



Guidance on Respecting the Rights of Human Rights Defenders

VOLUNTARY
PRINCIPLES
ON SECURITY + HUMAN RIGHTS

Foreword

On behalf of members of the Voluntary Principles Initiative (VPI), we welcome the **Guidance on Respecting the Rights of Human Rights Defenders** as a timely and important addition to the Initiative's resources. As practitioners implementing the Voluntary Principles on Security and Human Rights (VPs) on the ground, we affirm the important role of human rights defenders as set out in this report, and as defined by the Special Rapporteur for Human Rights Defenders.

Human rights defenders play a critical function in safeguarding the rights and dignity of individuals and communities in a peaceful and non-violent manner, and they should be able to carry out their work without fear of reprisals, harassment, or harm.

The guidance includes a number of recommendations aligned with the approach of the VPs. We encourage our Members and anyone implementing the VPs to integrate policies and procedures designed to protect human rights defenders into their company management systems, including their risk assessments, risk mitigation measures, remedies, and stakeholder engagement.

In situations where human rights defenders face real threats on the ground, we urge a multistakeholder approach which allows for the collaboration and collective efforts of companies, civil society and government actors, as well as like-minded agencies and organizations, as appropriate, to promote the protection of defenders.

As the Guidance notes, it is also important to advocate for civic space for civil society, along with human rights such as freedom of expression and freedom of association. An open and wide civic space helps build an enabling environment for a strong human rights culture that respects and safeguards the rights of all.

On behalf of all VPI Members, we would like to express our gratitude to Bennett Freeman Associates, LLC, for authoring the guidance tool, along with LITE-Africa for providing valuable insights and perspectives on human rights defenders that enriched the tool's development.

Members of the VPI Steering Committee, December 2023

About this guidance

This guidance aims to sharpen the focus of the Voluntary Principles on Security and Human Rights (“the VPs”) on human rights defenders and the wider civic space in which they work. It offers an analytical and operational framework to identify and address risks to human rights defenders across key elements of VPs implementation: risk assessment and due diligence; stakeholder and community engagement; and relationships with security forces and host country governments.

This document reflects and reinforces a core dimension of the [2019-2022 strategy of the Voluntary Principles Initiative \(“the VPI”\)](#). The strategy calls on VPI members to address underlying issues that create conditions for conflict, including repression of human rights defenders (“HRDs”). It commits members “to having a positive impact on local governance, peace and stability and playing a proactive role in preventing conflict” to effectively implement the VPs.¹

This guidance supports and informs the elevated priority that the VPI now places on human rights defenders. It seeks to contribute to safe and enabling environments for their vital work by setting forth processes and actions to identify and diminish risks for—and in turn adverse impacts on—HRDs across a range of circumstances and situations.

This guidance also outlines practical ways that VPs implementers and the VPI as a multistakeholder platform can play a “proactive” conflict prevention role consistent with its defined mandate and limited capacity. The VPI not only has a responsibility to support HRDs, but also an opportunity to advocate for the “shared space” of the rule of law, accountable governance and civic freedoms upon which companies and civil society alike depend.

The guidance is designed to complement other recent VPs implementation tools, including the [Conflict Analysis Tool for Companies \(2022\)](#) and the [Tool on Gender and Disadvantaged Groups \(2023\)](#) and other tools in the [VPI Resource Library](#). It also relates to and references the 2012 Voluntary Principles [Implementation Guidance Tools](#) in a number of places.

The guidance further draws from a number of external resources, most fundamentally and comprehensively from the [Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders \(2018\)](#) and the [guidance on defenders from the UN Working Group on Business and Human Rights \(2021\)](#), the two complementary and mutually reinforcing frameworks developed for companies on these issues. Annex II to this guidance contains a list of additional resources for review.

Finally, this guidance can also support the efforts of VPI companies to meet their global responsibilities to respect human rights under the UN Guiding Principles on Business and Human Rights (“UNGPs”) and, where applicable, the OECD Guidelines on Responsible Business Conduct for Multinational Enterprises (“OECD Guidelines”).

Although focused on the extractives and agribusiness sectors, this guidance is also relevant to the renewable energy and timber sectors among others. It is addressed to VPI corporate implementers, Government and Non-Governmental Organization (NGO) Pillars but can also serve as a resource for all actors, VPI and non-VPI members alike, which share a stake in the protection of human rights defenders as well as the safe and enabling environment of civic freedoms.

In addition to the external resources referenced above, this guidance has been informed incisively by interviews with nearly 30 organizations and participants from the Corporate, NGO, and Government Pillars of the VPI, VPI Observers, plus non-VPI NGOs, independent experts and human rights defenders.

This guidance has benefited significantly from the work by LITE-Africa to interview HRDs and report on the situation of human rights defenders in Africa for this project. [LITE-Africa’s report](#) on this work forms a standalone study of relevant cases and experiences, and the recommendations therein have also informed this guidance throughout, particularly the case examples from Nigeria.

¹ <https://www.voluntaryprinciples.org/wp-content/uploads/2019/12/VoluntaryPrinciplesStrategyDocument2019-2022.pdf>

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Summary of recommendations

This table summarizes the main recommendations in this guidance to companies and for the VPI.

Recommendations to company implementers of the VPs	
Develop, disclose and implement a zero-tolerance policy for threats and attacks against defenders	<ul style="list-style-type: none"> ▪ Develop and publish a policy of absolute non-tolerance for threats and attacks ▪ Extend the policy commitment to security contractors, both public and private ▪ Communicate clearly the commitment to employees and security contractors ▪ Integrate the policy commitment into codes of conduct ▪ Implement the policy at group, country and site/project level
Ensure operational clarity about who human rights defenders are and identify defenders for consultation and dialogue	<ul style="list-style-type: none"> ▪ Understand roles of HRDs in both general and local contexts ▪ Map relevant HRDs and defender organizations at the international, regional, country and project/site level at the earliest possible stage of project planning/exploration and upon entry into new markets, regions or contracts
Integrate human rights defenders into VPs risk assessment and human rights due diligence	<ul style="list-style-type: none"> ▪ Ensure that risks to HRDs are addressed explicitly in HRIAs and VPs risk assessment processes ▪ Identify civic space issues that drive risks to HRDs in HRIAs and VPs risks assessments, and broader risk assessment processes
Consult with human rights defenders as part of stakeholder dialogue	<ul style="list-style-type: none"> ▪ Identify barriers, benefits and opportunities to dialogue with HRDs ▪ Build relationships with HRDs at the earliest possible stage ▪ Consult directly with HRDs on the risks they face ▪ Analyze differentiated impacts on women HRDs and HRDs from other groups at risk of vulnerability and/or marginalization, such as indigenous HRDs ▪ Consult with host governments and other stakeholders to understand broader risk picture for HRDs and drivers of risk

Integrate findings of risk assessments and non-tolerance for threats and attacks into security arrangements

- Establish ownership for addressing identified risks
- Integrate respect for HRDs into public security force MoUs/agreements
- Integrate respect for HRDs into private security provider contracts
- Integrate HRDs risks into training for site-level security personnel and into training/dialogues with public security forces, where possible
- Analyze the company's interactions with systemic drivers of risks to HRDs
- Involve the local government in dialogues about systemic drivers of risks

Respond when threats or attacks occur

- Evaluate the company's relationship to the risk/harm: causation, contribution or direct link?
- Determine rationales for action: analyze the discretionary opportunity and the moral choice to act
- Consider costs and risks of action vs. inaction in specific cases of risk/harm

Ensure that grievance mechanisms are safe and accessible for defenders

- Identify barriers to access for HRDs, including women HRDs, vulnerable groups
- Establish safety and protection measures where relevant
- Establish processes for referring situations to law enforcement or other state-based grievance mechanisms

Recommendations to the VPI as a multistakeholder initiative

Strengthen dialogue on civic freedoms within the VPI membership and with overlapping MSIs

- Use the VPI's collective voice to act in support of HRDs/civic freedoms
- Refine messages and facilitate dialogue with host country governments through coordination with home country governments and closely related MSIs (ICoCA and EITI) and industry initiatives (ICMM and Ipieca)
- Strengthen dialogues on HRDs issues and civic freedoms within the VPI membership

Demonstrate support for civic freedoms through In-Country Working Groups

- Support pilot projects already undertaken to build capacity of civil society/HRDs organizations to engage with In-Country Working Groups
- Support the strengthening of In-Country Working Groups and the dissemination of learning and sharing of best practices

Section 1:

Human rights defenders and the VPI: responsibility and opportunity

A: Closing civic space and increasing attacks against human rights defenders globally

Business and civil society both depend on the “shared space” defined by common, fundamental elements.² These elements include the civic freedoms of expression, association and assembly, as well as the rule of law and accountable governance. Civic freedoms enable efforts to curb corruption, ensure workplace safety, protect public health, promote environmental sustainability, advance gender diversity, and, not least, defend human rights. They underpin sustainable and profitable business and investment environments as well as the social license to operate with local and global stakeholders.

At the same time, the exercise of civic freedoms is often intertwined with issues and tensions among host country governments, security forces and local communities in countries where VPI members and other VPs implementers

operate. Human rights defenders are often at the forefront of these issues and tensions, sometimes in ways that are critical of governments and VPI companies and in turn put their work and even lives at risk.

Globally, it has become increasingly dangerous to defend human rights. Since 2015, the Business and Human Rights Resource Centre has logged nearly 4,700 physical and judicial attacks against human rights defenders in connection with business activity. In 2022 alone, 555 attacks on human rights defenders were recorded. Attacks include both physical attacks and legal and judicial targeting: nearly half of attacks recorded in 2022 consisted of legal and judicial harassment and intimidation, such as arbitrary arrests and Strategic Lawsuits Against Public Participation (SLAPPs).³ Global Witness reported 200 killings of land and environmental defenders in 2021.⁴ However, this problem is understood to be vastly understated, as non-lethal attacks are often not reported. Moreover, very few governments track or report on attacks against HRDs.⁵



Why is the work of human rights defenders important to business?

- Defenders are often early warning “canaries in the coalmine” who expose abuses, demand accountability and accelerate reforms toward an open civic space and the rule of law.
- Defenders usually command respect in their local communities and with international stakeholders, contributing to or detracting from a company’s social license to operate depending on the quality of engagement and in turn trust that is tested over time.

² Shared Space Under Pressure: Business Support for Human Rights Defenders, 2018

³ https://www.business-humanrights.org/en/from-us/briefings/hrds-2022/human-rights-defenders-business-in-2022-people-challenging-corporate-power-to-protect-our-planet/?utm_source=direct_email&utm_medium=direct_email&utm_campaign=2305HRDs&utm_content=email

⁴ <https://www.globalwitness.org/en/campaigns/environmental-activists/decade-defiance/>

⁵ See A Crucial Gap: The Limits to Official Data on Attacks Against Human Rights Defenders and Why it is Concerning, International Land Coalition, 2020

The harsh operating environment for HRDs is closely connected to the erosion of civic space around the world as part of a global “slide towards authoritarianism.” CIVICUS estimates that only 3.1% of the world’s population lives in countries with open civic space.⁶ Freedom of speech and press freedom are both on the decline. The Committee to Protect Journalists reported that a “record number” of journalists were behind bars in 2021 in a trend dating back at least six years and countries across regions have used the Covid-19 pandemic as a pretext to restrict free speech. Freedom House, which tracks the status of liberal democracy around the world, reports a sixteen-year decline in democratic governance, with only two in ten people globally living in “free” countries.⁷ The 2021 ITUC Global Rights Index recorded an “unprecedented” increase in attacks on free speech and assembly, with 64 countries denying or constraining free speech and assembly, while 74% of countries impede workers’ rights to join a union.⁸

B. Established frameworks for action

Companies everywhere have a fundamental responsibility to “do no harm” to human rights defenders and to civic freedoms by not participating in or contributing to attacks against human rights defenders or in actions that constrain civic space. This responsibility has become both increasingly expansive and precise with the UN Guiding Principles on Business and Human Rights, the OECD MNE Guidelines and the tide of human rights due diligence legislation, further elaborated by two significant frameworks specifically focused on human rights defenders:

- [The Shared Space Under Pressure framework](#) of 2018 provides guidance for business action to respect and, when necessary, to protect the rights of defenders, including the normative responsibility and the discretionary opportunity to act in different circumstances.
- The 2021 UN Working Group on Business and Human Rights’ report: [“The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders”](#) provides guidance for company efforts to integrate respect for defenders into due diligence processes and remediation of harms.
 - **These two frameworks are distinct but complementary and mutually reinforcing:** the Shared Space Under Pressure framework provides more analytical and operational guidance for companies on whether and how to act in specific circumstances; the UNWG guidance focuses more explicitly and incisively on preventative due diligence and reactive remedy.

C: The extractives and agribusiness sectors and human rights defenders: heightened expectations



Who is a human rights defender?

- Defenders work non-violently, individually and collectively to promote or defend human rights through activities such as **trade union organizing, legal or judicial advocacy, community organizing, protests or demonstrations in defense of human rights, advocacy campaigns and journalism.**
- Human rights defenders can be any age, sex, gender, religious affiliation, ethnic background or nationality.

For more on defining and identifying HRDs, see Section 2.

VPI members operate in the sectors associated with the highest risks to human rights defenders. Since the inception of the BHRRC database of attacks against human rights defenders linked to business activity, **mining and agribusiness have consistently been the two sectors associated with the most attacks against HRDs. In the Business and Human Rights Resource Centre database, thirty-six percent of all attacks recorded relate to extractives.**⁹

Although the VPs do not explicitly mention HRDs, their founding in 2000 was motivated partly by threats to and attacks against human rights defenders perpetrated by security forces as well as by the security risks and issues endemic to the extractives sector.

Implementation of the VPs, especially through policies, contracts and training of security forces, has had significant successes in reducing incidents of harm to community members and HRDs in interactions with security forces. But risks to defenders persist mostly due to factors that are largely beyond the control if not influence of VPs implementers, including the presence of armed non-state actors, repression of civic freedoms and lack of rule of law. Moreover, threats materialize in different ways that may not easily be identified by VPs implementers as directly relevant to their security providers. For example, threats and attacks may be perpetrated by individuals or groups outside of working hours and/or uniform, through collusion with other actors, by third parties and through legal and judicial harassment.

⁶ The CIVICUS Monitor: Tracking Civic Space, <https://monitor.civicus.org/quickfacts/> (accessed May 21, 2022)

⁷ <https://cpj.org/reports/2021/12/number-of-journalists-behind-bars-reaches-global-high/>

⁸ ITUC-CSI Global Rights Index 2021, <https://www.globalrightsindex.org>

⁹ <https://www.business-humanrights.org/en/from-us/human-rights-defenders-database/>, Zero Tolerance initiative’s Enough! report, Hearing the Human (BHRRC, IPRI, FLN, ProDESC, etc.), Global Witness - Responsible Sourcing

Some stakeholders expect the VPI and its company members to grapple more seriously and consistently with broader issues of civic freedoms—freedom of expression, assembly and association—that contribute to a “safe and enabling” environment for HRDs to carry out their work.

These realities and expectations have elevated the closely related agendas of HRDs and civic freedoms for business – especially for extractives and agribusiness companies – at a time of growing pressures for companies to take stands on social issues that appear political to some even when not intentionally partisan.

VPI companies should address and diminish risks to human rights defenders to advance the mission of the VPs as well as to meet increasing stakeholder and investor expectations.¹⁰ Supporting and protecting human rights defenders is implicit in the VPs, which were created to “guide Companies in maintaining the safety and security of their operations within an operating framework that ensures respect for human rights and fundamental freedoms” and developed in response to instances of violence and attacks by security personnel against community member, some of whom were human rights defenders. Now this objective should become explicit for VPs companies and implementers and for the VPI as a multistakeholder initiative.



The VPs have had a positive impact, but they now need to speak to fundamentally changed expectations. The rules-based international order is under attack. The costs of not defending the rule of law are no longer only reputational.”

