



Voluntary Principles on
Security and Human Rights
Implementation Guideline

An extended summary



About the implementation guideline

This document provides an extended summary of BP's Voluntary Principles Implementation Guideline, which aims to enable more effective and consistent implementation wherever we operate.

This requires a translation of the principles into practical tools and activities. Most importantly, implementation should be tackled through integration as much as possible within BP's management systems, particularly within our approach to non-technical risk management. A risk associated with the Voluntary Principles is just one among many potential issues that a business has to prioritise and address.

An example of integration is our incorporation of a tool for assessing the potential impacts of our security arrangements on people and communities into 'Getting Security Right' – BP's security management planning process. See Element One for further information.

Having assessed the potential human rights impacts arising from its security arrangements and security relationships, the business should then put into practice actions to mitigate the identified risk. For example, to promote appropriate conduct by its private security provider, the business can include key clauses on human rights in their contracts and monitor the security provider's performance. To promote adherence to human rights standards where public security is provided, the business can encourage security arrangements to be discussed with key stakeholders, communicate their security policies to the host government and, in some cases, support human rights training and education. Guidance on these activities is set out in Elements Two to Six.

Robust evaluation and reporting, whether through self-assessment or external monitoring, is essential for continuously improving performance. Element Seven outlines a framework of verification points and indicators against which businesses can review performance to identify and address gaps.

Our approach to implementation is therefore risk-based and performance-focused. After all, the Voluntary Principles are not a regulatory standard but a guide to companies in managing human rights risks associated with their security arrangements. There is scope for flexibility in implementation of the Voluntary Principles within a consistent framework, and this is illustrated by the variety of case studies in this summary. Mitigation measures need to be tailored to local needs.

The benefits for a business are several. 'Negative drivers' can be avoided, such as potential legal liability or reputational damage that can arise from an accusation that through its security arrangements a business had been complicit in human rights abuses. The key benefit of effective implementation, however, is a positive driver: enabling BP businesses to be developed and operated in a secure and peaceful environment.

Our overall experience is developing and increasing. For this reason, we have chosen to make the full version of the guideline available on the intranet – dynamic content that will be updated as and when necessary. Further information about our web-based content is found at that back of this summary.

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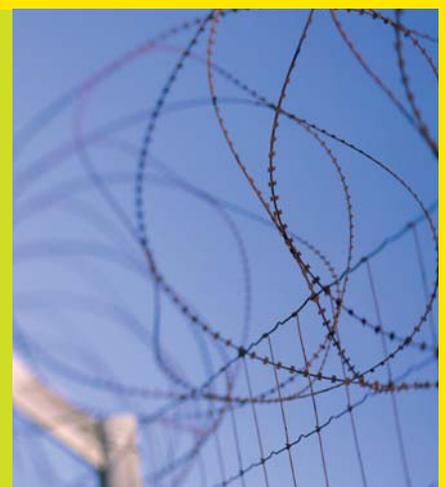
Cover – soldiers at the international humanitarian law training track near Cupiagua, Colombia, are put through a practical exercise to increase their awareness of human rights obligations.

Back cover – Pipeline protection department officers in Azerbaijan training as part of a course on international standards applicable to the use of force and firearms.

The Voluntary Principles on Security and Human Rights

The Voluntary Principles on Security and Human Rights were drafted in 2000 by leading extractive industry companies, international non-governmental organizations and the United States and United Kingdom governments: a multi-stakeholder initiative in response to international concern that the security arrangements put in place for major projects and operations were, in some locations, increasing the risk of abuses against people and communities. By contrast, security and respect for human rights 'can and should be consistent'. This is a tenet BP strongly believes in as an original signatory to the Voluntary Principles. While recognizing that governments have the primary responsibility for protecting human rights, company signatories to the Voluntary Principles acknowledge they have a role in advocating for and promoting respect for human rights.

The Voluntary Principles provide guidance related to three activities: conducting risk assessments, working with public security, and working with private security.



Foreword from Vice President, Group Security and Crisis Management



Security is a fundamental need, shared by individuals, communities, businesses and governments alike. We recognize however the potential for the security arrangements provided for our employees and assets to impact people and communities living and working close by.

For example, there are several publicized cases in which companies have employed security providers whose poor conduct has led to accusations of human rights abuses and to worsening relations with local communities. There are also examples in which companies have provided equipment to a security provider which has then been used in the commission of international crimes. Where such risks exist they need to be identified and mitigated.

