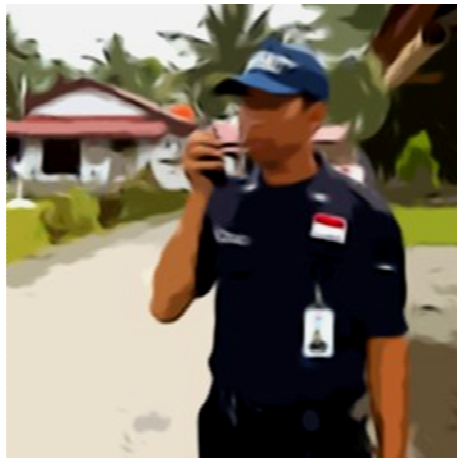


Voluntary Principles on Security & Human Rights

National-Level Implementation

Guidance Note



August 2010

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National-Level Implementation Overview

Introduction & Contents

The primary obligation to respect, protect and fulfill human rights rests with the State. Companies have a duty to respect human rights, and in certain specific circumstances, may have an obligation to protect rights. The role of companies in conflict-affected areas is to ensure that they do not cause, contribute to, or benefit from, human rights abuses.

The Voluntary Principles for Security and Human Rights (VPs) were unveiled in December 2000 by the U.S. State Department and the U.K. Foreign and Commonwealth Office, after a year-long process involving government officials, oil and mining companies, and NGOs. The VPs provide guidance to companies operating in zones of conflict or fragile states so they can ensure that security forces – public or private – protecting the companies’ facilities and premises operate in a way that protects the company’s assets while respecting human rights and fundamental freedoms. This initiative was necessary because of widespread international concern over the way security forces operated while protecting oil and mining installations in many parts of the world.

While the VPs have grown over the past ten years to include 7 governments, 18 companies, and 9 NGOs, there has been too little focus on national-level implementation within the countries that have challenges

related to security and human rights. At the same time, there has been little guidance, with the exception of a case study on Colombia,¹ given to those in the countries on how they can encourage VPs adoption by host governments and extractive companies operating in the country.

The purpose of this document, which will be public, is to give guidance to those interested in initiating or supporting a national-level process to implement the VPs. The document lays out basic elements for consideration based on existing national-level processes. The Fund for Peace (FFP) and International Alert (IA) have joined in this effort as two of the participant NGOs in the international-level dialogue of the VPs, with funding from the Government of Norway and support from the Government of the Republic of Colombia, two of the governments formally involved in the process. This guidance note has been informed by existing in-country processes - largely Colombia and Indonesia, as well as experience and insight gathered from participants at a workshop in Bogota in June 2010.²

This guidance note should also not be viewed as overly prescriptive. As will be evident throughout this document, a national-level process will invariably be different in each area. Every country will have its own unique set of actors, challenges and opportunities.

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¹ Available online at http://voluntaryprinciples.org/files/vp_columbia_case_study.pdf

² Supported financially by the Government of Norway and with the invitation and invaluable support of the Government of the Republic of Colombia and the Colombian Mining and Energy Committee on Security and Human Rights, FFP and IA held a workshop in June of 2010 to discuss national-level implementation with participants from all three pillars and varying level of experience with the VPs. The participants are listed in Annex 1. In addition, this guidance note was reviewed by the other participants in the VPs. While FFP and IA sought to receive as much input as possible into this document, it should not be considered to be the opinion of the VPs or any of its participating organizations.



Voluntary Principles on Security & Human Rights

Overview of the Voluntary Principles on Security & Human Rights

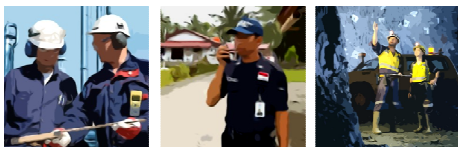
- A tripartite international initiative with different levels of implementation
- A set of practical guidelines
- A safe space for dialogue between companies, governments and NGOs
- A process for building best practice and knowledge on issues related to the intersection of security and human rights
- An opportunity to raise international standards and improve human rights
- A process of constant and continuous improvement
- A framework for building capacity of various actors to address issues of human rights

The VPs is an initiative by governments, NGOs, and companies, (known as the three pillars) that provides guidance to extractive companies on maintaining the safety and security of their operations within an operating framework that ensures respect for human rights and fundamental freedoms. Often they are described as guidance for companies operating in complex environments on three main areas:

- how to undertake a risk and impact assessment related to both security and human rights;
- company relations with private security providers; and
- company relations with public security providers.

Although the focus of the VPs is on companies, NGOs and governments alike play a substantial part in various ways (whether assisting in uptake, implementation, monitoring, etc). The VPs are essentially any and all of the definitions shown at right.

The tripartite international initiative includes representatives of multinational oil and mining companies, international human rights advocacy and conflict prevention non-governmental organizations (NGOs), governments from the countries from which the companies and NGOs originate ("home governments") and governments within which the companies operate ("host governments").



The Voluntary Principles Different Levels of Implementation

The VPs essentially operate on three levels, with each pillar having slightly different roles on each level. The figure below demonstrates some of these roles, although the list is not exhaustive or applicable in every context.