NGO Member

Meeting these expectations to contribute positively to a “safe and enabling” environment for human rights defenders requires risk assessment and due diligence processes to identify specific risks to defenders within and beyond security arrangements. Preventive as well as reactive commitments and actions are necessary.

While the situation for defenders globally remains dire, there is now greater attention to the rights of defenders and the risks that they face, as evidenced by the emergence of company policy statements (many directly inspired and informed by the Shared Space framework) on respect for human rights defenders in the extractives, agribusiness and other sectors. This Guidance will provide more specific recommendations regarding the importance of such policy statements in Section 2, which also includes sample policy language addressing specific issues and objectives related to HRDs.

Sample policy statements and commitments from different sectors include:

[H&M's](#) human rights policy recognizes the importance of civic freedoms and HRDs: “We also recognize the importance of civic freedoms and human rights defenders to bring attention to issues across our value chain. Advocating for civic freedoms can be an important use of leverage to help protect human rights defenders and for topics of shared concerns, such as labor rights or environmental rights, we may actively support the work of human rights defenders.”

[Novartis](#) includes respect for civic freedoms and human rights defenders in its Human Rights Commitment Statement: “We recognize the critical importance of an open civic space upon which both business and civil society depend. We maintain a policy of zero tolerance of any threats, intimidation, or attacks against human rights defenders in relation to our business operations and relationships. Consistent with the UNGPs, we are aware of our responsibility in certain circumstances to act together with other stakeholders where possible to prevent or mitigate threats, intimidation, or attacks. We will apply human rights due diligence in relevant countries to include an assessment of the situation of human rights defenders, as well as civic space and the rule of law.”

[Meta \(Facebook\)'s](#) human rights policy commits it to engage with defenders: “We proactively engage with human rights defenders to understand their needs and the heightened human rights risks they face. We strive to offer specific measures to protect their safety and mitigate such risks. We condemn all threats, acts of intimidation and retaliation, persecution, and physical and legal attacks against human rights defenders. We strive to support their important work, and particularly the foundational rights of freedom of expression, assembly, and political participation, as defined by internationally recognized human rights standards.”

¹⁰ See Business and Human Rights Resource Center and the B Team

Several VPI member companies have already made policy commitments to HRDs and civic freedoms:

[Anglo American](#) was among a group of companies issuing in December 2018 the “first-ever call” to protect defenders in a joint statement by the Business Network on Civic Freedoms and Human Rights Defenders that affirmed the “crucial role” of human rights defenders and committing to “find effective ways business can positively contribute to situations where civic freedoms and human rights defenders are under threat.”

[bp](#) has integrated respect for civic freedoms and HRDs into their general human rights policy with a statement condemning attacks against defenders: “In respect of our activities, we will not tolerate or contribute to attacks, or physical or legal threats, against those safely and lawfully exercising their human right to freedom of expression, peaceful protest or assembly, including where they are acting as human rights defenders (HRDs) or against workers seeking to exercise their right to freedom of association.”

[Shell](#) has integrated respect for civic freedoms and HRDs into its human rights policy: “Freedom of expression, of association, and peaceful assembly are human rights. Protection of these rights contribute to a well-functioning democratic society. Shell does not interfere or inhibit the peaceful, lawful and safe activities of human rights defenders to exercise these rights even if these should be linked to issues related to our business operations. Shell will not contribute to or support retaliation, threats, intimidation or attacks against those who raise human rights-related concerns in relation to its operations.”

[Newmont](#) also has a public statement on respect for HRDs: “Another potentially vulnerable group is human rights defenders who have gained international attention given the increasing number of attacks against them in recent years. Our core values of integrity and responsibility support our commitment to respect human rights defenders, and we do not condone any form of attack against them or anyone who opposes our activities. We also expect our business partners not to condone such attacks. While we may not always agree with positions taken by human rights defenders, we believe an active and open civil society, supported by the rule of law, is essential.”

Section 2:

Identifying and reducing risks to human rights defenders

The VPs commit companies to conduct risk assessments of security risks, including “political, economic, civil or social factors” that contribute to the potential for violence. All companies also have an independent responsibility to respect human rights under the [UNGPs](#) which require human rights due diligence and in turn periodic impact assessments. Due diligence as defined in the UNGPs is now considered a baseline responsibility and should be integrated with VPs-related risk assessment processes. These processes should also identify risks to HRDs

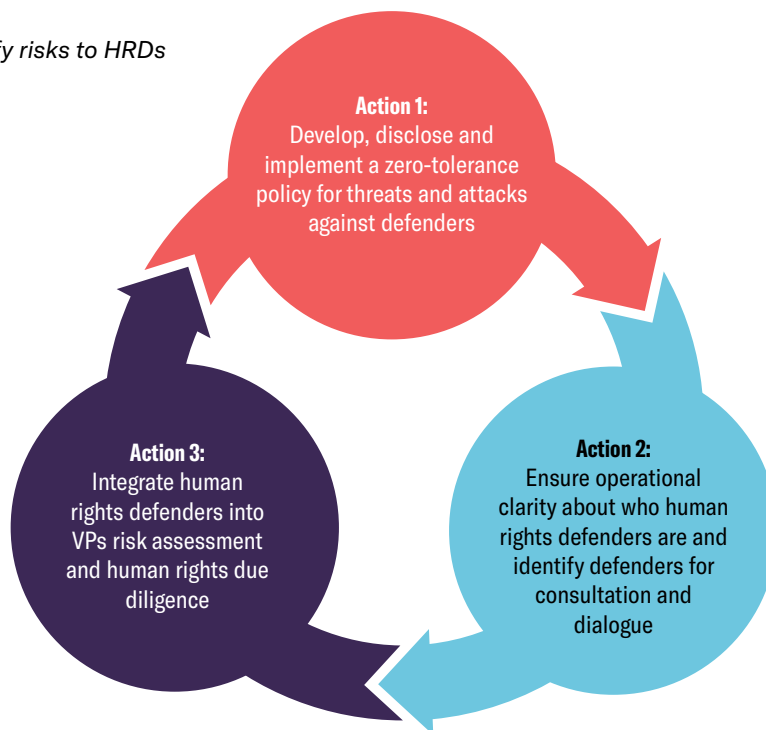
But in practice risks to human rights defenders are often not identified with sufficient clarity or specificity to address these risks adequately, let alone to enable companies to contribute positively to a safe and enabling environment. As noted above, extractives and agribusiness sectors are the two sectors that are associated with the highest risks to human rights defenders.¹¹ Companies must understand how risks to HRDs relate to their operations and relationships in order to take appropriate actions to diminish them, even as most governments fail to report on killings and attacks.

This section offers three sets of actions that companies can integrate with existing risk assessment and due diligence processes to ensure that they identify specific and differentiated risks to HRDs. It identifies how companies can:

- Develop and implement a policy on human rights defenders and related civic freedoms
- Apply definitions of human rights defenders to guide risk assessment/due diligence
- Identify risks to HRDs through engagement and dialogue

These three sets of actions—and specific steps pertaining to each— can and should be taken concurrently as elements of a comprehensive human rights due diligence process:

Figure 1: Actions to identify risks to HRDs



¹¹ BHRRC, Defenders & Civic Freedoms Programme, <https://www.business-humanrights.org/en/from-us/human-rights-defenders-database>

Action 1: Develop, disclose and implement a zero-tolerance policy for threats and attacks against defenders

Companies should as a first step adopt a policy of absolute non-tolerance for any threats to HRDs, whether physical, reputational or legal. Such a policy should be developed and applied in consultation when necessary with local defenders and/or NGOs to ensure sufficient consideration of local situations that may be related to marginalized individuals and groups in particular. This zero-tolerance policy should be extended to contractors and business partners.

The policy statement can be a standalone policy or statement specifically focused on human rights defenders, or it can be integrated into the company's human rights policy.



Why should HRDs be considered explicitly in policy statements and human rights due diligence if we already conduct human rights due diligence designed to cover all human rights?

HRDs face specific and differentiated risks because of their work to advocate for human rights, often but not always overlapping with risks to other stakeholders. For example, HRDs may risk arbitrary arrest—and, in turn, criminalization and delegitimization— that are not applicable to other community members. The most salient drivers of risks to HRDs may also differ from those that present risks to other community members and stakeholders. For example, risks to HRDs may stem from weak rule of law, polarization within communities, or conflicts with governments, whereas adverse impacts to the broader community may be driven more by operational factors such as the location of project sites and resettlement.



Is it necessary to conduct separate risks assessments specifically on HRDs?

The actions below can and should be integrated with existing risk assessment and due diligence processes. In most but not all cases, it is not necessary to conduct separate risk assessments on HRDs. Rather, the processes described in this guidance are designed to ensure that HRDs are considered explicitly and consistently in risk assessments and with sufficient clarity to enable companies to address risks to human rights defenders and decide on when and how to act.

Regardless of the exact format and precise language, the policy statement should be:

- Adopted at the highest levels of the organization
- Disseminated publicly on the company's website
- Communicated to internal and external stakeholders through appropriate channels (see below)
- Implemented through relevant operational policies and processes, with clear lines of responsibility and appropriate resources for implementation, integrated into the company's management systems

Policy statement content

The policy statement should, at a minimum, express the company's non-tolerance for all forms of threats and attacks against HRD, including legal (judicial), reputational and physical attacks.

A company may wish to consult outside experts, including NGOs that work with defenders or on issues related to HRDs and/or on issues related to VPs implementation, in the development of the statement.

A policy statement specifically on HRDs is important because it:

- Focuses attention within the company on the differentiated risks to HRDs;
- Creates understanding among employees and contractors on the legitimacy of HRDs and the importance of their work;
- Establishes executive-level responsibility and clarifies expectations of employees;
- Informs codes of conduct, training and guidance;
- Signals to all stakeholders – including security contractors, government counterparts, civil society and HRDs themselves – the company’s commitment.

A policy statement on human rights defenders may:

Express absolute non-tolerance for and/or condemnation of physical and legal attacks against human rights defenders

[bp](#): “In respect of our activities, we will not tolerate or contribute to attacks, or physical or legal threats, against those safely and lawfully exercising their human right to freedom of expression, peaceful protest or assembly, including where they are acting as human rights defenders (HRDs), or against workers seeking to exercise their right to freedom of association.”

Affirm respect for civic freedoms

[Shell](#): “Freedom of expression, of association, and peaceful assembly are human rights. Protection of these rights contribute to a well-functioning democratic society.”

State explicitly that the commitment extends to people protesting peacefully

[Newmont](#): “...we do not condone any form of attack against [HRDs] or anyone who opposes our activities.”

Clarify expectations of contractors and business partners, including security providers

[The adidas Group](#): “...We expect our business partners to follow the same policy; they should not inhibit the lawful actions of a human rights defender or restrict their freedom of expression, freedom of association, or right to peaceful assembly”

[Vale](#): “Vale also expects its customers, suppliers, and partners to respect the rights of human rights defenders and to act the same way.”

Confirm the company’s commitment to engage directly with human rights defenders

[Meta \(Facebook\)](#): “We proactively engage with human rights defenders to understand their needs and the heightened human rights risks they face.”

[Vale](#): “...to seek engagement with human rights defenders to address common challenges, through regular and proactive dialogue.”

Express support for the work of human rights defenders

[Business Network on Civic Freedoms and Human Rights Defenders Statement \(signed by Anglo American, among other companies\)](#): “We recognise that defenders are important partners in identifying risks or problems in our business activities, encouraging due diligence and in the provision of remedy when harm occurs.”

Commit to act in support of defenders in certain circumstances

[Novartis](#): “Consistent with the UNGPs, we are aware of our responsibility in certain circumstances to act together with other stakeholders where possible to prevent or mitigate threats, intimidation, or attacks.”

[The adidas Group](#): “We will also petition governments, alone or in concert with other actors, where we feel the rights and freedoms of human rights defenders with whom we are engaged have been impinged by the activities of the State, or its agents.”

Implementing the policy statement

The implementation of the policy into operational mechanisms and management systems is as important as the adoption of the policy commitment itself. Implementation starts with translating the statement of commitment into operational policies, such as codes of conduct for employees and business partners, as necessary.

Key steps to implement the policy statement into operational policies and processes include:

Establish group-level responsibility for implementation	Establish group-level responsibility for oversight and execution of the policy. Implementation of the policy may need to involve multiple corporate functions (public affairs/government relations, legal/compliance, security).
Establish local responsibility for implementation	Establish country/project/site-level responsibility as relevant, including with personnel responsible for VPs implementation, including site security managers
Integrate the policy statement into employee codes of conduct	For example, BHP's employee code of conduct states that employees must never: "Threaten, punish, discipline, or retaliate against anyone, inside or outside BHP, for raising or helping to address a human rights concern."
Integrate the policy statement into contracts with or codes of conduct for security providers and other suppliers and contractors	For example, Kellanova's supplier code of conduct states that: "Suppliers shall not engage in any form of retaliation including threats, intimidation, physical, or legal attacks against human or environmental rights defenders, or those exercising their rights to freedom of expression, association peaceful assembly or protest against the business or its operations."
Integrate the policy statement into training on human rights and security	See Section 3 on preventative actions to reduce risks to human rights defenders.

Implementation of the policy/statement should include a plan to communicate the policy effectively, globally and locally. Communication channels may include:

- Internal emails, blog/website posts and communications from the CEO/executive leadership to employees, explaining the rationale for the commitment and its implementation:
- Direct communication to security providers, suppliers and contractors through email, webinars or in-person meetings following initial communication should come from executive leadership
- Posters or leaflets at project sites in visible locations
- Communications to NGO stakeholders globally and at the local level
- Community meetings, especially where the risk of threats and attack is high
- Social media platforms and apps

The policy should be visible and accessible to HRDs themselves and to community members. The aim is to ensure that all stakeholders are aware that the company will not condone any forms of threats or attacks against HRDs, whether perpetrated by its own personnel, security forces, or any unidentified persons. This objective is critical where the risk of attacks and threats to HRDs are high, where there is a history of distrust between HRDs and security personnel, and where threats and attacks may be perpetrated by non-security personnel or third parties who believe they are in some way helping the company.



In some cases, we see that threats are made against HRDs on our behalf without any kind of mandate or encouragement from us."

VPI member company, mining

Action 2: Ensure operational clarity about who human rights defenders are and identify defenders for consultation and dialogue

Effective implementation of policy commitments and identification of risks to human rights defenders starts with defining and understanding who human rights defenders are. In the course of developing this guidance, interviewees from different VPI stakeholder groups – including companies – noted that many companies lack clarity on who is and who is not a human rights defender.

Companies should, as a first step, develop internal guidance about who human rights defenders are and how they work, including in the regional and local context, in order to aid in identification of HRDs for consultation and dialogue as well as to build understanding of the importance of their work.