In 2000, BP joined other leading oil, gas and mining companies, non-governmental organizations and the US and UK governments to develop the Voluntary Principles on Security and Human Rights.

Since then, we have gained experience in putting these principles into practice in several of our major operations and projects. From risk assessment exercises in Algeria, to contracting with private security providers in Georgia, to supporting human rights training for public security in Azerbaijan, to internal audit of Voluntary Principles management practice in Colombia.

BP's Voluntary Principles Implementation Guideline, which is summarized here, reflects the lessons, challenges and pitfalls of such efforts. The purpose is to set out for

businesses an approach to implementation that is integrated within, not separate from, existing security risk assessment and management planning processes. No additional process is entailed.

The substance of the Voluntary Principles is regard for the welfare of local people and communities where we operate. The focus is ground level. Our implementation guideline therefore provides practical help to security managers and their teams on the ground. Effective implementation requires wider input though, particularly from staff engaged in community relations, external affairs, and crisis response and, of course, it also requires support from senior business leaders.

Several years on from announcing our commitment to the Voluntary Principles, our continuing focus on this aspect of risk is vital. BP understands how important it is not to adversely impact communities affected by our presence. At the same time, we are operating in some challenging environments; amid concerns over energy security, the need to find, develop and safeguard energy sources is increasing.

In this context, we must continue to look beyond the perimeter fence in identifying and mitigating the potential impacts of our security arrangements on individuals and communities.

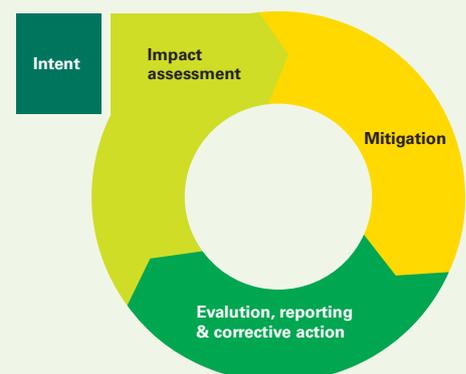
John Sullivan

Vice President, Group Security and Crisis Management

Voluntary Principles implementation and the Operating Management System

The Voluntary Principles implementation guideline provides tools to help reduce risk and complexity. In that way, it is aligned with and can support businesses in delivery of BP's operating management system (OMS). BP has developed a 'performance improvement cycle' as part of OMS that helps businesses to identify, prioritize, plan, implement and embed improvement opportunities through an annual planning process. This is modeled on the International Standards Organization's Plan-Perform-Measure-Improve cycle.

Implementation of the Voluntary Principles can also be addressed as part of a cycle – continuously and systematically. It begins with intent: a clear communication from business leaders of their expectations on the Voluntary Principles. Assessment comes next, with the identification of any potential impacts of the business's security arrangements might have on people and communities. Through this process priorities and opportunities are identified and recorded and tracked as part of a security management plan. The business works to mitigate risk, and on a regular basis evaluates its performance. Implementation of the Voluntary Principles needs an engine, which is provided through following a continuous cycle of improvement.





Assessing impacts

The Voluntary Principles provide guidance to companies in managing human rights risks associated with their security arrangements. The first key step is to identify the potential impacts of the business's security arrangements on people and communities. The accuracy of assessments depends on consideration of a broad range of factors, using regularly updated information and bringing in the perspectives of a wide range of stakeholders.

On the radar screen

Security risk assessments for countries in which BP operates routinely consider aspects promoted by the Voluntary Principles – particularly in higher risk locations. Assessments typically involve the identification of a range of security risks that might impact any business, such as theft, robbery, vandalism, fraud, workplace violence, terrorism and social unrest. Assessments also are underpinned by ongoing engagement with a broad range of stakeholders.

As part of the implementation guideline, BP has developed a survey tool to reinforce existing security risk assessment processes with respect to the Voluntary Principles. The tool helps businesses assess the potential impacts of their security arrangements on people and communities. It also helps to simplify capture of information with respect to the Voluntary Principles.

The tool is web-based and embedded within BP's security management planning process 'Getting Security Right'. That way, we can ensure that Voluntary Principles risks are on the radar of every security planning exercise a business goes through – not separate to it. We have sought to make assessments consistent, non-onerous and integrated with other aspects of security management. A risk associated with the Voluntary Principles is potentially just one among many issues a business has to prioritise, mitigate, avoid, or accept.