While the activities, shown on page 4, do differ depending on the level of implementation, these three levels should be integrated and supportive of each other. Depending on the level at which one is focusing, the individual actors do change. As mentioned there are 7 governments, 18 companies, and 8 NGOs currently participating in the international-level

process of the VPs, but many more are involved with the VPs when the national and project levels are considered. At these levels, local NGOs and government may be participating as well as companies that have not formally adopted the VPs but find the process of dialogue about the practices related to the VPs of value to their operations.

Project-level implementation by companies is guided by the policies and procedures that a company adopts to successfully comply with the Voluntary Principles at the site level. This compliance will be based both on policies and procedures adopted at

headquarters as well as those adopted at each business unit. Implementation will look different at different sites, based on the specific characteristics of the operating environment. Companies may also have policies and procedures that support VPs implementation without it being formally recognized.

The international level is the driver behind the initiative, generating dialogue on the subject on a global level, positioning the initiative to improve industry standards and supporting the other levels.

Implementation of the Voluntary Principles on Security and Human Rights

International Level

3 Pillars (international and national actors) come together in a high-level commitment to the VPs

- Raising awareness of VPs internationally
- Raising international standards for human rights promotion
- Sharing lessons learned and implementation tools
- Developing implementation guidance
- Reporting and oversight

National Level

Home governments, NGOs and companies come together to promote the VPs and encourage adoption. Host government should take the lead at some point in this process

- Facilitating VPs implementation by companies at project sites
- Designing and disseminating processes and tools adapted to context of country
- Encouraging host government adoption of the VPs
- Raising awareness of VPs nationally
- Sharing lessons learned and implementation tools
- Training of national forces


Project Level

Companies implement the VPs at the site level (can be multiple in a single country). They have a reasonable expectation of support from the other pillars, but have thus far been the heavy lifter at this level

- Risk assessments undertaken as per the VPs
- Contracts with private security providers (as applicable) include the VPs
- Dialogue with private/public security and communities about the VPs
- Grievance mechanisms and incident reporting in place
- Training of private security providers and public security



The Voluntary Principles National-Level Implementation

 This document focuses on the middle tier - the national level. The major objective at this level is to ensure that the VPs will be implemented in a particular country in a systematic manner, with engagement of relevant actors, all contributing to a robust process to improve the situation of human rights pertinent to security surrounding installations of extractive actors.

Why is such a process necessary? Why can't companies implement the VPs regardless of their location? A national-level process will make project-level implementation more robust and easier. Such a process will provide the framework to address issues one company may find difficult to address alone, e.g. human rights training of the public security forces. A national-level process serves as a convening forum for all

stakeholders to share ideas and information and to promote raising standards jointly. In addition, in places where the government has not signed the VPs yet, this is the space to draw in the government into a dialogue on its eventual adoption of the VPs and the value it could have for the country.

In some cases, the dialogue process may actually be developed at a provincial level so that the process can focus on the specific challenges. This may also be necessary in remote areas or areas that otherwise would have difficulty meeting regularly at the national level, i.e., in the nation's capital. In such cases, multiple processes may be created within a given country but hopefully these processes would be able to design opportunities for sharing information and experiences.

Currently, there is only one formal national-level process that is also participating in the international-level process – Colombia. Other countries, specifically Peru and Indonesia, are beginning to develop processes, Peru driven by a local civil society organization and Indonesia driven largely by a group representing all three pillars, but only with informal participation of the host government. Both countries' governments have asked for clarity on what it means to adopt the VPs so they can determine whether this is an initiative that should become a focus for them. The guidance that follows is based not only on activities within Colombia but also on experiences in other countries and lessons learned from other multi-stakeholder initiatives.



The Voluntary Principles Elements of the National-Level Process

There are common elements that should be considered when an individual, organization, or a group of organizations decide that the VPs could have value in a given area and would like to explore the development of a national-level process. These elements are listed below. The rest of this document will focus on discussing each element, which can be considered a checklist for VP implementation at the national level. This should not, however, be considered an exhaustive checklist, nor will all the elements be present or as pertinent in every context.

1. Initiator

Obviously, a process cannot be started without the individual, organization, or group of organizations that are initiating it. Formally, countries are selected as “target countries” at the annual plenary³ based on a survey of the participants based on interest and opportunity. The countries which have the most VP participants operating in their territories have been the initial focus – Nigeria, Indonesia and Colombia. Last year, additional target countries were selected to be included in this list – Peru, Ghana, and Democratic Republic of the Congo.

These six countries represent the shared interests of the formal participants; however, national-level implementation should not be limited only to these countries. If someone within any government, company, or NGO decides that the VPs might have value to their country and/or specific challenges, they can initiate this process, beginning with identifying who else might share that interest – i.e., other stakeholders.

Elements of the National-Level Voluntary Principles Process

1. *Initiator*
Organization or set of organizations that create initial meetings to discuss initiating a VPs process in the country
2. *Stakeholders*
Individuals/organizations that believe they could benefit or lose if the VPs are implemented
3. *Scoping Process*
Review of local challenges and opportunities with recommendations for initial steps
4. *Champion(s)*
Highly visible and respected individual(s) who can promote the VPs
5. *Core Group*
Individuals committed to building trust among the pillars and identifying common goals
6. *Facilitator*
Trusted individual or organization that can bring together and provide administration
7. *Funding*
External support and local revenue from contributions or project activities
8. *Objectives*
Specific goals for VPs implementation to be successfully geared towards the local context
9. *Roles of Actors*
Clear responsibilities defined to ensure trust and mutual respect between all actors
10. *Work Plan*
Practical plan of action for activities to support implementation with specific deliverables
11. *Implementation Tools*
Guidance and tools for implementing the VPs should be developed or translated and refined to local context
12. *Marketing Materials*
Information materials explaining the VPs and their potential value to the range of stakeholders should be developed or translated and refined to a local context
13. *Public Security Engagement*
Engagement with public security, either in addition to or as part of the national-level dialogue process
14. *Host Government Institutionalization*
Government resources identified once decision to proceed with formal adoption of the VPs by the host government
15. *Reflection Process*
Reports to measure implementation, demonstrate value, reflect on future activities and share lessons

³ The plenary is the annual meeting of the three pillars formally participating in the VP international-level process as well as a handful of observer organizations.