The following table provides **illustrative examples** of types of human rights defenders and forms of human rights activism:

Types of defenders	What rights/issues do they advocate for?	Example forms of human rights advocacy
Trade union organizers, labor rights organizers	<ul style="list-style-type: none"> Freedom of association Safer working conditions Living wage/better wage conditions and terms of employment Health and safety protections 	<ul style="list-style-type: none"> Efforts to form a union or elect workers' representative at the site/workplace Advocacy campaigns on employment/workplace issues, alone or with international union organizations Strikes
Land and environmental defenders	<ul style="list-style-type: none"> Impacts of planned or ongoing projects on the right to health, food, housing, livelihoods, etc. Opposition to or better terms of resettlement Indigenous people's land rights 	<ul style="list-style-type: none"> Social movements, organizing communities to protest against planned or ongoing activities Demonstrations and other forms of direct action Social media campaigns
Indigenous defenders	<ul style="list-style-type: none"> Protection of the rights of an indigenous group, including their rights to land, the environment, continuity of their culture and traditional way of life, including against impacts caused by corporate operations/projects 	<ul style="list-style-type: none"> Mobilization of their communities Protests against both proposed and established company projects and operations Local referenda Free, prior and informed consent protocols¹²
Public interest lawyers	<ul style="list-style-type: none"> Opposition to projects or aspects of operations that they believe interfere with the enjoyment of a human right Support for victims of human rights abuses through the courts Accountability from national or local governments through lawsuits against the state for human rights abuses or failure to uphold laws protecting rights 	<ul style="list-style-type: none"> Litigation in home or host country courts on behalf of the public, a community or individuals against companies or government agencies

¹² See, for example, <https://iwgia.org/en/resources/publications/305-books/4419-the-un-guiding-principles-on-business-human-rights-and-indigenous-peoples---progress-achieved,-the-implementation-gap-and-challenges-for-the-next-decade.html>

Types of defenders	What rights/issues do they advocate for?	Example forms of human rights advocacy
Local NGOs	<ul style="list-style-type: none"> A range of issues, including social, economic and cultural rights, civil and political rights (free speech, issues of rule of law/corruption) Support of victims of human rights abuses, sometimes in conjunction with national and less often international NGOs 	<ul style="list-style-type: none"> Advocacy and awareness campaigns Representation of communities in interactions with governments and companies Advocacy campaigns against a company or its activities Collection and dissemination of evidence on human rights abuses Support victims of abuses Human rights education/ training
Journalists	<ul style="list-style-type: none"> Improved protection of rights, to end impunity, expose corporate human rights abuses 	<ul style="list-style-type: none"> Investigation and publication of information on human rights/labor rights abuses through the media

Considerations for identifying defenders

Create a stakeholder map of defenders:

Companies should map defenders relevant to the local context – either at site/operational level or at country/district level. This map could be a defined subset of other, more general maps of stakeholders. Careful consideration must be given to the sensitivity of this document and the potential for misuse, as discussed below.

Identification of who is a human rights defender in the local context requires careful dialogue and due diligence. If companies are uncertain about who human rights defenders are in their local context, they should consult with community leaders, NGOs, experts and – if possible without placing defenders at increased risk – with local government officials who have knowledge of the HRDs in the area.

In consulting with experts and other stakeholders to map HRD stakeholders, companies should be aware that HRDs are often subject to smear campaigns and other reputational attacks that might add a layer of complexity to obtaining advice from such stakeholders.

Safeguarding information about human rights defenders

Identification and mapping of human rights defenders as part of stakeholder mapping is an important step to ensuring that the company understands the specific risks defenders may face. Being clear about who human rights defenders are helps understand the drivers of and potential for conflict and helps identify mitigation measures.

However, there is a risk that information about individual human rights defenders and NGOs could be used by ill-intentioned or careless actors (whether authorities or other individuals) to compromise defenders' safety. In some cases, companies may be legally required to provide governments with access to this information. In other cases, private actors could obtain unauthorized access, through hacking, information leaks or other means.

Therefore, when mapping human rights defenders, careful consideration should be given to:

- Treating the stakeholder map as a sensitive document and restricting access
- Using pseudonyms and other identity-disguising measures in the stakeholder map and storing identifying information separately
- Storing contact information and other information that could be used to compromise defenders separately from the stakeholder map and carefully restricting access to such information

This step corresponds to Step 1.1 in the VPs Implementation Guidance Tools. Companies may add HRDs as a category of stakeholder to their stakeholder map under Action Planning step 1.1

Useful existing tools for mapping stakeholders can be found in the [VPs Implementation Guidance Tools](#), Module 1.



When identifying individual HRDs and HRD organizations/NGOs, relevant questions for companies to ask include:

- Does this HRD/organization undertake activities to advocate for the protection and promotion of human rights, including environmental and climate issues that are linked to human rights?
- Does this HRD/organization work on issues related to our operations and/or industry?
 - If not, do they work on other issues of mutual interest (for example, anti-corruption, accountability of local/national institutions)?
- Does this HRD enjoy respect and trust in the community or among other stakeholders? If opinion is divided, further due diligence may be required.
- Have we identified HRDs from potentially vulnerable or under-represented groups, including women, children, indigenous defenders?

Before approaching identified HRDs/organizations, the company should also ask:

- If we seek to engage this HRD/organization in dialogue, do they face risks from the engagement? For example, could exposure in the community result in targeting by the government, other community members or to online harassment and threats?
- What are our objectives in consulting this HRD/group (for example, gaining insight on risks to HRDs, learning about the issues HRDs focus on, dialogue about issues affecting communities and operations)?

Are people who protest company operations through civil disobedience or attempt to halt company operations human rights defenders?

Human rights defenders conduct their activism non-violently. The VPI does not support or condone any attacks or threats against corporate security forces or personnel, even if violent acts are performed out of concern about impacts from the company's operations.¹³

However, non-violent protest can include direct action, such as demonstrations or even attempts to block company operations from proceeding. For example, groups of HRDs may attempt to non-violently block company access to a road by sitting down on the road, or they may form a human chain around construction equipment to disrupt operations. When HRDs engage in direct action, it may be because they believe that the project will result in irreversible human rights harms, that the situation is urgent, and/or that other forms of peaceful activism will not be heard or succeed.



Example: HRDs from the Standing Rock Sioux Tribe engaged in multiple forms of direct actions, including chaining themselves to construction equipment, establishing a camp to protect water sources and in some cases trespassing on property in attempts to stop the U.S. Dakota Access Pipeline – that would cross Standing Rock Indian Reservation lands– from proceeding. The HRDs believed that allowing construction to proceed would cause irreversible harm to their rights to cultural heritage.

Can anyone claim to be a human rights defender?

Not everyone who claims to be a defender is one. However, when in doubt, companies should always be open-minded and err on the side of inclusion rather than exclusion. If there is doubt about a claimed human rights defender's legitimacy and credibility, companies should seek to consult with international and local NGOs and trusted experts with knowledge of the community.

In such cases, careful due diligence should be undertaken in close consultation with local communities and stakeholders, when necessary, identified or facilitated by national and/or international NGOs. At the same time, companies should be aware that HRDs may be stigmatized and vilified in national and local media, so that relying on an HRD's local reputation alone may not be sufficient due diligence.



Companies need to recognize that social movements are legitimate forms of engagement. Social movements are how communities build up power to be heard when they don't perceive they have a chance to get their views across through traditional engagement channels."

Non-VPI NGO

Companies do not have an obligation to engage with anyone who claims to be a human rights defender. In some cases, a company may identify that there is serious doubt as to whether the HRD has respect or trust in the community. Companies should consider the risks of disengagement or failure to engage in each specific instance. However, even if dialogue is unlikely to be productive, companies may face reputational risks if they disengage or decline to engage, which may in some cases outweigh the potential risks of engagement. Furthermore, companies may sometimes seek to engage HRDs even when there is doubt about their standing in the community because engagement provides important perspectives and views on community dynamics.

Companies should also note that it is not necessary that HRDs are in the right on issues of law. For example, HRDs can believe strongly that a company's license to operate a mine should not have been granted because they believe the land belongs to the community. They may be wrong about ownership of the land; the process to grant the license may have been issued in full compliance with relevant rights-respecting laws and regulations. Similarly, an HRD may claim that pollution from a road causes illness among community members. The HRD may be wrong about the causes of the illness; it may be caused by different factors that are not linked to the company's operations. **But being in the wrong on matters of fact or law does not mean that an HRD is not a *bona fide* human rights defender. A company does not have to agree with HRDs' positions after considering the issues they raise on their merits and as part of its human rights due diligence. Nonetheless, it should not discredit or refuse to engage HRDs on these grounds.**



It is true that some who claim to be human rights defenders are not legitimate, but you can only find that out through consultation and dialogue."

Non-VPI NGO

¹³ Note that this situation is different from situations of reasonable and proportionate self-defense.

Companies should consider that a failure to provide adequate information in a timely manner to the community and to HRDs can contribute to a situation where HRDs are misinformed about aspects of a project. Companies should always—as part of their overall human rights responsibilities under international standards and frameworks—share accurate, complete and timely information with communities in an accessible manner, and consult with communities before decisions are made, recognizing communities’ rights to have a say in whether and how projects are implemented.



Human rights defenders don’t always have to be right. We can have different views of the facts. In a way, it doesn’t matter who is right or wrong, they are still defenders. But that’s a difficult position for some people in the company to reconcile themselves to.”

VPI corporate member, mining

Action 3: Integrate human rights defenders into VPs risk assessment and human rights due diligence

Identifying risks to HRDs should form an explicit, defined part of human rights due diligence processes as well as VPs risk assessment. The VPs call on companies to identify risks associated with “political, economic, civil or social factors” along with the “potential for violence,” the capacity of government institutions to ensure accountability, root causes of conflict, and human rights records and risks associated with security contractors. Assessments of these factors should also include assessments of risks specific to human rights defenders.

VPI companies’ operational contexts will involve different degrees of risks to human rights defenders. But all VPs companies should at least assess whether their operations, policies, staff, or the security forces they engage may pose salient risks to HRDs during assessments of political, economic, civil or social factors and/or human rights due diligence.

Identification of risks to human rights defenders requires dialogue and in some instances an assessment of a range of political, economic, civil or social factors, including analysis of structural inequalities and vulnerabilities, as well as the potential for conflict.

Companies may wish to use [Step 2.2 in the VPI Implementation Guidance Tools](#) to map sources of risk to HRDs, based on their analysis of the factors above and engagement and consultations with human rights defenders.

Human rights defenders are often exposed to threats and attacks when they oppose a planned project or seek to resist adverse human rights impacts from ongoing projects. When they seek to defend rights that are not protected or respected, they often challenge official narratives about the costs and benefits of development and economic growth and rights to and governance of valuable resources, such as minerals, oil and farmable land. As such, they clash with powerful interests. HRDs may face retaliation from community members and/or project workers who may dispute the human rights impacts and benefits of a certain project. HRDs may face targeting and retaliation by government and non-state actors who label them as “anti-development” or “saboteurs.”

Companies need to understand the underlying economic and social factors that can result in risks of threats and attacks against HRDs.

Factors that indicate a high potential for threats and attacks against HRDs include:

Constraints on civic freedoms (freedom of expression, freedom of association, freedom of assembly)	<ul style="list-style-type: none">▪ Civic space is crucial for HRDs to operate; where it is repressed, HRDs' activism is both "more difficult and dangerous."¹⁴▪ Repressions on civic space makes HRDs targets of surveillance, criminalization, lawsuits and other forms of threats and attacks; it also potentially restricts funding and has repercussions for HRDs' and their families' employment, access to housing, and access to finance.¹⁵▪ Restrictions on civic space creates an environment that enables threats and attacks against HRDs not only from government actors but also from non-state actors by labelling their activities as unlawful, unpatriotic, anti-development etc.▪ Repression of civic freedoms hinder accountability by restricting information flows.
Weak rule of law High levels of corruption	<ul style="list-style-type: none">▪ Corruption undermines accountability, which weakens institutional deterrents to violence against HRDs.▪ Corruption contributes to a climate of impunity for attacks by weakening state institutions, including prosecutors, judiciary and police▪ Corruption undermines and weaken sector regulators and trust in the institutions charged with preventing and addressing adverse impacts on human rights associated with business, creating potential for conflict
Gender discrimination	<ul style="list-style-type: none">▪ Women HRDs may face additional severe risks, including risks of gender-based violence and stigmatization for acting outside of their society's traditional gender norms▪ Women HRDs may have a harder time being seen as credible HRDs and thus the risks they face may be overlooked
Political polarization	<ul style="list-style-type: none">▪ Polarization may enable threats and attacks against HRDs by empowering fringe elements; creating us-vs-them mentalities where HRDs are seen as enemies and therefore targets▪ Polarization decreases trust between groups, increasing the potential for threats and attack against specific groups to which HRDs may belong
Structural racism or discrimination against certain groups; ethnic or religious tensions	<ul style="list-style-type: none">▪ Structural racism or systematic discrimination against certain groups increases the potential for conflict, can make HRDs from disadvantaged groups targets of violence by state actors, and may prevent or undermine trust between HRDs and company personnel
Extreme economic inequality	<ul style="list-style-type: none">▪ Extreme economic inequalities can be a source of conflicts among different groups within and between communities; HRDs may be labelled as anti-development in attempts to discredit them, in turn risking exposure to backlash from "pro-development" community members▪ Inequalities can decrease trust between different groups and economic classes, including between HRDs and security personnel, which may prevent other risks from being addressed

¹⁴ Shared Space Under Pressure, page 20-21

¹⁵ Shared Space Under Pressure, page 21

Conflict/post-conflict settings

- Where conflict is present, risks to HRDs are almost always present as well, due to generally elevated levels of violence, potentially low levels of government control and/or accountability¹⁶ – conflict-affected settings should always trigger “heightened” or “enhanced” human rights due diligence
- Participation of ex-combat personnel in private or public security forces can increase the potential for violence, as can ongoing relationships between public or private security forces and non-state armed groups or organized criminal networks
- Conflict/post-conflict settings engender enmity and distrust that can make HRDs from certain groups targets of violence from other groups

Inadequate FPIC processes/inclusion in FPIC

- Where indigenous groups’ rights – including their right to self-determination – are not protected and respected, HRDs from/supporting indigenous groups may face higher levels of risk of violence
- Where the FPIC process is controlled by governments or companies, it may not be seen as legitimate by indigenous Peoples

Community divisions over project impacts and benefits

- Project workers, including security forces, may retaliate against HRDs opposing projects due to fear over job and income loss
- Community members and other actors may retaliate against HRDs because of different perspectives on project benefits, including social development benefits

Consult with human rights defenders as part of stakeholder dialogue

Assessing risks to human rights defenders involves, first and foremost, consultation with HRDs. Companies should consult directly with HRDs at the earliest possible stage of project planning in order to gain their perspective on the potential impacts of the project and risks to HRDs. Extractives companies may engage and consult with HRDs prior to exploration activity and/or prior to obtaining a project license; agribusiness companies may do so prior to land purchases. Companies should view HRDs not only as potentially “affected stakeholders” but as “valued partners”¹⁷ in understanding the potential impacts of a project. As such, if companies can effectively engage with HRDs – even where opinions may differ – they gain invaluable insight on human rights impacts that will help them engage local communities and diminish security risk.



In one case, a company’s security personnel were all from the dominant ethnic group in the country, whereas the impacted communities were all from the traditionally disadvantaged group that had been subject to violence by members of the dominant group. In such situations it is simply not possible for HRDs to trust the company. If companies do not analyze these dynamics they don’t get the full picture.”

VPI NGO member

Effective engagement with HRDs can be especially difficult where there is a legacy of distrust or conflict. To help engage HRDs and build relationships where mutual trust is possible, companies should:

- Consider comprehensive risks to HRDs, not only risks associated with security arrangements:
 - Understand that although the VPs focus on security arrangements, risks may emerge in different and less clearly defined forms, but in ways that nevertheless affect the overall security operating environment
 - Recognize historical drivers of conflict, including a legacy of conflict or history of distrust created by other companies and/or the government
 - Undertake human rights due diligence that understands the full picture of risks and impacts that stakeholders face
- Ensure that personnel in charge of assessments and due diligence processes have sufficient local context and knowledge, while ensuring access to headquarters-level personnel:
 - Understand how their own local personnel interact with communities, especially where legacies of distrust with companies (including their own) and/or governments persist
- Include headquarters-level personnel in consultations and engagement strategies
 - HRDs may want to ensure that their concerns about project impacts and their security risks are heard by the corporate headquarters

¹⁶ See the UN Working Group on Business and Human Rights and UNDP, Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts, June 2022, <https://www.undp.org/publications/heightened-human-rights-due-diligence-business-conflict-affected-contexts-guide>, as well as the Working Group’s 2020 report Business, human rights and conflict-affected regions: towards heightened action, A/75/212, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/190/21/PDF/N2019021.pdf?OpenElement>

¹⁷ UNWG Guidance on human rights defenders



Consultation with women often happen at the last moment when it should take place at the earliest stage.”

