and agrobusiness. In 2019, the HSD has been promoting the VPs to some of the companies and organizations with which they had contact, notably when these companies were publicly challenged on their practices. One of them has expressed interest and declared they would hand in an application.

A number of **NGOs** in Switzerland are advocating for mandatory human rights and environmental due diligence. The HSD is in regular contact with them on specific cases and reports. In 2019, due to the large place taken by the national debate around the Responsible business conduct initiative, the HSD did not actively promote the VPs to NGOs. Nevertheless, the HSD signaled the relevance of the VPs to Amnesty International through its Swiss branch.

7. Promotion of the Voluntary Principles within its own government

The business and human rights team in the Human Rights Policy section of the HSD is in charge of the Voluntary principles, ICOCA, commodity trading, and the NAP among others. Some of these initiatives are coordinated with the Directorate of International Law (Montreux Document) and State Secretariat for Economic Affairs (NAP, Commodity trading), while other initiatives lie strictly by Economic Affairs (EITI, Better Gold initiative).

The B&HR team regularly communicates and exchanges with embassies in countries that are a priority for VPs implementation. Peace policy sections from the HSD are kept up to date on developments in their region (DRC in 2019 for example). The VPs desk has also had occasions to work with the Swiss development coordination agency (SDC): this was the case concretely in Burkina Faso for the SAMAO event.

8. Engagement in the Voluntary Principles Initiative and verification presentations

Switzerland engages in the VPI by attending meetings, ad-hoc discussion groups, and by providing feedback on documents produced by the initiative. As chair, Switzerland coordinated members, organized government pillar calls every six weeks and moderated monthly steering

committee calls. Switzerland also organized two strategic retreats (Baar and Geneva) and the Plenary in Montreux in coordination with the VPI Secretariat. In 2019, Switzerland also developed exploratory documents such as terms of reference for a baseline study of the strategy, and a concept note for outreach to other sectors.

The last verification presentation of Switzerland was in April 2016 and focused on its work in Peru. After the development by the Secretariat of a roster for verification presentations, Switzerland was not asked to do another presentation.

9. Work with companies, communities and civil society organizations on VPs implementation

The Swiss government exchanges regularly with companies and CSOs in Switzerland on security and human rights themes. The HSD also contributes to discussions, workshops or panel discussions on B&HR issues in partnership with civil society, academia, and private sector organizations.

A few examples include the UN Global Compact Local Network of Switzerland and Liechtenstein, or occasional presentations at business schools or with civil society. In 2019, the HSD also met with the Responsible Mining Foundation, which has expertise in indicators and signified its interest to join the initiative as an observer. The International Olympic Committee, seated in Lausanne, also developed a spontaneous interest in the VPs.

In 2018, **Peru** announced its intention to develop a NAP in the next three years. In 2019, Switzerland supported DCAF and IDEHPUCP in working on joint UNGP and VPs implementation and participating in the NAP elaboration process. This project included the elaboration of a document of diagnosis including security and human rights issues, supported by additional regional consultations. The coordination with the regional working group in Cusco was also an objective of the project.

In a separate project, Switzerland worked with DCAF, Socios Peru and Centro Guaman Poma de Ayala de Cusco to consolidate the regional working group in Cusco. The project focuses on increasing coordination with stakeholders, outreach to new members, and operational capacity. It also organized workshops for journalists to report on conflict, security and human rights issues.

In the **DRC**, Switzerland supported two projects and conducted a field visit in Kinshasa and the Copper Belt in 2019. Swiss work to **revitalize working groups** had started in August 2018. The two groups are established in Bukavu around the local NGO OGP and in Lubumbashi around the local NGO Justicia asbl. Both groups are now organizing regular meetings, conducting in-the-field monitoring missions (Sud Kivu), and increasing their stakeholders (Haut-Katanga). In addition, trainings of the police and of the special police unit for mines are in preparations. Other projects in the DRC include a project on Gold, ASM and human rights impact in the South Kivu with Canadian NGO Impact.

Following up on the capacity-building workshop of December 2018, a **field visit** was organized by Switzerland in November 2019 together with the Swiss embassy, DCAF, ICRC and in partial coordination with a field visit from the OCDE and CCCMC. The visit was the occasion

to discuss field challenges and opportunities for VPs implementation to ministers, stakeholders from home governments, and provincial authorities. The delegation also visited Swiss operations (Glencore and Trafigura), took part in a VPs technical meeting, and met with local stakeholders and communities.