2. Stakeholders

One of the first things to consider is who else in the country likely shares the initiator's interest in supporting VPs adoption. The initial stakeholders in such a process could be identified by first reviewing the companies which have formally signed onto the VPs as well as non-participating companies (whether multinational or domestic) that may have concerns related to security and human rights issues. Other initial stakeholders would be national or international NGOs with experience in either the communities or the issues or both. In addition, embassy representatives from those countries formally involved in the VPs process at the international level should be encouraged to join the process initially to assess the potential for VPs implementation in the country.

There may be additional stakeholders, like religious groups or NGOs working on governance and accountability issues, who may also have an interest in supporting implementation of the VPs. The initial group of stakeholders does not need to be exhaustive or even large, as the following steps are geared towards identifying more stakeholders and encouraging greater participation among a range of actors.

In addition to starting with formal international participants, the national oil and mining associations can help identify additional companies that might be

interested, thanks to their access to and understanding of the needs of their members.

3. Scoping Process

A scoping process is essentially an initial research/study in the form of interviews and desk-based research. It has multiple benefits, since in undertaking the scoping, awareness is raised locally about the existence and potential value of the VPs. Documenting and sharing the findings of the scoping process can provide not only a guide for implementation but also an opportunity for the process to engage the international VPs group for feedback on the challenges and opportunities identified.

The scoping process should provide information on the local context and a basic picture of the main issues pertinent to issues of security and human rights. The scoping should include analyzing the current legal frameworks and legislation recognized by the national and local governments that are relevant to security and human rights.⁴ The scoping should include mapping relevant actors, including government officials, public security forces, and private security companies that might perceive a cost or benefit to them if the VPs are implemented. Consideration should be given to which government agencies could have a stake and/or play a role, recognizing that the Ministry of Defense will have a different role from the Human Rights Office, or the Ministry of

Mining from the National Ombudsman's office. Depending on the composition of the initial stakeholders, the scoping should focus on identifying companies and NGOs from the country to participate.

Understanding the environment, the relevant actors and their expectations and interests in the process is key to developing a solid plan for implementation.

The scoping process can and should be supported by international actors but, in most cases, should be primarily undertaken by an individual or group local to the country in question. They will best be able to understand the local context and have a better network of people to draw upon. Suggested topics for the scoping process are included as Annex 2.

4. Champion

A champion or set of champions should be identified to ensure that relevant stakeholders are informed about the value the VPs can have for them. Champions could be representatives of the current government, retired government officials, or leaders from industry or civil society. Champions must have the influence and contacts necessary to help move the process forward by raising awareness of the existence and value of the VPs within industry, government and civil society. In the case of Colombia, the Vice President of the country at the time, Francisco Santos

⁴ In many countries, the laws may be adequate; their enforcement is instead potentially of concern. In some countries, the laws may prohibit some options available to security managers to provide the highest quality security. Many governments may already be supporting initiatives within the country that are geared towards strengthening the rule of law and the protection of human rights. Identifying work already being undertaken can provide valuable opportunities for the VPs to be included as a subset of these policies. For example, the Colombia government adopted a comprehensive International Human Rights and Humanitarian Law policy within which the VPs have been highlighted as the code for public security forces to engage with private companies.

Calderón, in response to an invitation from the U.S. government to start a VPs process in Colombia, included the VPs in the Human Rights program agenda ensuring the VPs would be implemented by the government.

In the case of Indonesia, five well-respected individuals from a variety of backgrounds formed an advisory council and serve in this capacity not only as champions of the VPs but also as advisors to the development of the in-country implementation plan.

5. Core Group

Based on the scoping and the identification of the champion(s), a core group should be formed that will meet regularly to discuss opportunities and share information related to the implementation of the VPs. This core group will be the engine of the national implementation process. The group should convene regularly and discuss matters such as its relationship with the international-level process, how to encourage participation by more national players, as well as implementation issues, such as how to undertake a risk assessment or what should be included in training materials related to human rights for security providers. (A list of suggested topics for the national-level dialogues is included as Annex 3.) This is called a core group because not all stakeholders will necessarily belong to the group and be invited to attend all meetings. It is also recognized that there is a need to have identified participants from each pillar that will be dedicated to ensuring the group continues, but allow others to participate

without making the same commitment at the beginning. This is in recognition of the need to build strong relationships among all parties and ensure high commitment but also not to create barriers to entry to the process.

Depending on the local environment, the level of trust between the three pillars will differ. In addition, there may be few resources available, for example among the civil society organizations. For such reasons, while it should be a goal to ensure strong participation in the core group by representatives of all three pillars, a national-level process may instead begin with less than full participation of all three. Over time, resources should be used and trust developed to secure participation by all three pillars in the core group.