Non-VPI NGO, Latin America

- Consider potential risks to human rights defenders from being seen to engage with the company such as backlash from peers; risk of exposure within a community; and targeting by government actors
- Establish channels and venues for engagement:
 - Hold dedicated consultations **with women-only HRDs, if possible led by female intermediaries**, to ensure that women HRDs are heard and feel comfortable to speak
 - Consider dedicated consultations with HRDs from other marginalized groups, if possible led by intermediaries representative of the group in question. For example, HRDs from a marginalized racial minority may feel more comfortable to speak freely in dedicated consultation settings
 - Consider the venues for engagement: HRDs may feel less comfortable to speak when meetings are held on corporate premises; seek to hold consultations on more “neutral” ground
 - Consider inconspicuous ways to consult with HRDs who may face targeting or retaliation if they are seen to participate in a company-hosted consultation
 - Refrain from involving security forces in consultations with HRDs about the risk they face
 - Ensure accessibility for different groups, such as indigenous defenders, ethnic minorities, including potential language barriers and accessibility of consultation venues



NGO Pillar members see increasing resource competition such as competition over water, land, and the environment between communities, and extractives and agribusiness as key root cause of increasing violence and attack against defenders. There is also the agitation of host communities, over livelihood and labor issues that often pitch defenders against companies.”

LITE-Africa research

- Listen without prejudice or prejudgment to the concerns of HRDs and seek to understand why they have chosen the focus of their activism:
 - Seek to understand HRD’s concerns and the risks they face, not to convince them of the company’s perspective
 - Consult with HRDs before key decisions are made; consultations should be about listening, not informing HRDs of decisions that are already made

Where there is a legacy of distrust between HRDs and the company, it may help to involve independent third-party NGOs in conducting or mediating consultations with HRDs. However, companies should still maintain an “open door policy” for HRDs to raise concerns.



We always maintain an open-door policy for any HRD to engage with us. In some cases, we have resolved issues together with international organizations or NGOs where HRDs have chosen not to engage directly with us – but we still leave the door open for engagement at a later date. In some cases, it takes time before HRDs are ready to engage.”

VPI member company, mining

Understanding risks to HRDs should also involve consultation with both local government and national governments in order to understand the government’s capacity for protecting rights and ensuring accountabilities, as well as systemic issues that may pose risks. This consultation may be done as part of broader stakeholder dialogue with government stakeholders during VPs risk assessments or broader human rights due diligence. **See also Section 3** on addressing risks to human rights defenders through multi-stakeholder dialogues.

What do threats to human rights defenders look like?

When assessing risks to human rights defenders, companies should be aware that threats and attacks faced by defenders **may not be limited to physical violence from private or public security personnel.**

Just as relevant may be threats or attacks from unidentified persons or groups, digital threats such as surveillance, and legal or judicial threats (such as arbitrary arrests or criminalization) and reputational attacks, such as slander and smear campaigns. **Where companies focus narrowly on VPs security provider relationships, they may not perceive different forms of threats that are also linked to the company's operations.**

Understand differentiated risks, including how women and men HRDs face different risks

When analyzing risks to HRDs, the company should not assume that all HRDs face the same risks. As part of risk assessment, the company should analyze:

- How women and men may experience different risks
- Differentiated risks to marginalized or potentially vulnerable groups



What forms do threats to HRDs take?

- Killings/targeted assassinations
- Abductions, disappearances
- Physical violence by public or private security forces in uniform
- Violence by non-uniformed persons or armed non-state gangs
- Threats against HRDs and/or their families
- Gender-based threats or violence, including sexual violence
- Sexual harassment
- Criminalization, such as arbitrary arrests and detention, criminal investigations
- Lawsuits/Strategic Lawsuits Against Public Participation (SLAPPs)
- Online harassment, doxing, data thefts
- Surveillance
- Infiltration of HRDs' organizations/NGOs by state and non-state actors
- Defamation, smear campaigns/slander

The Gender and Disadvantaged Groups Tool can be used together with the VPs Implementation Guidance Tools and this guidance to ensure that the company identifies differentiated risks to women and men and to disadvantaged or potentially vulnerable groups.

Examples of differentiated risks include:

- | | |
|--|--|
| Women HRDs | <ul style="list-style-type: none">▪ Women HRDs may become targets because of their gender;▪ Women HRDs face greater risks of gender-based violence, for example rape or sexual assault, threats of rape, “honor crimes” against women who are seen as outspoken in ways that violate their societies’ gender norms, sexual harassment;▪ Women HRDs may be more exposed to “whisper campaigns” and slander aimed at discrediting their role as HRDs by damaging their reputations in communities, especially where women HRDs are seen as violating traditional gender norms;▪ Women HRDs may be more exposed to threats made against their family;▪ Women HRD may be more vulnerable to other forms of violence, for example physical assaults |
| LGBTQ HRDs | <ul style="list-style-type: none">▪ In countries where LGBTQ+ rights are curtailed, for example where same-sex partnerships or sex is criminalized, LGBTQ+ defenders may be more vulnerable to criminalization and arrests, sexual violence, and physical attacks;▪ LGBTQ+ activists may become targets due to their sexual orientation or gender identification;▪ LGBTQ+ HRDs may be more vulnerable to “doxing” and exposure that attempts to discredit them or make them targets of violence;▪ LGBTQ+ HRDs may be more exposed to online threats and harassment; |
| Indigenous HRDs | <ul style="list-style-type: none">▪ Where indigenous HRDs lack legal protections for the rights to self-determination and the rights of their indigenous group, they may be more vulnerable to adverse impacts from projects and experience more barriers to advocating for their rights;▪ When free, prior and informed consent (FPIC) is not obtained before the start of a project, conflict risk increases;▪ Indigenous HRDs may be more vulnerable to poverty, language barriers, and physical barriers that prevent effective consultation (for example living in remote areas that are difficult to access);▪ Indigenous HRDs may lack access to government protections and resources. |
| Racial and ethnic minorities/ non-dominant groups | <ul style="list-style-type: none">▪ Members of non-dominant racial and ethnic groups may be more vulnerable to being labelled anti-development or labelled as working against the interest of the majority/dominant group▪ HRDs from non-dominant groups may be targeted because of their race or ethnicity▪ Police may be less likely to investigate claims of threats and attacks from HRDs from non-dominant groups, leading to impunity |

Characterizing risks to HRDs and their causes

Companies should map risks to HRDs as explicit elements of their VPs risk assessment and human rights due diligence. As part of risk assessment, the severity and likelihood of the risks should also be assessed. Severity of the risk should be the guiding principle in prioritizing actions to address the identified risks.

Companies can use the risk assessment templates in **Module 2 of the Implementation Guidance Tool** to assist in assessing and evaluating the probability and severity of risks to HRDs.

Threats and risks to HRDs may pose risks to their lives and impact their physical and mental well-being and safety, their liberty and as such, are often severe risks that should be prioritized.

An example of how risks can be mapped is below, adapted from IGT step 2.3:

Type of risk	Risk statement or scenario	Stakeholders affected	Stakeholders involved	Causes of the risk	Potential consequences
Risk to HRDs	HRDs who are protesting road-building just outside the project perimeter report that they have received threats to the safety of their families through SMS and fliers	HRDs who are currently opposing road-building and their family members	Perpetrators have not been verified but HRDs claim the threats come from people “linked to” our security contractor	Some parts of the community are strongly pro-project while others are deeply opposed, which has caused intra-community conflict; security personnel are identified with the pro-project parts of the community Weak rule of law has created space for criminality and high levels of violence	Threatens HRDs’ freedom of expression and assembly, security of the person Threatens HRD’s right to life, security of the person



Section 3:

Integrate findings of risk assessments and non-tolerance for threats and attacks into security arrangements

This section of the guidance focuses on how companies can integrate respect for human rights defenders into security forces contracts and training. Ensuring that public and private security arrangements consider and integrate risks to HRDs is an essential preventative action to reduce risks to HRDs. This section focuses on preventative actions, while Section 4 discusses responsibilities and options for responding if threats and attacks occur.

Integrate respect for HRDs into security contracts with public security forces

Provision of security by public security forces typically indicates heightened risk from the outset:

- The need to engage public security forces to protect a project often indicates heightened conflict risk, post-conflict settings and/or high levels of criminality or volatility;
- Public security forces follow their own command structures that are not within the control of the company once forces are deployed.

Where project security is provided by public security forces on a long- or short-term basis, companies should ensure that expectations on HRDs are integrated into Memoranda of Understanding (MoUs) and into dialogues on expected standards of conduct.



You have to be extremely clear about the expectations ahead of deployment, because once public security forces are deployed, your personnel on the ground have limited control. We always stress our commitment to the VPs and the UN Guiding Principles and we seek to agree on rules of engagement and on the use of force with police and the military through MoUs”

VPI member company, mining

Integrate respect for HRDs and non-tolerance for threats and attacks into MoUs and contracts with public security forces

- Meet with public security forces to discuss the company’s position on HRDs
 - Explain who HRDs are and their rights
 - Provide examples of how and why the company values HRDs and the work they do
 - Discuss the government’s obligations to protect human rights, including the rights of HRDs
- Integrate non-tolerance for threats and attacks into MoUs
- Discuss scenarios for how security forces will handle different forms of encounters with HRDs
- Discuss and agree on rules of engagement/acceptable use of force
- Agree how reports of violations of the MoU/any reported instances of threats or attacks will be handled, including possible grounds for terminating the MoU
- Discuss systemic drivers of risks with public security forces and how these risks may pose security challenges

Integrate respect for human rights defenders and non-tolerance for threats and attacks into security contracts with private security providers

VPs companies will have already communicated expectations around respect for human rights to private security providers. To integrate respect for HRDs and non-tolerance for threats and attacks into security contracts with private providers, companies should:

<p>Communicate non-tolerance for threats and attacks in clear and specific terms</p>	<ul style="list-style-type: none"> ▪ Communicate the policy in a letter from the CEO/corporate executives, webinars, and/or meetings with private security providers ▪ Meet with new/prospective security providers to discuss the company's expectations of non-tolerance for threats to and attacks on HRDs <ul style="list-style-type: none"> • Explain the rights and legitimate roles of human rights defenders • Indicate which specific groups or individuals the company considers at-risk HRDs where relevant ▪ Communicate ways to ensure implementation of non-tolerance policy ▪ Communicate the policy to and through engagement with closely related MSIs (ICoCA and EITI) and other relevant initiatives (ICMM, Ipieca, and the Responsible Palm Oil Roundtable)
<p>Integrate respect for HRDs and non-tolerance for threats and attacks into codes of conduct for private security providers</p>	<ul style="list-style-type: none"> ▪ Include a clause on non-tolerance for threats and attacks against HRDs into private security provider contracts ▪ Require private security contractors to ensure that their personnel sign codes of conduct that prohibit all forms of threats and attacks against HRDs ▪ Communicate expected standards of conduct in interactions with HRDs ▪ Ensure clarity about actions to be taken if there are violations of the VPs-consistent code of conduct with respect to HRDs

Integrate risks to HRDs into training for public and private security providers

Many VPI companies already conduct training with private and/or public security providers on human rights/international humanitarian law, acceptable use of force, de-escalation of conflict, rules of engagement, and expected standards of conduct. Training should also include a module on human rights defenders, including the importance of their work, their rights and ways to engage with HRDs:

<p>Integrate risks to HRDs and non-tolerance for threats and attacks into relevant training for security providers</p>	<ul style="list-style-type: none"> ▪ Provide guidance to security forces on situations and scenarios involving human rights defenders ▪ Conduct training specifically on human rights defenders' rights and issues ▪ Adapt guidance that may have been developed on a global generic basis to national and local circumstances. <ul style="list-style-type: none"> • Companies should develop their own specific guidance and procedures, but at the same time coordinate and cooperate with other VPI companies where possible and necessary when operating in the same country/regions and facing similar risks and responsibilities ▪ Involve local NGOs with knowledge of HRDs issues in creating and/or co-conducting training with security forces (public or private), where possible
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Example: Partnering with NGOs to deliver training for public security forces

One VPI mining company has partnered with an NGO that works on human rights defender issues to design and conduct a training for local police who provide security in connection with its projects. The training will address the rights of human rights defenders and the risks that they face.

Training for public and private security providers should include:

- The rights of HRDs as well as the legitimacy and importance of their work
- Definitions of human rights defenders with local examples where possible
- Explanation of the roles of HRDs and why some HRDs may oppose aspects of company operations
- An assessment of the local and national civic space situation and how it compares to relevant international standards (for example, the Covenants on Civil and political rights, Declaration on rights of defenders, ILO 169, etc.)
- Types of threats that HRDs face in the local context, including from government actors and non-state actors, in addition to threats arising in interactions with security forces
- Why threats and attacks to HRDs occur in the local context, based on the company's risk assessment and dialogue with HRDs (without exposing confidential information from dialogues with HRDs)
- Expected standards under codes of conduct/MoUs with respect to HRDs
- Scenarios of possible interactions with HRDs, including in-and out-of-uniform
- Expectations and processes for reporting threats and incidents involving HRDs



In the past two years, we have had to get used to doing more things virtually. We are now rolling out online human rights training for security providers.”

Company VPI member, mining

Engage stakeholders to reduce risks

These preventative measures with security providers are essential. But the company should also engage with stakeholders – including HRDs where possible – to address and diminish risks as part of dialogues about broader security and human rights issues. Where risks to HRDs are severe (as in conflict settings), the company should seek to engage with the host government and law enforcement as well as other companies operating in the same region, local communities and civil society.

A model that could be emulated is the EITI in Guyana, where indigenous communities have a designated seat on the EITI Multi-Stakeholder Group. Local civil society groups have undertaken EITI outreach activities in indigenous communities affected by mining.

As a result, the communities are now monitoring water quality in local rivers and in turn diminishing a potential source of conflict.

EITI Guidance Notes, Civil Society Engagement

Local and project-level actions

Involve the local government in discussions about risks to HRDs	<ul style="list-style-type: none">▪ Conduct conversations and meetings with local government partners (mayor’s office, local judiciary, local departments of mining and energy or agriculture) about drivers of risks to HRDs▪ Consider convening meetings with local government and NGOs that work on HRDs related issues to address risks and responsibilities when threats and attacks take place
Consult with defenders and NGOs on addressing risks	<ul style="list-style-type: none">▪ Consult HRDs proactively and regularly to understand their preferences for support and protection▪ Ensure that HRDs/NGOs include representatives of women HRDs/women-led organizations and, where relevant, potentially underrepresented or vulnerable groups.



Example of longer-term actions that address drivers of risks to HRDs

In Kenya, a mining company engaged with local civil society and the VPI NGO pillar member International Alert to assess and build the capacity of the local department of mining, in order to improve regulation and oversight of the mining sector from the outset of the project. While this action was not specifically focused on HRDs, it sought to reduce the potential for conflict with communities and to reduce the likelihood of future incidents that could result from a lack of clear and enforced regulation of the sector.

National and regional-level actions

VPI In-Country Working Groups (ICWGs)—with the inclusion of civil society and local community representatives— are a critical mechanism to raise risks to HRDs. ICWGs could be the focal points for three related forms of coordinated action to address risks to HRDs:

- Developing strategies to reduce threats to HRDs in specific regions/countries especially with more than one VPI company in regional proximity;
- Consulting with and inviting HRDs to participate in In-Country Working Group meetings, as appropriate;
- Supporting “safe enabling environments” for HRDs and local communities, both reactively and proactively (see also Sections 4 and 6). By raising broader issues of restrictions on civic freedoms and/or threats against HRDs through the ICWG, a company can both elevate the issue and reduce the risk of backlash.

NGO Pillar members (national NGOs and/or international NGO pillar members) are already integral parts of ICWGs; for example, the Ghana and Nigeria ICWGs are both co-chaired by NGO pillar members. **ICWGs should strengthen civil society participation to include members of directly affected stakeholder groups and local civil society/HRDs, including underrepresented or vulnerable groups.**



Example: Mozambique

Mozambique has two complementary working groups: A National Working Group, launched in November 2021, which addresses security and human rights issues for the extractives sector across the country, and a “Technical Working Group” in the province of Cabo Delgado. The technical working group addresses security and human rights issues from a more operational perspective. Both working groups are led by the Mozambican Ministry of Justice and coordinated by a local civil society organization, the Centre for Democracy and Development (CDD), with technical advice from DCAF.