In **Nigeria**, the Embassy has continued assuming its co-chair function along with Lite Africa and hosted meetings at the Swiss embassy. The Swiss embassy provided important leadership to the in-country working group. Switzerland also supported police trainings in partnership with DCAF, Lite Africa and Prawa. The Swiss embassy conducted outreach to ministries after they were re-shuffled in September 2019, approaching ministries with large delegations including the UK, Netherlands, Australia and VP member companies. Ministries approached included mines and steel, foreign affairs, interior, justice, and petroleum. In the latest news, the ministry of justice was drafting a letter directly to president Buhari, asking him to formally approve Nigeria's application.

Switzerland had also discussed the VPs with representatives from the Nigerian government on 02.12.2019 during its **human rights dialogue**. While recognizing challenges on the ground, Nigeria indicated little interest for an initiative based on voluntary measures and no concrete follow-ups were agreed on.

On a negative side, Switzerland had to sever relations with VPs member **Comppart** after it discovered serious lacks in reporting and concluded part of the money had been deviated from its purpose. Comppart denies any wrongdoing but was unable to produce evidence and showed attempts at intimidation. The case was mentioned to members of the Steering Committee and Secretariat, but no broader measures have been taken at this point.

The embassy of Switzerland in **Myanmar** has continued to attend VPs meetings and stay coordinated with the Myanmar Center for Responsible Business. On 22.11.2019, the Swiss embassy met with the Burmese Security Oversight Committee. The Swiss Embassy later transmitted guidance from DCAF to the committee on the regulation of private military and security companies. Options to conduct VPs implementation work in Myanmar was otherwise limited, in part due to lack of resources from international NGOs and from lack of CSOs.

Implementation of the VPs – Risk assessments

10. Engagement with companies on risk assessments

Switzerland has not practically engaged with companies on risk assessments in 2019. However, Switzerland has raised awareness of companies active in various sectors (mining, trading, agro-business) on security and human rights risks that may be mitigated by VPs implementation. This outreach has resulted in the Swiss Trading and Shipping Association (representing 190 companies in Geneva, Zug and Lugano) lodging an application as an observer.

Implementation of the VPs - Public and private security

11. Engagement with companies around public and private security forces

On 27 June 2019, a tragic accident involving artisanal illegal miners occurred at a Glencore concession (KCC) in the Kolwezi region, DRC. The loss of life amounted to at least 43 men and children. Following this incident and the deployment of the army on-site to expel the illegal miners, Switzerland promptly initiated a **diplomatic demarche** with other VP members. The demarche called for common solutions to security and human rights challenges, and called for the Congolese army to exercise restraint on-site. Glencore had issued similar calls and kept in regular contact with national authorities. The presence of the army did not create casualties or marked violence. The Swiss embassy has monitored the situation ever since.

Trainings in Nigeria were initiated with partner Prawa. The HSD has been involved in the update of police curriculums in Nigeria since 2011.

Lessons and issues

12. Best practices and lessons learned, summary of issues from the reporting year, plans and opportunities to advance the VPs

Summary

The government of Switzerland chaired the initiative in 2019-20. As such, it was responsible to lead the government pillar, to give impulses in the Steering Committee, and help organize meetings in coordination with the Voluntary Principles Secretariat.

Main contributions from Switzerland as **chair** included the organization of two strategic retreats (21-22.05.2019 in Baar, 28.11.2019 in Geneva) and the Annual Plenary (16-18.03.2020 in Montreux). The Human Security Division also accompanied the establishment of the permanent Secretariat through regular feedback and coordination. In the Steering Committee, it assisted in the production of the strategy 2019-2022, in the amendment of the governance rules and in the signature of a MoU with DCAF for on-the-ground VPs implementation. Switzerland also took part in various ad hoc groups such as the 20th Anniversary of the initiative.

In terms of **outreach**, the government of Switzerland took part in international events including: OCDE forum on responsible mineral supply chains in Paris (April), SAMAO mining week in Ouagadougou (September), East & Central Africa Mining Forum in Kigali, Rwanda (October), workshops in Lubumbashi (November), Business and Human Rights Forum at UNOG (November). Switzerland also encouraged the DRC and Nigeria to apply to the initiative as government members. Finally, it approached companies in the trading and agro-business sector to promote the VPs.

In terms of **implementation**, the government of Switzerland conducted together with its partners programs to re-establish **Working Groups in the DRC** in the South Kivu (East) and in the High Katanga (South-East) provinces. In the ASM context of South Kivu, the group is

now conducting field missions to address reports of security and human rights issues and verify that its recommendations are followed up on the ground. In the LSM context of High-Katanga, the group is also operational and meeting monthly together with some of the large companies present. Discussions to expand the group to reach the neighboring Kolwezi region are in the plans. Police and mining police trainings are in preparation in both contexts.