While the focus of the VPs at the international level is on the extractive industry – particularly oil and mining companies – at the local level it may be appropriate to expand participation to other sectors. In countries where there are, for example, large plantations that also have security needs, the inclusion of agricultural companies may be regarded as necessary to have a real impact on the lives of communities.

Unlike the international process, national-level processes do not necessarily need to have a formal membership process for attendance in the core group. The facilitator should, however, ensure that participants share the common objectives set out by the

core group as participation grows. In order to maintain an atmosphere in which trust between the individuals can grow, it is important that there are ground rules developed to ensure there is mutual respect and a reasonable expectation of confidentiality. Attached as Annex 4 are draft ground rules that could be modified to be appropriate to the local context and then accepted by all participants as the basis for continued participation.⁵

6. Facilitator

National-level implementation is essentially a dialogue process, gradually and steadily addressing issues, resolving serious problems and driving the process forward. The facilitator acts as a convener of meetings and ideally is a party trusted by all. The facilitator can be one of the members of the core group or independent of the formal process.

The facilitator should be the repository of information related to the VPs – including information about who is currently actively participating in the process. As such, the facilitator will have administrative duties to fulfill. In many cases, the facilitator will also need to work with the core group to develop materials that are in the local language and context specific. Ideally, the facilitator will have a contact point with the international VPs process so that these materials and the lessons learned can be shared.

⁵ These ground rules are based on the Human Rights & Business Roundtable of The Fund for Peace, a 13-year long, multistakeholder dialogue with NGOs and extractive company representatives focused on finding practical solutions to the challenges of operating in complex environments that ensure the promotion of sustainable security and development.

7. Funding

One of the challenges of national-level implementation is how to fund these activities. Initially, home governments and companies may donate funds, space and their administrative support to develop the process. In contexts in which a lack of trust between all three pillars is an issue of concern, a level of independence of the facilitator is important. National-level implementation wants to avoid the optic that it is being initiated and funded solely from the outside. Funding locally is a critical way of demonstrating that the process is addressing a local need and is owned by local actors.

One option to consider is whether revenue streams can be developed based on developing value to the members. Meetings should have significant value in terms of learning for the members before the idea of potential contributions by members is introduced. And even if they are, it is critical, however, that fees be kept low – as the group should not be creating additional barriers to entry for core group membership. It should also be recognized that the willingness and capacity to financially support the VPs will differ among the different members. NGOs may already have difficulty finding the resources to attend meetings – including labor and travel costs. Governments may have restrictions on paying third parties. Companies will be of a range of sizes and will perceive different levels of value in the VPs process. Both variables could impact the resources available to support the initiative.

8. Objectives

One of the initial group activities should be

defining the objectives of VPs implementation in the local context. For example, in some cases, formal adoption of the VPs by the government may be a primary goal – considered critical to the success of the process. In other cases, the primary objective, at least initially, may be limited to information sharing between companies and members of civil society to support project-level implementation. The core group should determine what the appropriate objectives should be so they can make a plan to meet them.

Furthermore, the core group needs to define the issues they will be addressing within their dialogue process. This can be achieved by having the group define the value of the VPs from their shared perspectives. At the VPs workshop in Colombia, we began the process by asking small groups of people to work together to develop a common definition of the VPs and present it to the wider group. It demonstrated what we have also experienced elsewhere, that depending on an individual's unique perspective and experience, the definition of the value of the VPs can differ significantly.

It has also been experienced that individuals may want to expand the issues to be addressed by the VPs beyond the scope of the intersection between security and human rights. The shaded area in the diagram above depicts where the VPs are focused in the wider context of sustainable business practices. The VPs do not address all social aspects or directly address issues related to economic development or the environment. That said, in their risk and impact assessments, companies may determine that the development of certain projects to ensure good relations with the local

communities that do address these other issues could greatly support a reduction in risk of security issues. The other actors portrayed in the diagram above are illustrative of the other actors that can impact, either positively or negatively, the environment in which a company operates.

Depending on the environment, the dialogue process developed as part of the VPs national-level implementation could provide a unique opportunity for the three pillars to discuss other issues of common interest and potential concern. The facilitator should ensure that VPs meetings, however, remain focused on the issues related to the intersection of security and human rights. If the same forum is used for discussing other issues, it should be made clear in the invitation to the group that these meetings are not related to the VPs directly. This will allow the opportunity to be taken without risking that the core group takes on too much in its objectives and work plan, which could make success more difficult.

9. Roles of Actors

Once the objectives have been determined, the members of the core group should define their roles and make their voluntary commitments to each other to fulfill these roles. This is important for ensuring that the pillars understand each other's resources and limits. If not done as a group, unmanaged expectations can develop that could risk damaging the trust the three pillars need to work together.

This is particularly important when there has been little constructive interaction among representatives of the three pillars prior to the VPs being introduced in the particular

country. Individuals may be making assumptions about the others based merely on the sector in which they operate. Time should be taken for each of the organizations involved to have a chance to share its own unique perspectives and resources as well as limitations – e.g., how internal decisions are made about resource commitments. For example, the person who is involved with the VPs process may not have decision-making authority and therefore may not be able to act as quickly as others.