Civil society participants have stressed the “importance of ensuring an inclusive group and ensuring adequate representation of women and girls who suffer disproportionately from the human rights situation.” They also welcomed the increasingly local component of the two working groups. DCAF has supported a process to build capacity of civil society to engage in the ICWGs.

The guidance [From Commitment to Impact: A Guide for Local Working Groups on Business, Security and Human Rights](#) (2020) provides valuable lessons learned from established working groups and recommendations to government, company, and NGO pillar members to ensure effective ICWGs.

Companies may also wish to consider and coordinate actions on addressing risks to HRDs through industry and/or other multistakeholder initiatives, including the Extractive Industries Transparency Initiative (EITI) and the International Code of Conduct Association (ICoCA), as well as global industry organizations such as ICMM and Ipieca (see also Section 4 regarding such cooperation),

Home country governments can also support efforts to address risks to HRDs, either through bilateral engagement or through ICWGs. Several VPI home country governments, including the U.S, Canada and Switzerland, directly support and advocate for HRDs human rights defender issues, as well as engage actively engaged in the VPs and related initiatives including the EITI and ICoCA.

Companies should encourage home governments to play a more active role – both through foreign ministries and directly through embassies/consulates – in raising concerns with host country governments about risks to HRDs in connection with extractives and agribusiness projects. Companies can also benefit from advice and sometimes direct support from their home country governments (as addressed further in Section 4).

Address drivers of conflict between HRDs and the company

In order to effectively reduce risks and threats to HRDs, it is important not only to address these issues from the perspective of security, but also to understand why HRDs are active in certain places. Many risks to HRDs arise in a context of conflict over the company's impacts or actions, divisions within the community about the benefits and risks of a project, or from situations where HRDs believe that the company has not followed appropriate processes for risk assessment, consultation or FPIC. Conflict can also arise out of legacy issues that predated the company's direct involvement, such as how the government acquired the land for development, but which continue to affect perceptions of the company's current activities.



Sometimes threats against HRDs come from different parts of a community. But even if we did not have a formal link to the threats made, it is a situation that arises out of conflict that we helped create.”

VPI member company, mining

Illustrative mining company example (based on a composite of different situations):

A mining company is made aware that threats are being made against HRDs who oppose its activities, including by protesting on the company's access road and interrupting operations. The sources of the threats are not entirely clear; some of the people making threats are reportedly company security officers guarding access to the project site, but out of uniform and outside of working hours.

The company investigates the situation further and finds that the threats likely arise out of conflict within the community, where some are concerned about potential job losses if the company's operations are further disrupted. However, other members of the community, including the HRDs, are concerned about environmental pollution and impacts on waterways.

To address this situation, the company engages an NGO that has knowledge of the community and is respected locally to help it conduct meetings with the community – including dedicated meetings with women – to discuss the impacts, positive and negative, about the project. The company listens to concerns and revises its plans for managing tailings in order to address some of the HRDs' concerns. While the HRDs are still opposed to the project, a foundation for dialogue has been established and the tension in the community has been reduced.

While the company's actions did not directly address the security situation, it engaged with HRDs to address the underlying causes of risks to them and local communities that in turn affect its operational environment, security situation, and local and international reputation. The company also discusses the situation with its security provider and emphasizes to all security staff that the company does not condone any forms of retaliation against HRDs.

Section 4:

Addressing risks to human rights defenders: respond when threats and attacks occur

This section discusses situations where a threat or attack against an HRD occurs. It discusses how a company can evaluate whether it has a normative responsibility to act consistent with the UNGPs – that is, whether it has caused or contributed to a threat or harm, or whether it is directly linked through its business relationships. If no such responsibility to respond exists, however, a company may still determine that it has a discretionary opportunity to protect or support HRDs, either because there exists a “business case” rationale or because it identifies a moral choice to act. The section furthermore discusses the flexible pragmatism that should guide companies along a spectrum of possible actions in response to threats and attacks against HRDs.

Addressing identified risks is an integral part of the responsibility to respect human rights as defined in the UNGPs. This responsibility also applies together with the company’s responsibilities and commitments under the VPs.

Investigate the company’s relationship to the risk/harm: Determine whether there is causation, contribution or linkage

The above steps to mitigate risks to HRDs in Section 3 are preventative, aiming to reduce or mitigate risks. Yet despite prevention efforts, instances may occur where a VPs company is made aware that a threat or attack has been made against an HRD. This section addresses such instances.

Instances of alleged threats or harms to defenders may materialize in different ways. A company may be notified of an alleged incident through a grievance channel. The threats may be mentioned in the local community, or the HRD or other stakeholders – such as NGOs and civil society leaders – may approach the company directly.

In these instances, the company must investigate the alleged incident in order to understand the facts and to evaluate its relationship to the alleged threat or harm. In instances of alleged threats or attacks against HRDs, the company’s responsibility to act is defined not only by its commitments under the VPs, but also under the established global standards that define a company’s human rights responsibilities. In other words, the company should look to standards including the UNGPs and, where relevant, the OECD Guidelines for Multinational Enterprises to evaluate and understand the degree of its own involvement with an alleged harm and to determine its responsibility to address the harm or risk.

The UNGPs and the OECD Guidelines both state that where a company is involved with a human rights harm, it has a responsibility to address it:¹⁸

- If the company has **caused or contributed** to a risk or harm, it is responsible for taking actions to address the risk and remedy the harm
- If a company is **“directly linked”** to a risk through its business relationships – including relationships with public and private security providers – it should use its leverage to prevent or mitigate the risk

Where a company is made aware of an allegation of threats and attacks against HRDs, it should employ its human rights due diligence processes to investigate the facts of the incidents and determine its relationship to the harm. Such determinations may require engaging with affected HRDs,

civil society and NGOs, governments and other stakeholders, depending on the situation.

If a company determines through its investigation of the incident that one of its security providers, whether public or private, has caused the harm, there may be a direct link between the company’s operations and the adverse impact (through its relationship with the security provider). In addition, the company should investigate whether its own actions or omissions created a situation in which the company may also have contributed to the adverse impact.

The questions below are relevant for a company’s evaluation of its relationship to the harm, consistent with the UNGPs and the guidance in the Shared Space framework and UN Working Group guidance:

Questions to evaluate the company’s link to the identified harm or risk

- Have any actions or omissions by the company caused or contributed to a situation in which a business partner has caused a harm to human rights defenders or civic freedoms? Has the company sought to influence the actions of private or public security providers in ways that made it more likely that a provider would threaten or attack an HRD?
 - For example, the company could be causing or contributing to a human rights abuse by calling in armed security forces to stop activists from peacefully protesting, despite awareness of risks of abuses
 - For example, the company could be contributing to a harm if it encourages a security provider to take more decisive measures against disruptive HRDs, without identifying whether there is a risk that such actions would lead to threats or attacks against HRDs
- Has a failure to act over time created a situation where the company is seen as contributing to a situation/harm caused by a business partner, by making it more likely that harm would occur?
 - For example, the company could be contributing to a human rights abuse if it fails to act against a private security provider that harasses or intimidates HRDs (even if the company has prohibited this type of action through codes of conduct)
 - For example, the company could be contributing to a harm if it fails over time to communicate its non-tolerance for threats and attacks against HRDs, despite knowing that risks to HRDs were present in the operating area
- Is the harm directly linked to the company’s own operations, products or services through a business relationship?
 - For example, where an HRD is threatened by a member of local police that provide services for the company, despite clauses in contracts or MoUs prohibiting such threats and attacks.
 - For example, where an employee of a private security company attacks an HRD, in violation of the provider’s contract clauses.
- Are the stakeholders’ and the company’s perceptions of its link to the specific situation aligned or in conflict?

If the company determines that it has caused or contributed to a harm against an HRD, it should provide access to effective remedy (see Section 7). It should also take steps to address the actions or inactions that are causing or contributing to harm. Addressing the actions or inactions that are causing or contributing to harm may require a multi-faceted response. Actions may include a combination of – for example – disciplinary action against offending employees, training of employees and security providers, community responses and other actions. Some actions may be most effective when executed in cooperation with other stakeholders, such as civil society partners. How to evaluate and select appropriate forms of action is discussed further in Section 5.

¹⁸ UN Guiding Principles on Business and Human Rights, principles 15 - 21

In the case of “direct linkage” to the harm, the company should take steps to seek to prevent or mitigate the impact, using its leverage with public or private security forces, the government, or other entities causing the harm. In cases of “direct linkage,” the company may have limited or no control over the actors that are causing the harm – for example if the harm is caused by local police or other government institutions. But it should still seek to prevent or mitigate it by influencing, as far as possible, the actions of those causing the harm. Identifying the appropriate forms of action, including how to use and increase leverage where necessary, is discussed in further detail in Section 5.

Acting if there is no linkage to a risk or harm: The business case and the moral choice to act in specific instances

If the company’s due diligence determines that there is no link between a threat or harm to an HRD and the company’s operations, products or services through its business relationships, the company may still need to decide whether to act or not. The following section discusses options for action in support of HRDs in specific instances, and a safe and enabling environment for HRDs more generally.

There are several **elements of a business case** for companies to support HRDs a safe and enabling environment of civic freedoms:¹⁹

- **Securing the “shared space” of the rule of law, accountable governance and civic freedoms** – to provide the legal and institutional frameworks and protections necessary to start new ventures and projects; to engage new suppliers and partners; and to maintain confidence in the predictability and stability of a country’s long-term commercial environment.
- **Managing operational and reputational risk** – to manage local or international reputational risks from being perceived as silent in the face of blatant injustice and human rights harms.
- **Demonstrating management of environmental, social and governance (ESG) risks** – to enable assurance to socially responsible investors that the company has identified and addressed ESG risks.
- **Overcoming mistrust and safeguarding the sometimes intangible and at other times visceral social license to operate** – to protect the support of local communities and global stakeholders, including international NGOs, media organizations, responsible investors and other international organizations.

For these foundational elements of the shared space to survive and thrive, there can be a compelling business case to support civic freedoms that also secure a safe and enabling environment for human rights defenders.



Example: both the business case and moral choice to act

In 2002, BP was made aware of death threats against a prominent human rights defender working in close proximity to a project site. BP is understood to have conveyed a message to the host country government at high levels—possibly coordinated with the UK and US governments— that any attack would result in local and even global attention and outrage. There was no attack.

Even where there is no compelling business case, however, companies may make a moral choice to act in certain circumstances, based on two main principles:²⁰ the “do no harm” principle posits a responsibility to avoid perpetrating damaging actions or supporting those by others; the “good Samaritan” principle, posits a responsibility to do good when possible. These moral considerations are rooted in centuries of religious theology and moral philosophy which inform both commonplace ethics and contemporary jurisprudence.²¹

¹⁹ Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders, 2018

²⁰ Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders, 2018

²¹ Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders, 2018

Analyze the risks of actions vs inaction

In deciding whether to act, the possible risks of both action and inaction will should be analyzed. Companies often assume that actions carry risk while failing to evaluate the (longer-term) costs and risks of inaction:²²

Risks of action	Risks of inaction
<ul style="list-style-type: none">▪ Further risks or harm to human rights defenders in ways that may place inadvertent additional pressures on defenders▪ Legal and jurisdictional risks to comply with domestic host country government laws and at the same time to respect human rights▪ Commercial and operational risks of retaliation from host governments in the form of loss of licenses, project delays, slow action on personnel visas, or orchestrated consumer backlash (as with H&M in China) and inability to attract investors to a project due to risk perceptions▪ Political and reputational risks – balance potential damage to relationships with host country governments versus support of employees, shareholders and consumers	<ul style="list-style-type: none">▪ Severe harm to human rights defenders and freedoms – loss of life, injury to human rights defenders, or further erosion of civil society and the “shared space” that also benefits business▪ Reputational damage – loss of support or negative perceptions by current and prospective employees, responsible shareholders, consumers▪ More dangerous conditions for employees – immediate or long-term deterioration of security▪ Loss of social license to operate – loss of trust with domestic civil society and communities that may impede or prevent operations (as with Shell in Ogoniland/Nigeria and Newmont in Cajamarca/Peru)▪ Regulatory action – domestic and international – failure to act may strengthen impetus for regulation and legislation

In assessing the risks and costs of actions versus inaction, companies should consider whether:

- Risks of action **can be mitigated by the type of action chosen**, such as engaging privately behind the scenes rather than through public statements or actions.
- **It can influence the focus and impact of actions to a greater extent through action than through inaction**, when other actors can take control of both the narrative and outcomes.
- **Managing and mitigating the risks of inaction may be more difficult** than managing and mitigating the risks of action.

²² Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders, 2018

Section 5:

Determine appropriate forms of action to respond to risks or harms

Once a company has identified a responsibility to act to address a threat or harm to an HRD or an opportunity to act to support HRDs under threat, it needs to identify appropriate forms of actions. While the previous section addressed how a company can identify whether it should act, this section addresses options for how to act once a decision to act has been made. This section is applicable both to situations where a company has a responsibility to act because it is involved with the impact, as discussed in Section 4, and to situations where a company identifies a “discretionary opportunity to act”

Different forms of actions can be taken individually and/or collectively, privately and/or publicly, consecutively or concurrently depending on the type of harm or threat as well as the degree of access and leverage the company may have related to a host country government. Principled action can be taken in a variety of forms that reflect a “flexible pragmatism” adapted to different issues and situations.

Map options for risk mitigation and assign internal responsibility

Companies may develop a “heat map” to analyze the potential severity and likelihood of risks (see Section 2) and options for responding. [The VPI Implementation Guidance Tools Step 2.5 can be used to map options for risk mitigation.](#) This “heat map” can also be adapted to include responsibility for addressing risks.

The example below, adapted from IGT Tool step 2.5, illustrates different types of risks to HRDs along with possible options for addressing these risks:

Risk Level	Risk Scenario/ Statement	Possible risk mitigation measures	Notes and Considerations	Responsible for actions
High	Women HRDs are subject to slander campaigns, believed to be linked to the company’s security providers	<ul style="list-style-type: none"> Raise concerns with security provider and agree a plan to address conduct of security providers out of uniform Augment training for security providers to integrate scenarios on female HRDs 	<ul style="list-style-type: none"> Confirm sources of attacks if unclear Consider confidentiality concerns of women HRDs and consult discreetly on the actions the company may take 	Head of site security Country manager, community relations

The company should assign responsibility for addressing risks to those most able to take the necessary actions at the site/project level, while also assigning oversight responsibility at regional and/or group level. If the situation includes severe risks or the risk of involvement in abuses against HRDs is high, the company may wish to assign oversight responsibility for mitigation actions at the executive and/or Board level. The exact reporting and oversight structures will be specific to the company's structure.

Identifying forms of action

If a security provider employee or another contractor or supplier is found to have threatened or harmed an HRD, whether in uniform or out of uniform, the response must always include direct action to address the issue with the supplier/provider in question. This should include a time-bound, monitored plan to address the issue and prevent recurrence. The company should also seek agreement on a plan for the entity causing the harm to provide remedy to the HRD.