In November, The Human Security Division (HSD) and its embassy in DRC conducted a **field visit in Kinshasa, Kolwezi and Lubumbashi**. The purpose of the visit was to meet the DRC new government, explain the VPs approach and its relevance in the DRC context. HSD's efforts were rather well received and culminated in the **DRC government applying to the VPs** on 13 February 2020. The HSD also met with other members' representatives in Kinshasa. In Kolwezi, the HSD and the embassy together with DCAF and the ICRC conducted a visit of the mining sites of KCC and Mutoshi, owned respectively by Swiss companies Glencore and Trafigura. Trafigura is now considering lodging an application of its own. Due to the concomitant presence of the OCDE and CCCMC in Kolwezi at the time, the HSD also participated in workshops on responsible cobalt supply chains. Finally, in Lubumbashi, a meeting of the VPs Working Group took place to discuss strategic and operational matters.

In **Nigeria**, the Swiss embassy chaired the Working Group and hosted meetings throughout the year, assuming a large amount of coordination work. Police trainings and curriculum updates were conducted by new Working Group member Prawa and by co-chair Lite Africa. Next to these projects, the embassy in Abuja was very active in outreach to ministries in Nigeria – approaching successively the ministers of mines and steel, interior, justice, foreign affairs and more with large delegations composed of several VP members.

In Bern, the discussion on the VPs with the Nigerian delegation was not as successful. The Nigerian delegation had only a general knowledge of the security & human rights issues and did not declare itself open to an initiative based on voluntary measures.

In **Peru**, the government of Switzerland supported joint UNGP and VPs implementation through the financing of additional consultations on the NAP, in coordination with the regional working group in Cusco. An additional project consolidated the Cusco group's outreach to stakeholders and the media.

In **Myanmar**, the embassy attended VPs meetings and stayed coordinated with its secretariat (MCRB) and steering committee. Switzerland was warned that VPs activities on the ground were limited and that priorities of the MCRB focused on engaging with government institutions and legislators. The Swiss Embassy approached the Security Oversight Committee, housed at the ministry of the interior, and transmitted guidance on the regulation of private military and security companies.

Lessons learnt / opportunities:

Initiative – governance :

- The VPs strategy does not include enough measures of impact to properly conduct a baseline and then evaluate the initiative's achievements (impact).

- Several government members are more active nationally than at the global level, i.e. in the government pillar / initiative. The lack of engagement leads to a small group of 'usual suspects' deciding everything and prevents wider coordination, especially with productive countries.
- Bilateral coordination with members to iron out discrepancies ahead of decisions at the Steering Committee is essential to prevent stagnation. This proved to be key to edit the governance rules when Secretariat, pillar leads and the chair worked on the changes point by point.
- Fundamental VP documents and guidance are aging and unappealing. The new website is also still lacking pages dedicated to: a) knowledge and its management in the initiative, and b) implementation and its tools. Communication must be further developed to show concrete examples of the VPs approach and of its impact.

Outreach :

- Including VP messages in bilateral consultations with governments are a good way to introduce the VPs and arouse curiosity for the initiative, but they are not a sufficient efficient instrument for outreach and often do not offer concrete follow-ups.
- Outreach based on dialogue and face-to-face meetings with decision-makers is much more efficient and can be achieved through embassies, or multistakeholder delegations including embassies, local champions and institutions, Working Groups. This proved efficient in DRC and Nigeria, both times in the context of renewed governments.
- Encouraging VPs adhesion should be based primarily on its practical value for its national / regional / local challenges. In many countries, alignment to global standards is not an argument to dedicate resources.
- Countries expect technical support.

Implementation :

- Working Groups plans and funding are currently uncoordinated, threatening to restrict VP activities on the ground. They should be formalized in the VPs budget, with clear deadlines. There is no regular dialogue between the Working Groups, Secretariat, donors and external actors. DCAF has the expertise and experience required to connect implementation projects with VPs strategic objectives and other initiatives / platforms in a coherent manner.
- In their infancy, connecting VPs Working Groups with other local platforms is a great way to gather stakeholders around security and human rights issues as they understand them locally.
- VPs-ICOCA alignment remains an area with a lot of potential for impact, especially in countries where ICOCA does field visits. Integrating explicitly the access to remedy in the VPs would strengthen their coherence with the internationally agreed normative framework.