10. Work Plan

Based on all of the elements thus far, the core group should now develop a work plan for their in-country process. The plan should be practical and realistic, recognizing that the VPs are dealing with sensitive issues that impact a range of actors. Building buy-in with these various actors may take time and can be crucial to success. While the work plan should have specific deliverables, there should also be recognition that even just dialogue can be progress. At all levels of national-level implementation, including with the development of the work plan, it should be recognized that perfection can be the enemy of success.

The work plan should be a simple document that lays out how often the group will meet, what topics will be discussed, and what internal and external documents need to be produced. It should highlight who will take the lead on which activities and who else will be involved.

11. Implementation Tools

Some of the topics on which companies need guidance are: vetting security providers, assessing risk and impact related to security and human rights, training security providers on respecting human rights, building dialogue with public security forces, and developing grievance mechanisms. There are currently a few tools available publicly to provide guidance on these issues for project-level implementation by companies. One of the most comprehensive tools available is an implementation toolkit for major project sites developed with funding from MIGA.⁶

Another valuable tool is the Performance Indicators for the VPs developed by International Alert and piloted by Occidental and Cerrejon. In addition, International Alert's Conflict Sensitive Business Practice: Guidance for the Extractive Industry is a good source in particular in regards to risks and impacts assessment, as well as other pertinent issues.⁷

There are also several tools that have been developed by individual companies and consulting groups, the sharing of which may be possible in a confidential setting. Members of the core group should be encouraged to share as widely as possible the tools they have developed or used, recognizing that they may be restricted as to how widely or deeply they can share their materials.

There are also tools currently in development, notably the Implementation

Guidance Toolkit (IGT), which should become available in 2011.⁸

The facilitator could take the initiative, with the input of the core group, to select tools available for translation and enhancement by refining based on the local context. They may also select to create new tools for implementation.

12. Marketing Materials

The core group should identify the value of the VPs in the local context from the perspective of all three pillars. Simply by answering the question, "why are you interested in this initiative?", the group can quickly develop talking points for use by all members to encourage wider participation in each of the pillars.

Basic information, including the Principles themselves, should be translated into the host country language as one of the first steps to developing marketing materials. Materials should use simple language.

While media should not be invited to the confidential meetings, informing media of the existence of the VPs and activities within the country to support the VPs can be undertaken. This should be seriously considered by the group, particularly if the host government is not yet formally involved. Public attention could lead to the perception that the government is a target of the initiative instead of a partner in it. Any contact with the media should ensure recognition of the role of the host

⁶ Available online at http://www.miga.org/documents/VPSHR_Toolkit_v3.pdf

⁷ Available at online at http://www.international-alert.org/peace_and_economy/peace_and_economy_projects.php?t=1#

⁸ Please check www.voluntaryprinciples.org for the IGT

government and respect towards progress being made – even incremental steps.

13. Public Security Engagement

The public security sector is a critical stakeholder in this process, in particular in places where company installations are guarded by the military and/or the police or in places where these forces are deployed if there is civil unrest related to company-communities conflict. Success of the VPs lays largely with their buy-in and participation in the process. A plan should be made to engage them early on in the national-level process, ensuring they understand that the VPs are a mechanism that can support their own organizational goals. Public security should be included in dialogues about the challenges and encouraged to share their existing processes and limitations so that the group can identify resources and activities that could support their ability to fulfill the VPs.

The core group should have a discussion early on in the process to identify if there are potential champions within the public security forces and look for opportunities to engage with the Ministries of Defense and/or Interior. Engaging with well-respected retired public security members can also be a

mechanism for the in-country process to demonstrate its respect for and desire to engage directly with public security.

14. Host Government Institutionalization

In the welcome event that the government has decided to formally implement the VPs, it will need to institutionalize them within its administration to ensure continuous support for the VPs in the event of political or personnel changes. Dedicated resources are needed to make certain that national-level implementation stays on track and to respond to needs related to project-level implementation. While the most likely home for the VPs is either within the ministry responsible for human rights or for the mining and energy sector, there should be participation and coordination with the ministry or ministries responsible for security – military and police – and others.

At the international level, governments are brought into the VPs in a two-tiered process. They begin as an Engaged Government and then are given time to develop their work plan. After the work plan is submitted and approved by the Steering Committee, the government moves to being a Participant Government. More information on this process is available in the documents

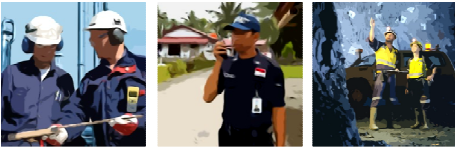
Framework for the Admission and Participation of Governments and Participation Criteria 2009.⁹

15. Reflection Process

Participants in the international process must report annually on their progress related to VPs implementation in an effort to ensure information sharing among participants and to provide assurance to external stakeholders that participants are honoring their commitment to the VPs. Similarly, a national-level reporting process is recommended to help share lessons learned and good practice, as it also gives the participants a chance to reflect on their own progress and consider their path forward. However, the reporting process should be developed in such a way that it does not create a barrier to entry for new participants.

During this reflection process, participants could also highlight country-specific challenges to VPs implementation as well as advancements made by the country in the reporting time period. This would allow the participants of the process to recognize the impact of the VPs by assessing the level of VPs implementation in the local context.