The company should assign internal responsibility for ensuring that the issue is appropriately addressed with the security provider. For example, if a security provider is found to have initiated an attack on an HRD, the company may assign responsibility as follows:

<p>Head of Global Security and Site Security</p>	<ul style="list-style-type: none"> • Responsible for meeting with security provider/government to agree on an action plan, including possible disciplinary action and/or referral to law enforcement • Responsible for agreeing on a plan to prevent recurrence • Responsible for reporting how risks are addressed to Group Security Manager and Country Human Rights/Community Relations team
<p>Country Manager, Human Rights/Community Relations</p>	<ul style="list-style-type: none"> • May oversee and approve action plans to mitigate the issue with security provider • May oversee and approve a plan for remedy with security provider • Work with head of site security to advise on plans to address risks of recurrence • Responsible for reporting information about risks and how they are addressed to Group
<p>Corporate Executives Staff/Board</p>	<ul style="list-style-type: none"> • In cases of severe risk, conflict situations etc.: responsible for overseeing how risks are addressed, approve periodic reporting about the issue

Otherwise, a company’s response to a reported or perceived risk to HRDs will depend on various situation-specific factors:

- **Nature of the risk of harm**
 - For example, a threat to the life of an HRD requires an immediate and urgent response that may involve protection measures provided by the government or NGOs, whereas online harassment of HRDs may require a longer-term response to demonstrate support for HRDs’ work and to address issues causing divisions within communities
- **Preferences and concerns of HRDs about different types of action**
 - For example, HRDs may not wish to go to the police if they believe the police are complicit in abuses against them
- **Extent to which the sources of the risks are clear**
 - For example, if a company is unable to verify the sources of threats experienced by HRDs even after it has fully investigated the situation, it may need to employ more general community-oriented responses aimed at reducing tension with or within local communities in order to reduce the likelihood of recurrence of the threats they believe are “linked to” the company’s security personnel but if this cannot be verified, a more general response aimed at reducing tension within parts of the community may be needed
- **Accountability of government actors**
 - For example, in a situation where there is little presence of the government or where the government is known to have a hostile stance towards defenders in general or a particular type of defenders (for example, indigenous peoples), the company may need to involve NGOs or other intermediaries to a greater degree, even if the issues should normally be addressed by the government
- **Company’s relationships with HRDs**
 - For example, where there is significant discord or lack of trust, the company may need to involve intermediaries in its responses, or its actions will not be accorded credibility
- **Relationships with civil society and the community at large**
 - For example, a company that already has strong relationships with local civil society can likely involve them in designing a response
- **In cases of “direct linkage,” the company’s leverage will influence the viability of various responses (but does not affect the responsibility to act)**
 - For example, a company will have a high degree of leverage over a private security provider, but may not have the same degree of leverage over government agents

Leverage

Leverage will almost always be a critical consideration for making difficult determinations as to whether and how to engage or intervene in support of HRDs and/or civic freedoms. Leverage is both tangible and intangible, but powerful when deployed carefully. Sources of a company’s leverage include:

- The size and weight of economic and commercial presence—operations and/or sourcing relationships (including employment and tax contributions)
- The level of access and degree of potential influence with the host country government
- The level of access to relevant audiences through traditional media and social media outlets.
- Support of the home country government and that government’s influence with host country governments
- The quality of global and local stakeholder relationships

It is common for companies to underestimate their leverage. Lack of leverage should also not be seen as an excuse for inaction if there exists a responsibility to act, although it will influence what actions are possible and useful. Ways to increase or build leverage include:

- Acting together with other companies and/or via MSIs
- Reinforcing leverage by working in conjunction with home country government(s)

The appropriate response to a situation involving a threat or risk to HRDs may combine some immediate actions with longer-term responses that address the conditions that pose threats to HRDs. Actions can evolve consecutively or concurrently as the situation evolves and requires.

A spectrum of actions with “flexible pragmatism”

The tables below provide examples of the “flexible forms” of action that responses can take in response to notification that a threat or attack is made against an HRD, at the local/project level and at the national and global level.²³ **In all cases, HRDs should be consulted to the fullest extent possible on any actions before they are taken.**

Local-level actions:

<p>Condemn all forms of violence against HRD</p>	<ul style="list-style-type: none"> ▪ If a threat is made that is linked to a company’s operations, but where the sources of the threats or attacks are not clear, the company may need to: <ul style="list-style-type: none"> • Condemn publicly the threats or attacks, making clear the company will not tolerate any such violence in its name or perceived “interests”; • Encourage anyone affected to approach the company’s grievance mechanism;
<p>Engage with local law enforcement</p>	<ul style="list-style-type: none"> ▪ Refer the situation to law enforcement where appropriate (but only if sanctioned by the HRDs under threat/attack), ▪ Follow-up with law enforcement through correspondence or meetings to underline the company’s concerns about the situation and its desire to see prompt actions
<p>Engage directly with the community</p>	<ul style="list-style-type: none"> ▪ Engage directly with the community where the HRDs are under threat/attack, possibly through trusted NGO intermediaries to express the company’s concerns ▪ Establish a dialogue about threats and attacks to HRDs, ensuring an “open door policy” to express concerns and a venue for discussing the concerns of the community, taking due note of the needs of HRDs for confidentiality and potential risks of exposure in their communities;
<p>Refer HRDs to support networks</p>	<ul style="list-style-type: none"> ▪ Refer defenders to available HRDs protection mechanisms, or potentially contact such mechanisms on a defender’s behalf, for example Lifeline, EU Protect Defenders, Access Now’s Helpline, the Committee to Protect Journalists, Frontline Defenders

²³ Adapted from the Shared Space Under Pressure report

National-level and global actions:

Direct advocacy with host and home governments

- Raise the issue through direct engagement where the threats or harm are associated with the host government;
- Elevate the issue to the most senior levels of the company; for example, the CEO may need to personally approach senior-level government officials;
- Intervene directly in the case of HRDs subject to legal harassment or arbitrary arrests/detention, through letters/statements that directly appeal to those causing the harm to cease the actions;
- Approach host country governments through home country governments/embassies to express concern about the situation and urge cessation of the actions that are causing adverse impacts to the rights of HRDs;

Statements and letters

- Issue public statements, individually or collectively with other companies, condemning threats and attacks and making clear the company's concerns about the situation;
- Tiffany & Co signed a 2015 open letter to the President of Angola in support of Rafael Marques de Morais, an investigative journalist and HRD who faced prosecution of documenting human rights abuses in the diamond industry.
- More than 200 multinational companies signed a "Statement by Concerned Businesses Operating in Myanmar" after the February 2021 coup, citing the "shared space" and calling for rule of law, respect for human rights, and the unrestricted flow of information.

Amplify voice through collective advocacy

- Collective advocacy may be undertaken through multi-stakeholder partnerships with civil society and/or home country governments, first and foremost through VPI In-Country Working Groups. Other platforms are the most closely related MSI (ICoCA in cases involving security contractors) and the EITI, as well in consultation with related extractive industry associations ICMM and Ipieca;
- Multistakeholder advocacy can underline the seriousness with which the company views the situation, reflecting the reputational and operational risks for the sector.
- For example, a group of apparel retailers advocated collectively through the Ethical Trading Initiative to oppose restrictions on freedom of association and crackdowns on labor rights activists in Cambodia

Long-term policies and actions

- Building stakeholder relationships and goodwill over time through consistent support for civic freedoms/HRDs issues can positively strengthen the “safe and enabling” space for HRDs; however, it is not necessarily a substitute for responding to urgent situations;
- Building internal support for longer-term actions and policies can be easier than engaging in specific, acute situations;
- Establishing a reputation for engaging with HRDs can facilitate decision-making on short-term actions.
- adidas’ policy on human rights defenders commits the company to raise the cases of targeted defenders with governments in cases where there were credible reports of a human rights defender being threatened, intimidated or detained by the police or by government officials.



Case Example — Multistakeholder Action to Address Threats to HRDs in Colombia: A protocol to address threats and attacks through clear lines of responsibility between different actors

The “Human Rights and Coal Working Group” (GTDHyC), an initiative where coal companies, the Colombian Government and some NGOs meet to promote a deeper use of the VPs and the UNGPs, with common members at CME, has developed a “protocol” for addressing threats and attacks against human rights defenders. The goal of this protocol is to ensure clear lines of responsibility if stakeholders – including companies – are notified that threats have been made against HRDs. A key component of the protocol is to provide each actor (such as civil society, companies and government agents) to have a roadmap of what to do, when and how, when threats come up. In particular, the process to develop the protocol identified a need to clarify the expected actions of the regional government and local authorities in more detail was identified.

The protocol is “simple” in its framing: where companies are made aware of a threat (for example, through fliers or being informed by stakeholders), they make sure that relevant authorities are informed, including the police and military as well as judicial and civil authorities. In Colombia, the mayor’s office has to be involved as a “principal responder”. Companies are to put out a short press release rejecting all forms of violence and calling on the government to respond to the threats with appropriate measures.

One of the main outcomes of this protocol – while not the first objective sought – has been the strengthening of local institutions. Local government agencies’ willingness to participate has also enabled them to mobilize when necessary the resources at their disposal for following up on threats to HRDs. Interviewees noted that the process has also improved companies’ human rights due diligence processes by enhancing their understanding of the drivers of risk.

Example use of the GTDHyC protocol

Companies were notified that threats had been received against HRDs in a small town. The companies promptly notified the authorities and followed up directly with the communities.

The local government discussed the threats with the communities to understand the background and nature of the threats. It then worked with a local NGO to hold a workshop with the community on ways to self-protect peacefully and vigilance measures.

The contribution of the protocol is that it has established “ways and means” in which to communicate threats to authorities on a timely basis. So far, the local authorities have been proactive in responding to such notifications.

Section 6:

Ensure that grievance mechanisms are safe and accessible for defenders

Grievance mechanisms address and remedy specific situations where a company has been involved with an adverse impact to human rights defenders. They can also play an equally important role in prevention by enabling issues and situations to be raised at an early stage, partly to address and diminish risks to human rights defenders.

The UN Working Group on Business and Human Rights has issued [recommendations for how companies should ensure that grievance mechanisms are safe and accessible for defenders](#), which all companies should consult in the development of their grievance mechanism. The [ICMM resource Handling and Resolving Local-Level Concerns and Grievances](#) also offers practical guidance for establishing effective grievance mechanisms in the extractives sector.

[LITE-Africa's research](#) indicates that HRDs may not be aware of grievance mechanisms, or perceive that the existing grievance mechanisms are “neither easily accessible nor effective to deal with corporate human rights abuses on the ground,” which may lead defenders to instead seek remedy through the courts. HRDs may face greater risks of reprisals in the form of threats and attacks when approaching grievance mechanisms. For countries, projects or sites where risks to HRDs are apparent, companies should design grievance mechanisms with a specific focus on ensuring accessibility and safety for HRDs and those who are critical of the company's activities. Companies should consult with and involve HRDs in the design of the grievance mechanism.



It can be difficult for HRDs to use complaints and grievance mechanisms because of a lack of trust. The sources of threats are also not always clear, so HRDs don't know if they should go to the company grievance mechanism.”

VPI member, mining sector

Key considerations include:

Consult with HRDs in the design of grievance mechanisms

- Involve HRDs directly in the design of the grievance mechanism (GM) to the extent possible by consulting HRDs on:
 - Forms of complaints channels preferred by HRDs (physical offices, hotline, WhatsApp number etc.)
 - Ways to maintain privacy and anonymity
 - Security concerns when using the GM
 - Perceived risks of retaliation and sources of this risk
- Work where possible with HRDs and local NGOs in the development of community-led grievance mechanisms, which allow community members to raise concerns with the company in a manner of their own choosing
- Consult with domestic and/or international NGOs with experience in HRDs-related issues

Establish principle of absolute zero tolerance for retaliation

- Ensure the GM includes principles on non-retaliation and zero tolerance for any threats or attacks against anyone who approaches the GM
- Commit explicitly that all forms of threats and attacks against HRDs/retaliation are grounds for complaint, even if the source of threats is unclear at the time the complaint is made
- Clarify what actions will be taken if threats of retaliation are made against anyone using the mechanism
- Consider whether the mechanism should provide access to independent lawyers/support from NGOs who can represent the HRD and lower the risk of reprisals²⁴

<p>Communicate the grievance mechanism to HRDs</p>	<ul style="list-style-type: none"> ▪ Communicate the GM in consultations and meetings with HRDs and invite their perspectives on its design and accessibility ▪ Adopt community information campaigns to raise the visibility and accessibility of the GM through posters, community meetings, media (SMS, radio as applicable in local context)
<p>Ensure privacy and confidentiality</p>	<ul style="list-style-type: none"> ▪ Ensure a range of ways of approaching the GM, including the possibility to submit complaints anonymously ▪ Establish privacy and confidentiality measures, including limiting access to case files, computer security, separating identity-revealing information from other information about the case, etc.
<p>Train GM staff on defender-related concerns and issues</p>	<ul style="list-style-type: none"> ▪ Train GM staff to recognize risks of retaliation and to understand HRDs concerns regarding safety of the mechanism ▪ Require GM staff to sign codes of conduct that include confidentiality ▪ Ensure that GM staff are in a position to gain the trust of communities and HRDs; screen for possible sensitivities ▪ Where possible, ensure that GM staff include female members and give HRDs and others the option of having their case handled by a GM staff member of a particular gender
<p>Design appropriate protection measures</p>	<ul style="list-style-type: none"> ▪ Consider providing access to independent lawyers/NGOs that can represent HRDs to the mechanism while protecting anonymity; at all times, HRDs should in any case be permitted to bring their own independent lawyers to the process ▪ Provide secure channels of communication ▪ Consider providing access to NGOs that can offer direct support to defenders for protection measures; allow HRDs to bring members of international or local NGOs to the grievance mechanism
<p>Establish a clear process for how a complaint will be investigated</p>	<ul style="list-style-type: none"> ▪ Ensure clarity on the steps that will be taken to investigate the grievance ▪ Invite HRD perspectives on the steps to be taken and any risks they perceive in connection with these steps; consider mitigation measures
<p>Establish processes for escalation of issues to law enforcement</p>	<ul style="list-style-type: none"> ▪ Establish a process for referring a case to local law enforcement where investigations reveal possible criminal actions or involve issues that amount to criminal acts ▪ Consult affected HRDs before referring an issue to law enforcement; if the HRD does not wish to do so, they should not be precluded from continuing to seek remedy through the operational-level grievance mechanism
<p>Communicate publicly on how grievances are addressed</p>	<ul style="list-style-type: none"> ▪ Be prepared to communicate on the types of issues received through the grievance mechanisms, the steps taken to investigate and resolve the issue, and the outcome. But companies should never communicate identifying details about an HRD or case without the consent of the affected HRD.

A source of continuous learning

Grievance mechanisms should be a source of “continuous learning” for the company and should be actively used by companies as a preventative mechanism to reduce risks to HRDs. Grievance mechanisms should not be seen as a “last resort” but instead as one venue through which the company can discuss HRDs’ concerns and find resolutions that prevent conflict and risks of retaliation.

The company should also monitor cases submitted through grievance mechanisms in order to identify “patterns of abuse against human rights defenders that may emerge (including threats against those using the grievance mechanism).”²⁵ The findings should be summarized and communicated regionally and globally to headquarters for company-wide learning. The lessons learned should also be used at the operational/site level to make the grievance mechanism more effective and accessible to HRDs.



Companies should be prepared to speak out publicly about ... their approach to grievances, to ensure that their position is clear, and their silence is not mistaken for acquiescence with potential infringements of human rights. A company’s real or perceived acquiescence in infringements of human rights that are connected to its operations or business partners not only can undermine trust in its grievance mechanism, but also calls into question the sincerity of its overall commitment to human rights.”

Handling and Resolving Local-Level Concerns and Grievances, ICMM, 2019

What if law enforcement or courts are not reliable channels for escalation?

A challenge for some VPs companies is that local government presence in the operating area may be weak or otherwise lack accountability or independence. At the same time, many harms to HRDs may involve issues that are most appropriately investigated through the legal system. Where there is weak rule of law, widespread corruption and/or a lack of independent judiciary, HRDs may have limited options for pursuing even severe grievances through the courts and may in fact face more risks from doing so than from approaching a corporate grievance mechanism. **While some grievances may be serious enough to warrant criminal investigation by law enforcement, companies should never refer a situation to the legal system without first consulting with the affected HRDs.**

Where options for resolution of cases through the courts are weak, grievance mechanisms may offer remedy for a grievance while not precluding access to the courts and while not necessarily concluding on the sources of the harm or the company’s involvement in it. Companies may not be compelled to offer remedy for all complaints, whether or not they believe the complaint proven or the company’s relationship to the harm established. However, in some cases, the grievance mechanism process may conclude that a remedy is warranted, while recognizing that the issue also warrants criminal investigation or escalation to the court system.

