Case Study: How can multi-stakeholder working groups help companies address security and human rights challenges?

Preview – Toolkit on Addressing Security and Human Rights in Complex Environments, new edition

The Challenge

Security risks are frequently the result of unaddressed concerns, negative impacts or misunderstandings about non-security related issues such as employment, land, environment, compensation and resettlement. This also includes negative legacy issues from previous projects or interactions between businesses, communities and security actors. When concerns and grievances go unaddressed or unmitigated, these issues can escalate into tensions and may eventually result in situations of violence. To ensure effective security and human rights due diligence, companies should adopt a proactive approach that focuses on prevention of company-community conflicts and includes meaningful consultations and stakeholder dialogue with all potentially affected groups.

Multi-stakeholder in-country working groups can be effective platforms to build trust and engage in constructive dialogue, with the goal of preventing and resolving security and human rights issues. Though diverse in their origins, implementation backgrounds, leadership, resourcing and objectives, such working groups aim to discuss and advance respect for human rights and security by companies and their security providers. These groups bring together national and local stakeholders from governments, companies, civil society and communities. Through participation in such working groups, representatives from diverse backgrounds incrementally build trust to hold open exchanges on operational-level challenges, address collective issues and needs for intervention, and generate best practices for reducing conflict risks in different sites and community areas. Working groups enable different stakeholder groups to overcome their entrenched positions by working together to develop workplans and calendars, conduct meetings and workshops, build tools and resources, and implement activities like monitoring and oversight.

Multi-Stakeholder Working Groups: What Should Companies Do?

- **Get involved in existing in-country working groups**. Some working groups operate on the national level, while others operate on the regional, local or operational level. Working groups address different levels of issues. If a regional, provincial or operational-level working group does not exist, company representatives should participate in national-level meetings, in close dialogue with field staff who come into regular contact with communities.

- Some working groups might be focused on issues such as children's rights, general business and human rights or monitoring and implementation of the OECD Guidelines for Multinational Enterprises. Company representatives can bring the security element into these forums as a key part of the puzzle.

- **Encourage coordination and linkages with other initiatives at the international and national level, where possible.** Companies should table and promote in-country working group activities in different forums, such as the Extractive Industries Transparency Initiative (EITI), the

International Code of Conduct Association (ICoCA), the Organisation for Economic Co-operation and Development (OECD) or local initiatives. This will not only help break silos, but will also ensure sustainability and visibility.

- **Where appropriate, provide financial or in-kind support to working groups.** To maintain the legitimacy and neutrality of working groups, companies should cooperate with in-country working groups to implement transparent funding mechanisms and processes, such as a trust fund. The contribution to working groups' activities should be considered an investment in securing the social license to operate, not merely a cost.

- **Provide proactive input into working groups' workplans.**

- **Encourage the learning and sharing of lessons-learned, good practices and challenges between operations and other functions within the company** to ensure that efforts are sustainable and not personality-driven. Exchange and share these learnings with other companies and association as well.

- **Report transparently on their engagement in multi-stakeholder in-country working groups** to demonstrate how they are implementing commitments to identify and mitigate security and human rights risks.

Example of Good Practices

In the Democratic Republic of the Congo, the South Kivu Province Working Group on the Voluntary Principles has been monitoring public security conduct at several mining sites, including a concession owned by an international mining corporation. Extractive companies in the Democratic Republic of the Congo are obliged to work with the Police Nationale Congolaise, which has established a specialized unit—the Police des Mines et des Hydrocarbures —to enforce the national mining code.

In 2020, the following incidents took place around a specific mine in the area:

- An unarmed community member who trespassed onto the large mining concession was shot in the leg by an officer of the mining police.
- A shepherd trespassing on the concession was stopped and arrested by mining police officers and allegedly tortured under the order of a mining police commander.
- The mining police intervened in protests and marches by local communities against the international corporation's subsidiary, resulting in multiple arrests of community members, as well as disproportionate use of force against protesters.

With regard to the above incidents, the South Kivu Working Group—led by its Secretariat, l'Observatoire pour la Gouvernance et la Paix—reported the severe human rights violations committed by the mining police and analysed their conduct according to national laws and good practices. The working group's advocacy led to the removal of the mining police commander. The working group also organised several multi-stakeholder meetings at the local level, discussing the resolution of these issues with the mining company. This underscores the value and effectiveness of in-country working groups and of multi-stakeholder engagement mechanisms more broadly. Source: DRC Case Studies - Twangiza

Other case studies on how the South Kivu Working Group resolved security and human rights incidents on additional mining sites in Bitale and Nyabibwe.

The Toolkit on Addressing Security and Human Rights Challenges in Complex Environments offers guidance to develop responsible security practices on the ground, in line with international standards. It was developed to support companies facing security and human rights challenges in complex environments.

The Toolkit, first developed in 2013, is structured as a practical handbook for companies. It pools a large set of resources and good practices related to human rights-compliant security management. It also proposes tools that help translate the good practices to a particular operational context. It furthermore assists companies in ensuring that human rights due diligence policies and processes are informing security arrangements. The Toolkit supports companies to contribute to the Sustainable Development Goals and to implement the UN Guiding Principles on Business and Human Rights, especially those companies operating in conflict-affected areas and otherwise complex environments.

In 2021, the Geneva Centre for Security Sector Governance (DCAF), the International Committee of the Red Cross and the Geneva Center for Business and Human Rights partnered together to revamp the Toolkit with new case studies, cutting-edge good practices, practical tools and more.

The new edition of the Toolkit will be released in June 2022. This fact sheet provides a preview of how the Toolkit will support companies in using in-country working groups to help address security and human rights challenges.