⁹ Available online at <http://www.voluntaryprinciples.org/resources/>



National-Level Implementation

Conclusion

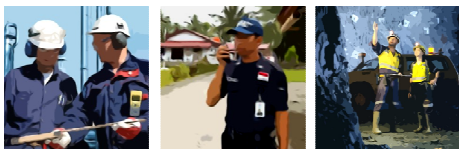
There is a saying, “Driving the car while you are building it.” That accurately describes the VPs. In supporting national-level implementation, our two organizations, The Fund for Peace and International Alert, have recognized that there is a need to provide some guidance to others who are interested in supporting VPs implementation in other countries. This guidance note is our way of encouraging more people to start driving and building the cars so there can be more impact on the ground with the communities – because that is where it really matters.

The major lessons are the need to develop

trust and respect in order to have a successful multi-stakeholder initiative, particularly one that works on such a complex issue such as security and human rights. It is best to take a phased approach as relationships develop to move towards success. Small steps should be acknowledged but that will have to be balanced with the fact that companies are eager to have support on the ground to achieve success in the VPs. There will likely be a lot of energy at the beginning of the process that can unfortunately lead to disappointment as some members will want to achieve progress quickly and others will need time. This is a challenging initiative and it does take time to

build support and capacity at the local level.

While there will never be a prescriptive guide on how to drive a national-level process, because each case is unique, there are organizations and individuals with knowledge and the desire to support in-country implementation. Groups interested in developing in-country processes, whether at the national or provincial levels, are encouraged to reach out to the Steering Committee through the Secretariat of the VPs to be connected to these resources. Contact information is available via the VPs website at www.voluntaryprinciples.org.



Participants at Workshop in Bogota, Colombia

June 2010

Álvaro Espitia
 Laura García
 Iván Matamoros
 Ramiro Santa
 Mario Gómez
 Carlos Velasco
 Cesar Díaz Guerrero Cámara
 Alexandra Guáqueta
 Inés Elvira Andrade
 Nelson Alvarado
 Hugo Castellanos
 Patricia Serrano
 Rafael Buitrago
 Manuel Gutiérrez
 Cr. Luis Eduardo Sánchez
 Gral. Carlos Arturo
 Suárez Bustamante
 Mónica Fonseca
 Sandra Flórez
 Alejandro Martínez
 Jose Luis Freire
 David Turizo
 Jairo Rodríguez
 María del Pilar Jaramillo
 Krista Hendry
 Angela Rivas
 Jose Rafael Unda Bernal
 Sebastian Meneses
 Eleonora León Castañeda
 Christophe Beney
 Claude Voillat
 Mauricio Hernández
 Mondragón

Anglo American, Colombia
Anglo American, Colombia
Anglo Gold Ashanti
Anglo Gold Ashanti
British Embassy, Bogota
British Petroleum, Colombia
Colombiana de Minería
Cerrejón
Cerrejón
Cerrejón
Cerrejón
Chevron
Chevron
Chevron
Colombian Armed Forces
Colombian Armed Forces

Colombian Government Cancellaria
Colombian Petroleum Association
Colombian Petroleum Association
Ecolex, Ecuador
Ecopetrol
Ecopetrol
Ecopetrol
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Fundación Ideas para la Paz, Col.
Government of Colombia
Government of Ecuador
Government of Perú
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 Tricia Sumarijanto
 Yadaira Orsini
 Diana Klein
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 Juan Carlos Ucrós
 Paula Uscátegui
 Mike Faessler
 Oscar Gaitán
 Maritza Burbano
 Oscar Cely
 Lena Slachmujlder
 Remedios Moya
 Steve Utterwulghé
 Carlos Salazar
 Frank McShane
 Ana María Duque
 Chris Davy
 Lea Rivera
 Christine Harbaugh

Indepaz
Indepaz
Indonesia Center for Ethics
Indonesia Center for Ethics
International Alert, Colombia
International Alert, U.K.
ISA
ISA
Isagen
Isagen
ISVI
Minera Panamá
Ministry of Defense, Colombia
Netherlands Embassy, Bogota
Norwegian Embassy
Occidental Petroleum, Colombia
Occidental Petroleum, Colombia
Occidental Petroleum, Colombia
Oversight Risk Consulting
Partners Colombia
Rio Tinto
Rio Tinto
Search for Common Ground, DRC
Search for Common Ground, U.S.
Search for Common Ground, U.S.
Socios Perú
Talisman Energy, Canada
Talisman Energy, Colombia
U.S. Embassy Colombia
U.S. State Department
U.S. Embassy Perú