The company should also inform HRDs about other available channels for resolving grievances, for example mechanisms tied to international financing institutions, national human rights commissions, or other non-corporate, non-judicial grievance mechanisms.

²⁵ UN Working Group Guidance on Human Rights Defenders, 2021, https://www.ohchr.org/sites/default/files/2022-02/Formatted-version-of-the-guidance-EN_0.pdf



Section 7:

Measuring impact and evaluating results

As far as possible, companies should track and measure the implementation of this guidance and its results. While the text of the VPs does not contain references to tracking implementation or results, establishing such processes is nevertheless helpful in order for companies to know and show that they have implemented the VPs throughout their business. Furthermore, tracking and communicating on how companies respect human rights in practice is a part of companies' human rights responsibilities under the UNGPs. Consistent with this expectation, companies are encouraged to establish tracking metrics that can help measure implementation of this guidance and assess impacts on human rights defenders.

Measurement of implementation can be integrated with other systems established to measure implementation of the Voluntary Principles, the UNGPs and other human rights commitments.

Metrics that can help measure implementation include:

- Policy commitment
 - Communication of policy commitment on human rights defenders – extent to which it is communicated to employees, security providers and other stakeholders
- Risk assessment
 - The extent to which VPs risk assessment processes integrate risks to human rights defenders as part of the assessment
 - The extent to which external drivers of risks to human rights defenders – for example, restrictions on civic space – are evaluated as part of VPs risk assessment
 - The extent to which human rights defenders are consulted as part of human rights due diligence/impact assessments and other stakeholder consultations
 - The extent to which the community consultations and other stakeholder consultations include consultations with women human rights defenders and other human rights defenders from marginalized or potentially vulnerable groups
 - The percentage of identified risks to human rights defenders that have been addressed through specific preventative actions
- Private security providers
 - Percentage of private security provider contracts that include model clauses on human rights defenders
 - The extent to which policy commitments and expectations on human rights defenders has been communicated to private security providers
 - The extent to which private security providers have undertaken training on human rights defenders issues (provided by the company or by others)
 - Percentage of regular dialogues/meetings with private security providers that discuss issues relating to risks to defenders
- Public security providers
 - Extent to which memoranda of understanding and other agreements with public security providers include model clauses on human rights defenders
 - Extent to which expectations on human rights defenders and risks to defenders are addressed in regular meetings with public security forces
 - Extent to which public security providers have undertaken training on human rights defenders (provided by the company or others)

While implementation is relatively straightforward to measure, documenting impact or success can present challenges because the success of this guidance is primarily measured by the absence of any incidents of threats or harm to an HRD involving a company's security providers. Furthermore, it may be challenging to attribute directly the absence of incidents – or the reverse scenario, where a threat or harm occurs – to the implementation of this guidance.

Nevertheless, it is at least possible to track the extent to which actions were taken in response to risk, along with other relevant outputs:

- Actions taken in response to an identified threat or harm where a link to the company is established through relationships with public or private security providers
- Actions taken in response to threats or harm to human rights defenders where no link to the company was identified – but where the company acted or not on a discretionary opportunity to support human rights defenders
- Actions taken to support a safe and enabling environment for human rights defenders (such as actions to support freedom of expression, assembly and association or in support of the rule of law in countries of operation), alone or in collaboration with other VPI companies, through in-country working groups, or through other multi-stakeholder platforms or collaborations (e.g. EITI, ICoCA) – globally and in countries of operation
- Grievances registered with grievance mechanisms that involve human rights defenders

Section 8:

VPI advocacy in support of human rights defenders and civic freedoms

There is significant potential for the VPI as a multistakeholder initiative to act in support of civic freedoms and human rights defenders, at the country as well as the global level. When acting as a multistakeholder platform, the VPI can support company actions to respect human rights defenders at the country level through various forms of coordination and facilitation.

Support for human rights defenders can be reinforced with careful advocacy efforts to support the safe and enabling environment upon which human rights defenders depend including freedom of expression, (peaceful) assembly and association.

Such efforts can provide a platform for addressing common issues faced by more than one company as well as by local communities and stakeholders; diminish the risk that any one company may perceive in acting alone and leverage the multistakeholder credibility of the VPI. Actions have been taken for these reasons by peer MSIs in other industries such as the Fair Labor Association (FLA) in apparel and the Global Network Initiative (GNI) in the information and communications technology sectors. Indeed, the FLA has advocated for freedom of association in Cambodia in the aftermath of shootings of striking garment workers, while GNI has opposed network shutdowns by governments in multiple countries.

This kind of advocacy can be undertaken—selectively and carefully—by the VPI on a country-by-country basis. It can also be coordinated with the two MSIs which directly overlap with the VPI: the International Code of Conduct Association (ICoCA) through its parallel focus on security forces and human rights and the Extractive Industries Transparency Initiative (EITI) through its focus on natural resource governance in the same sector.

Acting collectively through the VPI

Where the membership of the VPI agree that there is a strong rationale for public or behind-the-scenes advocacy, the VPI may act collectively on issues that concern its members and directly affect the operating environment for companies, including on issues of civic freedoms and HRDs. There have been instances where certain members of the VPI have collectively approached a government to advocate for respect for human rights where there were concerns raised about the conduct of public security relating to a member's operations. Such collective efforts are best handled in a well-coordinated fashion and with multi-stakeholder collaboration. In certain situations, the VPI could also address specific threats to high-profile HRDs and to civic space (such as proposed legislation to restrict NGO registrations, activities and/or funding). Such engagement need not necessarily be made public.



Example: Using the VPI's Collective Advocacy Platform

Widespread protests broke out in the U.S. and around the world following the murder of George Floyd by police in the US in May 2020. Some of these protests were also met with further violence from the police. The **Joint Statement on Policing and Respect for Human Rights** by NGO and Corporate Pillar members highlighted the 20-year experience of the VPs and the human rights-based principles constraining the use of force:

“The Voluntary Principles require public security providers, such as police, to act in a manner consistent with the protection and promotion of human rights in accordance with the rule of law. According to the Principles, force is to be used only when strictly necessary and to an extent proportional to the threat.”

By acting through the VPI, the risk of backlash to individual companies may be reduced, while collective action also services to underscore the seriousness with which the VPI views the issue and elevates its profile.

1. Strengthen dialogue on civic freedoms within the VPI membership and with overlapping MSIs

The VPI can bring stakeholders together both globally and regionally to address and diminish risks to civic freedoms and HRDs, especially by focusing on best practices and lessons learned. The VPI could also engage on civic freedom-related issues that affect its members at a national level, including through dialogue with host country governments.

Several VPI member governments, including the United States, Canada and Switzerland, maintain significant commitments and programs related to business and human rights as well as initiatives directly focused on support for HRDs with support of their embassies and consulates.

These home country efforts can be coordinated to facilitate engagement with host country governments with the objective of diminishing these risks. Such coordination, if carefully calibrated, can strengthen engagement and encourage positive outcomes with host country governments.

Objectives and messages can also be coordinated with the VPI's two closest counterpart MSIs, the EITI and ICoCA, which operate in most of the same countries: the EITI includes most of the same companies and some overlapping civil society groups; ICoCA addresses many of the same human rights issues with private security forces. Coordination with one or both—depending on the specific issue and country situation—could widen the impact of such advocacy with host country governments as well as include more companies and/or private security in certain circumstances.

2. Demonstrate support for civic freedoms through In-Country Working Groups

The VPI could serve as a platform for drawing closer connections among these host country efforts on the part of Government Pillar governments, and in turn for connecting them more closely to host country governments and stakeholders through the In-Country Working Groups (ICWGs) as well as informal interactions.

ICWGs are established platforms for engagement and advocacy on issues affecting HRDs and civic freedoms, even as they vary in their degrees of inclusion and action. There is significant interest in building on the learning from successful ICWGs. **Where sufficiently inclusive and active – including with the inclusion and participation of HRDs and civil society – ICWGs could be focal points for coordinated action on HRDs:**

- Responses to threats to HRDs in region/countries that involve host country governments and/or security forces, especially with more than one VPI company in regional proximity.
- Support for “safe enabling environments” for HRDs and local communities, both reactively and proactively. By working together to counter restrictions on civic freedoms and/or threats against HRDs through the ICWG, stakeholders can both elevate the issue and reduce the risk of backlash.
- Peer-to-peer learning and engagement within the Corporate Pillar to sensitize peers to the risks HRDs face and to discuss challenges and share good practices

In particular, more participation from HRDs and host country civil society and community leaders in ICWGs could help ICWGs become more effective platforms for discussing and addressing security concerns in ways that are responsive to the needs of host communities.



Example: Including host community leaders in ICWG meetings in Nigeria

In 2020, the Nigeria In-Country Working Group conducted a baseline survey of implementation of the VPs in the country, which identified a lack of communication between host community leaders and extractive companies. This study served as the impetus to develop a model for including host community leaders in Working Group meetings.

Working Group members developed a concept note for community member participation and distributed relevant materials underscoring the need for mutually agreed solutions to security and human rights risks in host communities. The Working Group members then collectively decided to involve host communities in Group meetings. The first such interaction took place at the Working Group's first quarter 2022 meeting, where leaders of host communities participated.

In preparation for the host community leaders to take part in the Working Group meeting, Working Group members undertook several activities to prepare the host community leaders and the Group as a whole, including:

- i. Civil society organization (CSO) members of the Working Group undertook VPs training and sensitization for host community leaders;²⁶
- ii. CSO members in collaboration with DCAF developed a risk matrix for including community leaders in Working Group meetings, in order to inform the final decision on inclusion in the Group meetings, as well as a concept note to raise awareness in the group;
- iii. Corporate pillar members were specially informed of the need to allow community participation and their approval secured;
- iv. CSO members, DCAF and community leaders held a preparatory meeting to identify strategies for community engagement in Working Group meetings. The goal of the preparatory meeting was to sensitize community leaders to promote a collaborative approach rather than the adversarial approach adopted by some host community leaders to address security and human rights concerns related to extractives in the host communities.

The participation of leaders from host communities aided in amplifying community voices on the security and human rights risks related to extractives faced by indigenous communities and human rights defenders, as well as the development of joint strategies by government, companies, CSOs, and communities to address community concerns at the Working Group. The involvement of leaders from host communities can help improve the visibility of risks to HRDs in the Working Group and support the development of common strategies to help companies identify and reduce such risks.

Currently, the Nigeria Working Group plans to support more community participation in Working Group meetings and to expand VPs training and sensitization to more host communities to better understand the need for inclusion of community leaders. In particular, the corporate pillar members in the Working Group are desirous to see how the Working Group platform can be used to discuss emerging security and human rights issues including oil theft and illegal bunkering.

²⁶ CSO members' VPs awareness activities were supported by the Geneva Centre for Security Sector Governance (DCAF).

Conclusion: A responsibility and an opportunity to support human rights defenders

The VPI is fundamentally an operational, not political initiative. But it is also a normative initiative and standard that has inspired, informed and in turn been reinforced by others, above all the UN Guiding Principles on Business and Human Rights.

As a longstanding and still leading MSI, the VPI has the responsibility and opportunity to benefit all its stakeholders. Human rights defenders are among the most vulnerable of the VPI's stakeholders where civic freedoms are restricted – yet also among the most valuable stakeholders for the VPI. Countries that protect human rights defenders are operating environments in which VPI companies will face less risk both to security and to human rights.

All three of the VPI pillars – government, company and NGOs – can benefit from careful, focused engagement and advocacy – both reactive and proactive – that will enhance security and human rights. Such engagement and advocacy can also contribute to the “shared space” of the rule of law, accountable governance and civic freedoms in various countries.

The fulfillment and advancement of the VPI's core security and human rights mission depends not only on addressing and diminishing risks to human rights defenders, but also on contributing to the safe and enabling environment of civic freedoms necessary for them to carry out their vital and too often dangerous work. This challenge is especially compelling at a time when the human rights impacts of the extractives and agribusiness sectors remain under intense scrutiny with even greater pressures for accountability.

The mission of the VPI is to protect both security and human rights. A safe and enabling environment for human rights defenders is intrinsic – indeed essential – to that mission.

Annex I:

Model clauses per human rights defenders for government security forces and private security providers

Model Clauses for Security Agreements with Government Security Forces

Introduction

The Voluntary Principles Initiative has adopted model clauses for use in security agreements between Government Security Forces and companies in the extractive and energy sectors (“Companies”).²⁷ They are designed to be used together or individually, but all reflect different aspects of the Voluntary Principles on Security and Human Rights as they relate to Government Security Forces. The VPI strongly recommends that its Government and Company members include these model clauses or similar variations thereof in security agreements that VPI member Government / Security Forces enter into with VPI member Companies, when relevant and applicable. The VPI encourages non-member Governments and extractive and energy sector Companies who seek to create a security framework that ensures respect for human rights related to Government Security Forces, to consider these or similar clauses for inclusion in their security agreements.

* * *

Model Clauses for Agreements Between Government Security Forces and Companies with Respect to Security and Human Rights

Preamble

The signatories to this agreement recognize the importance of actions consistent with the terms of the Voluntary Principles on Security and Human Rights, promoting and protecting human rights and fundamental freedoms, and the principle that security is a fundamental need shared by all members of society alike.

The following model clauses represent actions that Government Security Forces and Companies may jointly pursue to advance these goals, recognizing the constructive role that civil society can play in advancing them.

A. Definition of Security and Human Rights Standards

Security and Human Rights Standards shall mean the United Nations Code of Conduct for Law Enforcement Officials, the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the Voluntary Principles on Security and Human Rights (“Voluntary Principles”).

B. General Commitment to Security and Human Rights Standards

Government Security Force agrees that it will maintain law and order, including by taking actions related to security in and around the project area, consistent with the Security and Human Rights Standards and in compliance with applicable national and international law – including, where applicable, international humanitarian law as well as human rights law – and in recognition of the principle that security is a fundamental need shared by all members of society alike. The Security and Human Rights Standards are attached as Annexes and form an integral part of this Agreement.

Government Security Force personnel will use force only when strictly necessary, will always use the least force necessary to address a security threat, and will use force in a manner proportionate to the threat and consistent with national law and the Security and Human Rights Standards or consistent with international humanitarian law when applicable. Government Security Force personnel will use lethal force only where there is an imminent threat to human life or consistent with international humanitarian law as applicable. Company will communicate its policies regarding ethical conduct and human rights to Government Security Force. Government Security Force will strive to act consistent with those policies in relation to providing security to the Company’s property, facilities or personnel. *[An alternative to last sentence: Company will communicate its policies regarding ethical conduct and human rights to Government Security Force. Government Security Force will strive to act consistent with those policies in and around the project area.]*

²⁷ These clauses are not intended to be used between extractive or energy sector companies and private security forces, or between governments and private security forces.

C. Training of Government Security Force Personnel on Security and Human Rights

Before being deployed to the project area or specifically to protect Company, Government Security Force will provide training to its personnel on the Security and Human Rights Standards. This training will include how to implement the Security and Human Rights Standards, including the following Core Competencies: (i) an awareness of the Security and Human Rights Standards as they apply to Government Security Force personnel, including international human rights and humanitarian law and international law enforcement principles; (ii) an understanding of, in the event of any violation or abuse of human rights, the legal consequences for the particular individuals involved, the Government Security Force, and Company; (iii) knowledge of common scenarios in which violations and abuses of the law and international protocols and conventions might take place; and (iv) awareness of and an ability to apply the procedures that Government Security Force personnel should follow in order to avoid such violations and abuses, including practical steps to take in the context of security incidents, protests, or strikes on, in the vicinity of, or related to the project area. Such training will also specifically address the rights of human rights defenders (HRDs), as defined by the UN Declaration on Human Rights Defenders, the risks that defenders face, and the responsibilities of companies and security forces alike to respect the rights of HRDs. Government Security Force agrees to share information with Company upon request that demonstrates that Government Security Force personnel received the training and met the Core Competencies.