Annex 2

Suggested Steps and Topics*

Suggested Steps and Topics for the Scoping Process**

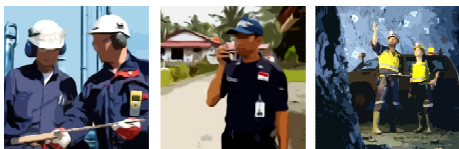
- 1 Identify current VPs participants operating in the country and interview them on the following items:
 - a. National-Level Activities to date
 - b. Challenges and Opportunities for VPs Implementation
 - c. Interest in supporting a National-Level Process**
 - d. Their reasons for having or not having interest (can be used to develop rationales for others)
 - e. Other Actors that should be interviewed (Governments, NGOs, Companies, and Associations)
- 2 Identify potential ministers and other current and former government officials that should or could play key roles. Assess their potential positions on the VPs and more broadly the issues of security and human rights.
- 3 Assess the national context. Review of the current legislation relevant to the VPs and assessment of whether it is appropriate for VPs implementation. Identify and assess specific national/local idiosyncrasies that could impact VPs implementation or the strategy for implementation.
- 4 Identify and vet key stakeholders. Formal participants in the VPs operating in the country should help develop the initial strategy for approaching critical stakeholders and utilize their own networks as possible to make that first contact. Are there potential champions or facilitators included in this group?
- 5 Hold pillar-specific meetings (following a series of one-on-one meetings) to identify any issues of trust between the pillars that should be discussed before a meeting of all three pillars takes place. Another topic of this meeting could be ideas on how and who within the government to engage early in the process.
- 6 Questions to ask in the initial discussions include the following:
 - Do they have the desire to promote the VPs? If yes, are any of them willing to host/co-host discussions on VPs?
 - Can they help identify those government leaders who should be informed on the VPs?
 - Can they help identify key Indonesian NGOs that could collaborate in the process?
 - Who/what are appropriate participants, speakers and topics for initial meetings?
 - What is the potential value of the VPs for the country in question?
- 6 Develop a report based on the individual interviews and meetings that includes a draft implementation plan with a focus on insuring eventual ownership of the process by the host government.

* This list is not exhaustive. Furthermore, depending on the level of interest in implementing the VPs by the host government, this scoping process could be very different. This scoping process assumes the host government has not taken a position on VPs implementation.

** One home government should be identified to be the main point of contact for the VPs. Other home governments, including those not formally part of the VPs but whose companies operate there or otherwise have an interest in the issues can also be approached. The main point of contact government should be the facilitator or initial government meetings.

Suggested Topics for National-Level Dialogues

- Country Risks and Opportunities regarding Security & Human Rights
- Review of Pertinent National Legislation and International Treaties
- How to do a VPs Risk and Impact Assessment
- Roles and Responsibilities of Participants
- Engaging with the National Government
- Engaging with Public Security Forces
- Developing Marketing Materials to Raise Awareness of the VPs
- Developing and Sharing Implementation Tools and Practices for the Local Environment
- Elements for Training Materials on Security and Human Rights
- Including Non-Extractive Companies in the Dialogue
- Contract Language and Oversight Mechanisms for Private Security Providers
- Community Grievance Mechanisms
- Building Community-Company Dialogues on Security & Human Rights
- Measuring Project-Level Implementation
- Public Reporting on National-Level Implementation
- Public Reporting on Project-Level Implementation



Draft Ground Rules for National-Level Dialogue*

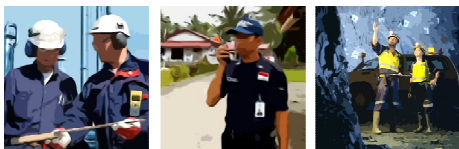
Draft Ground Rules

- 1 There is no attribution outside of the meetings to individuals or their organizations of what was said. One may share general findings of meetings with others but no person or organization should be quoted directly. Meeting participants may agree to have public reports on issues discussed at meetings but these reports will include no attribution.
- 2 Views expressed at the meetings are the personal opinion of the participants and do not reflect the official position of their company, organization, or government.
- 3 Any issue that is in litigation should not be discussed at meetings.
- 4 Specific issues regarding national-level implementation will be raised and discussed, but in an atmosphere of trust and respect with a focus on identifying challenges and potential solutions.
- 5 Representatives from the media will not be included in the workshop or receive verbal or written reports regarding specific meetings. Meetings are not public relations exercises or a way of sharing information with the wider public.
- 6 Meetings are not marketing opportunities. Participants should refrain from marketing specific products or services during the meeting.

The overall goal of the National-Level Implementation Process is to gain understanding of the crucial elements of national-level implementation and discuss the challenges and opportunities openly with all three pillars. To do this, meetings are invitation-only, closed and confidential dialogue with participation limited to individuals who share the stated goal. Participants in the national-level dialogue must be able to speak openly, frankly and in confidence. To make this possible, meetings will be guided by the ground rules, right.

Attendance at meetings, demonstrates acceptance of these guidelines. Anyone not following these guidelines may be asked to leave the process.

* These ground rules should be tailored for the specific country context



About The Authors

Krista Hendry

Krista Hendry became Executive Director of The Fund for Peace (FFP) in January of 2009 after nearly a decade at the organization.

Since 2004, Ms. Hendry has directed FFP's Human Rights and Business Roundtable, a collaborative multi-stakeholder forum that focuses on issues related to businesses operating in conflict-sensitive areas, primarily in the oil, gas and mining industries. Ms. Hendry currently serves on the Steering Committee of the Voluntary Principles on Security and Human Rights and is also a member of the Advisory Board to the Conflict Risk Network, a network of institutional investors, financial service providers and other stakeholders calling on corporate actors to fulfill their responsibility to respect human rights and take steps that support peace and stability in areas affected by genocide and mass atrocities.

Ms. Hendry led many of FFP's civil society engagement programs, including the development of the Health & Business Roundtable Indonesia (HBRI), a replication of the Human Rights and Business Roundtable model to build the trust and skills needed to promote public private partnerships to increase the availability of resources related to health in Indonesia. Ms. Hendry has also led FFP's conflict assessment programs, having previously directed the Failed States Index (a ranking of countries based on risk of state failure published annually in *Foreign Policy* magazine) and played a key role in the creation of the CAST conflict assessment methodology framework.

Ms. Hendry has been published and frequently lectures on the topics of business and human rights, conflict assessment, state failure and rebuilding, and security sector

reform. Ms. Hendry currently serves as a Practitioner Affiliate at American University's School of International Service.

Prior to joining FFP, Ms. Hendry worked in international trade and development, serving as Director (Asia) for the Frankfurt Economic Development GmbH in Frankfurt, Germany. She received her MBA from the McDonough School of Business at Georgetown University and is a graduate of the University of Virginia, where she concentrated on Foreign Affairs and German Literature.

Ms. Hendry currently chairs the Board of Directors of Liberty's Promise, a non-profit that develops programs to increase civic participation of and career opportunities for low-income immigrant youth in the United States.

Diana Klein

Diana Klein is Project Manager with International Alert's Peacebuilding Issues Programme, where she leads on Alert's strategic engagement with multinational companies; outreach to and mobilisation of the domestic private sector in countries where Alert works; and strengthening policy and practice of the international aid community to integrate conflict-sensitivity in economic recovery efforts in countries emerging from conflict.

Diana has experience working on peacebuilding issues in Latin America and the Middle East. Previously, she managed a

regional research, dialogue and advocacy network 'Economy and Conflict in the South Caucasus', engaging private sector actors across the conflict divides in the region, promoting dialogue among different sides of the conflicts, and using economic approaches to peace and reconciliation in the region.

Before joining Alert, Diana worked as a research assistant with the International Organisation for Migration in Kosovo; as well as an associate facilitator and project coordinator at the Harry S. Truman Peace Research Institute at the Hebrew University in Jerusalem, implementing joint Israeli-

Palestinian peace education training programmes.

She holds an MA in Post-War Recovery and Development Studies from the University of York, UK, a certificate degree in Peace Studies from the European Peace University in Stadtschlaining, Austria and a BA in International Relations and Journalism from the Hebrew University in Jerusalem, Israel.

Diana has co-authored and edited several publications and articles on the subject of economy and conflict, natural resources, economic recovery and corruption.



About International Alert

International Alert is a 25-year old independent peace-building organization. We work with people who are directly affected by violent conflict to improve their prospects of peace. And we seek to influence the policies and ways of working of governments, international organizations like the UN and multinational companies, to reduce conflict risk and increase the prospects of peace.

We work in Africa, several parts of Asia, the South Caucasus, the Middle East and Latin America and have recently started work in the UK. Our policy work focuses on several key themes that influence prospects for peace and security – the economy, climate change, gender, the role of international institutions, the impact of development aid, and the effect of good and bad governance.

We are one of the world's leading peace-building NGOs with more than 155 staff based in London and 15 field offices. The organization is led by our Secretary General, Dan Smith OBE, and the Senior Management Team.

International Alert.

Peace Factors

- Power.
- How people make a living.
- Fair and effective laws.
- Safety.
- Well-being.

Methods

We work in a number of ways, using one or more of the following methods, depending on what is most appropriate for the situation:

- Dialogue
- Research
- Advocacy
- Training
- Accompaniment

How We Work

Peace is when people are anticipating and managing conflicts without violence and are engaging in inclusive social change processes that improve the quality of their lives. They are doing so without compromising the possibility of continuing to do so in the future, or compromising the possibility of others to do so.

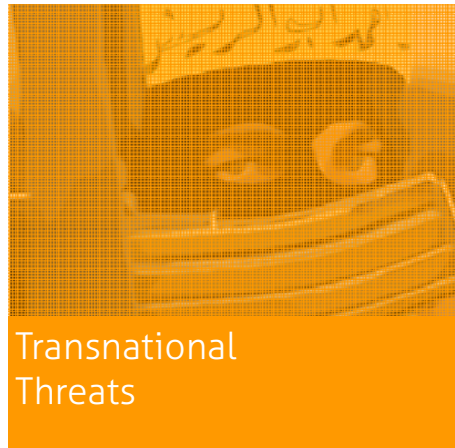
We can recognize peace by evidence that people are resolving conflicts and differences without violence and also by a web of five interlocking factors in society which we believe contribute to peace.

Alert's work helps to strengthen these factors, and we do so in collaboration with local and international partners. We believe that peace-building requires a tailored approach rather than off-the-shelf techniques or a standard template.

www.international-alert.org



About The Fund for Peace



The Fund for Peace is an independent, nonpartisan, 501(c)(3) non-profit research and educational organization that works to prevent violent conflict and promote sustainable security.

We promote sustainable security through research, training and education, engagement of civil society, building bridges across diverse sectors, and developing innovative technologies and tools for policy makers.

A leader in the conflict assessment and early warning field, the Fund for Peace focuses on the problems of weak and failing states. Our objective is to create practical tools and



approaches for conflict mitigation that are useful to decision-makers.

The Fund for Peace adopts a holistic approach to the issues stemming from weak and failing states. We work at both the grassroots level with civil society actors and at policy levels with key decision makers. We have worked in over 50 countries with a wide range of partners in all sectors: governments,

international organizations, the military, nongovernmental organizations, academics, journalists, civil society networks, and the private sector.

The Fund for Peace offers a wide range of initiatives focused on our central objective: to promote sustainable security and the ability of a state to solve its own problems peacefully without an external military or administrative presence. Our programs fall into three primary thematic areas:

- Conflict Early Warning and Assessment;
- Transnational Threats; and
- Sustainable Development, Sustainable Security.

www.fundforpeace.org



The Fund for Peace Sustainable Development, Sustainable Security

International Alert.

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