D. Screening with respect to Security and Human Rights

The Government Security Force agrees to ensure that Government Security Force personnel who have faced credible allegations that they committed violent crimes or were involved in human rights abuses, will not be assigned duties in and around the project area. Any Government Security Force personnel active in and around the project area, who is found later to be credibly implicated in human rights abuses, will be removed from the area and will be dealt with in accordance with applicable national and international law.

E. Chain of Command and Communications

Company has no authority and shall not supervise, direct, or control any mission, assignment, or function of Government Security Force. Government Security Force will operate, at all times, under its own chain of command, and nothing in this Agreement shall be construed to suggest that the Government Security Force, or any of its members, are the agents, partners, employees, or representatives of the Company in any capacity.

The Government Security Force agrees to appoint a liaison to meet on an agreed regular basis with individuals appointed by the Company to discuss security issues of mutual concern, including the potential for violence and impacts on communities from the activities of Government Security Force, and any security incidents and complaints against Government Security Force personnel that have been provided to the Company. Company and Government Security Force agree to consult on a periodic basis with local communities regarding impacts of Government security activities, and to identify community concerns regarding security-related matters.

F. Use and Control of Weapons and Equipment

Company shall not be required to, and Government Security Force shall not request that, Company provide lethal weaponry, including hard ammunition, or make any payment in order to procure such weapons, weaponry, or ammunition. Government Security Force agrees that no support, including any payments, provided by Company shall be used for lethal weaponry or other lethal equipment. Government Security Force agrees that any equipment provided by Company will not be used for any other purpose than that contemplated by this agreement and will only be used when personnel are on duty, or as otherwise specified in this Agreement.

G. Investigation of Security Incidents

Government Security Force agrees to promptly advise Company of any security incident involving use of weapons or use of force, and of any alleged human rights violation or abuse in which Government Security Force personnel was involved while performing their duties in relation to the Company's property, facilities or personnel. Government Security Force will promptly investigate, report, and resolve all such incidents, potential violations or abuses in accordance with applicable national and international law. Government Security Force will regularly inform Company of progress in the investigation or proceedings following the investigation. During the course of the investigation or proceedings, Government Security Force agrees to suspend the personnel under investigation or being prosecuted from his/her duty in and around the project area.

Government Security Force will not object to Company recording and reporting credible allegations of human rights abuses by Government Security Force to appropriate authorities. Company agrees to promptly notify Government Security Force of complaints against Government Security Force personnel that have been lodged with Company, either through the Company's appointed liaison or other appropriate means.

If the Government Security Force or appropriate official investigation finds that Government Security Force personnel used disproportionate force, violated or contravened the Security and Human Rights Standards, human rights and/or international humanitarian law, or agreements on use of weapons or other equipment, personnel shall be subject to appropriate disciplinary action by the Government Security Force and/or be reported to the appropriate authorities, and Government Security Force shall take appropriate action to prevent recurrence.

H. Transparency

The Parties agree to make their security arrangements transparent and accessible to the public, subject to any overriding safety and security concerns.

I. Medical Care for the Injured

Consistent with the Voluntary Principles, Government Security Force and Company, as appropriate, will seek to assist in having medical care promptly provided to anyone receiving physical injuries resulting from an event of a violent confrontation involving Government Security Force in and around the project area.

J. Human Rights Defenders

Government Security Force acknowledges and agrees that it will respect the rights of HRDs, as defined by the UN Declaration on Human Rights Defenders, and will not tolerate threats or attacks on HRDs by its members. The parties agree to develop rules of peaceful engagement with respect to HRDs that comply with Human Rights Standards. Government Security Force further agrees that Company may terminate the agreement among the parties if any member of the Government Security Force threatens or attacks against HRDs.

Model Clauses for Private Security Provider Contracts

Private Security Provider shall provide training to its members that specifically addresses the rights of human rights defenders (HRDs) as defined by the UN Declaration on Human Rights Defenders, the risks that HRDs face, and the responsibility shared by private security providers and companies alike to respect the rights of HRDs.

Private Security Provider acknowledges and agrees that it will respect the rights of HRDs and will not tolerate threats or attacks on HRDs by its members. Private Security Provider shall cause its members to sign acknowledgement of the prohibition on threats and attacks on HRDs.

The parties agree to develop rules of engagement with respect to HRDs that comply with Human Rights Standards. Without limiting any of its other obligations under this Agreement or any Human Rights Standards, Private Security Provider agrees to investigate grievances raised by HRDs in a timely manner and to cooperate, as reasonably requested, with the Company's grievance mechanisms, if applicable, and any judicial or non-judicial external grievance mechanisms required by the Company or pursuant to applicable law.

Private Security Provider further agrees that Company may terminate the agreement among the parties if any member of the Private Security Provider threatens or attacks HRDs.

Annex II:

Resources

The Voluntary Principles Initiative has published a range of [implementation guidance and resources](#), which are also referenced in the main guidance text. Especially relevant are:

- [The Conflict Analysis Tool for Companies](#) is useful for assessing conflict risks and dynamics in areas of operation and for mitigating negative impacts on human rights and communities.
- [The 2012 Implementation Guidance Tools](#) provide a suite of tools widely used by VPI implementers in different countries and situations.
- [Addressing Security and Human Rights Challenges in Complex Environments \(A Practical Toolkit\)](#) supports companies and other actors facing security and human rights challenges in complex environment. This toolkit has been developed for any companies or stakeholders wanting to use it to address their challenges in engagements with host governments, public security, private security and communities. The toolkit was created for the VPI by the Geneva Centre for Security Sector Governance (DCAF), the International Committee of the Red Cross (ICRC) and the Geneva Centre for Business and Human Rights. The toolkit includes a fact sheet on [human rights defenders](#).
- The “[Toolkit for the Prevention of Violence against Human Rights Defenders](#)”— “Caja de Herramientas para la prevención y protección de los líderes y defensores de derechos humanos en Colombia” developed by IHRB-CREER together with DCAF, is a Spanish-language multistakeholder toolkit developed for the prevention of violence against human rights defenders. The toolkit is addressed to different stakeholders involved in protection and prevention, including local and regional governments, national governments, social leaders and civil society and companies. While developed specifically for the Colombian context, its tools and strategies can be relevant to all contexts.
- [IGT Companion Tool – Operationalizing the Voluntary Principles Through the Lens of Protecting and Respecting the Unique Needs and Rights of Women and Other Disadvantaged Groups](#) enables companies to identify gender-sensitive risks related to security arrangements and differentiated impacts on disadvantaged groups.
- [Understanding the Unique Situation of Human Rights Defenders in Africa](#) complements this guidance and assesses experiences and perspectives of human rights defenders related to security and extractive/agribusiness projects in Africa.

Other guidance focused on business, civic space and human rights defenders:

[Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders](#), 2018. The first of the two most authoritative and comprehensive frameworks on which guidance is based, it provides analytical and operational decision framework for companies to determine whether and if so how to support defenders and civic freedoms in situations where they have a normative responsibility or a discretionary opportunity to act.

[The UN Working Group on Business and Human Rights. The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders, 2021](#). The second of the two most authoritative and comprehensive frameworks on which this guidance is based, it advises states and companies on preventing and addressing adverse human rights impacts to defenders with an emphasis on due diligence and remedy.

The UN Working Group and the UNDP jointly published the guidance “[Heightened Human Rights Due Diligence for Business in Conflict-Afflicted Contexts](#)” which offers practical guidance on how to develop and apply “enhanced” or “heightened” due diligence.

The UN [Special Rapporteur on the Situation of Human Rights Defenders](#) investigates abuses against HRDs and reports on issues they face to the UN Human Rights Council.

The OECD has published a range of guidance tools on [due diligence](#) for responsible business conduct, including guidance for [responsible supply chains for minerals in the extractives sector](#), which support implementation of the OECD Guidelines for Multinational Enterprises.

Initiatives and organizations working on hrds-related issues:

The [Business Network on Civic Freedoms and Human Rights Defenders](#) is a network of companies organized to discuss ways that businesses can support and protect civic freedoms and human rights defenders. The group is coordinated by the Business and Human Rights Resource Centre (BHRR), International Service for Human Rights (ISHR) and the B-Team. Approximately 40 multinational companies participated as of 2022.

The [Business and Human Rights Resource Centre](#) (BHRR) maintains a dedicated [Human Rights Defenders and Civic Freedoms hub](#) with news and analysis related to HRDs related to business, including land, environmental and labor rights defenders. The Resource Centre also maintains a database tracking both legal and physical attacks against defenders.

[EU Protect Defenders](#) is the European Union’s mechanism to protect and support human rights defenders. It can provide emergency assistance to defenders under threat, including emergency grants for human rights defenders, relocation support and capacity building measures.

[International Service for Human Rights](#) publishes information on the situation of human rights defenders worldwide. Its [Defenders Toolbox](#) provides a range of resources for defenders to strengthen advocacy skills and enhance engagement with international institutions.

[Global Witness](#) publishes annual reports documenting and analyzing attacks against land and environmental defenders globally, summarized in the [2022 report “A Decade of Defiance”](#).

[Front Line Defenders](#) works to protect and support at-risk human rights defenders through international advocacy, grants and support for protection measures, rapid response crisis support, as well as through capacity-building and networking opportunities for HRDs. Front Line Defenders also publishes an annual report on defenders at risk around the world.

[Human Rights Watch](#) supports human rights globally through research reports, policy and advocacy focused significantly on human rights defenders and civic freedoms (including on business and human rights). HRW played an influential role in the formulation of the Voluntary Principles in 2000 and remains a VPI participant in the NGO pillar.

[Amnesty International](#) documents human rights abuses and campaigns for civil and political as well as economic, social and cultural rights around the world. Its sections, members and staff have worked on behalf of human rights defenders and victims of human rights abuses, as well as political prisoners, for over six decades.

[Oxfam](#) works to diminish poverty and inequality through a rights-based approach to development and delivers humanitarian relief in famines and other natural disasters as well as in war and other conflict zones. It promotes corporate accountability and supports human rights, land and environmental defenders. In April 2023, Oxfam published [Threats to Human Rights Defenders: Six Ways Companies Should Respond](#), which offers guidance on steps that companies can take to respond to the growing threats faced by human rights defenders.

[Earth Rights](#) focuses on climate justice, environmental defenders and corporate accountability through a global team of community activists, campaigners and legal strategists.

[Access Now](#) mounts digital rights advocacy campaigns worldwide and supports human rights defenders and other online activists through a 24/7 [Digital Security Helpline](#).

[CIVICUS](#) publishes an annual global [“State of Civil Society Report”](#) reporting on issues and challenges facing circumstances for NGOs, activists, and other civil society actors.

[The Committee to Protect Journalists](#) (CPJ) supports print, broadcast and online journalists in multiple situations and contexts, including war and conflict zones. It publishes a widely cited comprehensive annual [Global Impunity Index](#) documenting attacks on journalists.

[The International Trade Union Confederation](#) (ITUC) is the global policy and advocacy coordination institution for unions. It publishes a visible and influential [Global Rights Index](#) documenting global attacks on trade unionists and putting the spotlight on worker rights.

[Freedom House](#) publishes the comprehensive annual reports [Freedom in the World](#) on democratic institutions, civil and political rights and [Freedom on the Net](#). It provides emergency assistance to frontline civil society activists and human rights defenders.

The [Lifeline Embattled CSO Assistance Fund](#) is an emergency assistance fund led by a consortium of seven international NGOs. Through Freedom House and Frontline Defenders, it provides emergency assistance grants to civil society organizations under threat. It also provides advocacy grants and resiliency grants to CSOs to help them avoid and mitigate threats and to continue their work.

The [World Justice Forum](#) publishes the annual [Rule of Law Index](#), covering 139 countries and jurisdictions and analyzing that vital factor for civil society and business alike.

Annex III:

Interviewees and reviewers

The authors are grateful to the individuals and organizations which gave generously of their time and expertise to provide inputs during the development of this guidance.

VPI members:

- Colombian Government:
Department of Mining and Energy
- Colombian Government:
Presidential Council on Human Rights
- U.S. Government: Department of State

- Anglo American
- AngloGold Ashanti
- BP
- Chevron
- Freeport McMoRan
- Newmont
- Shell
- TotalEnergies

- The Fund for Peace
- Human Rights Watch
- International Alert
- LITE-Africa
- PAX

VPI observers:

- CME – Seguridad y Derechos Humanos (Colombia)
- IHRB – Institute for Human Rights and Business

Others:

- Ardura (CME participant)
- CREER - Centro Regional de Empresas y Emprendimientos Responsables
- Drummond
- EarthRights
- Gramalote Joint Venture (B2Gold and AngloGold Ashanti)
- International Service for Human Rights
- Oxfam Colombia

- Oxfam International
- Former Chevron executive
- Former Barrick Gold executive
- Former Anglo American executive

The guidance has also benefited throughout from the experiences of the individual human rights defenders and NGOs that participated in the interviews conducted by LITE-Africa for this project. Their experiences and perspectives have informed the full guidance. LITE-Africa's report forms a standalone study of relevant cases and analysis, and the recommendations therein have also informed this guidance throughout, and in particular the case example from Nigeria.

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Co-authors:

Bennett Freeman

Over the last two-plus decades of a four-decade career, Bennett Freeman has worked at the intersection of governments, international institutions, multinational corporations, responsible investors, and NGOs to promote human rights and sustainable development. An innovative leader in the fields of business and human rights as well as responsible investment, he has played critical roles in founding and building multi-stakeholder initiatives and global standards to strengthen corporate accountability.

As Deputy Assistant Secretary for Democracy, Human Rights and Labor from 1999-2001, Freeman directed the State Department's bilateral human rights diplomacy and led the year-long multi-stakeholder dialogue and negotiations to develop and launch the Voluntary Principles on Security and Human Rights as the global human rights standard for oil and mining companies. He helped to conceive the Extractive Industries Transparency Initiative (EITI) and represented Oxfam on its board from 2006-09. In the extractives arena, he also co-authored in 2002 the first-ever human rights impact assessment (HRIA) focused on BP's Tangguh project in West Papua, Indonesia.

As Senior Vice President of Calvert Investments from 2006-15, he led the environmental, social and governance (ESG) research for over 40 mutual funds, developed investment themes for new funds, and directed shareholder advocacy and public policy initiatives. He established or reinforced Calvert's leadership on human rights and labor extractive revenue transparency and conflict minerals; climate policy and water sustainability; corporate board diversity and workplace gender equity. He also co-founded the Global Network Initiative, the global multi-stakeholder initiative focused on freedom of expression and privacy online. He served as GNI Vice Chair and Board Secretary from 2010-20.

Freeman consults for major corporations, foundations, and NGOs through Bennett Freeman Associates LLC. He is the lead author of [*Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders*](#) published by the Business and Human Rights Resource Centre (BHRRC) and International Service for Human Rights (ISHR) in September 2018.

An Associate Fellow of Chatham House and a life member of the Council on Foreign Relations, Freeman is a frequent media commentator, speaker at international conferences and lecturer at universities.

Ragnhild Handagard

An experienced business and human rights consultant with a background from the United Nations, corporate and non-profit sectors, Ragnhild Handagard has worked with Bennett Freeman Associates, LLC, Ragnhild has focused on the corporate responsibility to respect the rights of human rights defenders. She has advised companies and NGOs on the application of the Shared Space Under Pressure framework for business respect and support for civic freedoms and human rights defenders. She has also advised companies on how to adapt to emergent issues on the business and human rights agenda and on structuring fit-for-purpose human rights functions.

Prior to working with Bennett Freeman Associates, LLC, Ragnhild worked for the UN Human Rights Office, where she advised stakeholders on implementation of the UN Guiding Principles on Business and Human Rights. Ragnhild has previously held roles in corporate sustainability in both the private and non-profit sectors.

Who we are

The Voluntary Principles on Security and Human Rights (VPSHR) are an internationally recognized set of principles that guide companies on how to conduct their security operations while ensuring respect for human rights. The Voluntary Principles Initiative (VPI) is a multi-stakeholder initiative dedicated to sharing best practices and mutually supporting the implementation of the Principles.