Methodology

The impact assessment tool promotes consideration of a range of root-cause risk factors associated with the political, economic and social context in which a business operates. It prompts assessment of the potential for conflict of the country and the business location, and of legal factors that might impact how security is provided. Two final sections consider human rights risks associated with the business's security arrangements and with its relationships with public security – particularly in the event that a business is requested to provide financial or material assistance to a public security provider.

As with other aspects of security risk management, the Voluntary Principles assessment should involve a cross-section of participants. This might include, for example, projects and operations managers, and advisors from community relations, external affairs and legal teams. In all cases, guidance on completing the assessment should be sought from one of BP's regional security advisors.

The tool is not exhaustive or overly schematic. In collating and organizing the responses it aims to build up for the operation or project a picture of potential impacts around their security arrangements. In some situations, completion of the assessment might identify the need for further in-depth evaluation of specific factors such as through follow-up assessments on conflict or rule of law issues. In such cases, the action should be assigned, recorded and tracked within the business's security management plan.

"Human Rights abuses are really issues of risk management...we all need to map the risks, and then set out strategies to manage them – policies, procedures, systems for compliance and verification."

Irene Khan

Secretary General of Amnesty International, 8 December 2005

Quick check pre-screening

Recognizing that businesses operate within very different environments, BP does not mandate a full Voluntary Principles impact assessment to an identical level of detail in every location. To help businesses determine the need for a full assessment, the tool requires completion of a 'quick check' pre-screening exercise. This is Part A of the impact assessment tool, which consists of a simple set of six key indicator questions. Based on the responses the business is advised whether the more in-depth assessment is required or optional.

Screening questions

1. Does the business rely on a dedicated public security provider, such as the police or military, for the provision of security? Does that provider deploy armed personnel?
2. Does the business employ a private security contractor for the provision of security? Do they deploy armed private guards?
3. Does the business operate in locations affected or potentially affected by conflict or violent crime that significantly impact the business?
4. Is there a significant risk of protest action related to any grievance civil society might have regarding the business?
5. Does the judiciary have the capacity to enable access to justice for people and communities potentially impacted by the business?
6. Has the business given, or is there a likelihood that it could be asked to give, any equipment, facilities, funding or help-in-kind to the government to assist with the provision of security?

Stakeholder engagement

As standard practice for risk assessments, businesses regularly seek out credible external views. Consultation with stakeholders can be an effective way of ensuring that information the business gathers on security risks and impacts is accurate, up-to-date and comprehensive.

Stakeholders to consult might include:

- Host governments: senior security officials, police and military commanders, local government leaders.
- Local communities: people leaders and representatives in areas where the business operates
- Civil Society: local NGOs, community groups, charities, trade unions, advocacy groups.
- Home governments: for example, relevant embassies and government departments.
- Multi-lateral institutions: for example, the United Nations, International Committee of the Red Cross, Organization for Security and Cooperation in Europe.
- Other companies: especially those operating within the same sector and/or geographical area.
- International NGOs, particularly those with insight on conflict, security and human rights issues.

Feedback should also be provided to key stakeholders on the findings of the assessment, subject to the sensitivity and confidentiality. For further guidance see Element 2.

Overview of the full assessment

The five sections within Part B of BP's Voluntary Principles Impact Assessment Tool



Part B, the main component of the impact assessment tool, consists of five sections with 15 to 20 questions in each. Many require simple 'yes' or 'no' responses while certain questions ask for more detailed comment.

For example, within the section on legal factors businesses are asked to consider if the judiciary has the capacity to enable fair access to justice for people and communities that it might potentially impact. Here the response options to this closed question are simply 'yes', 'to some extent' or 'no'.

In the section on public security providers, businesses are asked to set out specific concerns, if they exist, relating to the training, deployment, equipment and accountability of the organization.

Here they are prompted for more detail and context.

Several questions invite a subjective response: this is valuable when based on a business's informed judgement and on input from credible sources.

Once an assessment is completed, a summary and/or a detailed set of responses can be saved, printed exported and e-mailed. Previously completed assessments are retained within the business's security management plan.



For further information and access to the Voluntary Principles impact assessment tool:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/impact-assessment/>

2 Engaging stakeholders

The case for effective engagement with communities and governments on security includes being able to test the reliability of information used for risk assessments and being able to help ensure security is provided in an ethical and appropriate manner. But there are also pitfalls in communicating in a way that fails to take account of political, cultural and legal sensitivities and security concerns.

Benefits of engagement

The Voluntary Principles encourage companies to share experience with other businesses, NGOs and governments regarding security arrangements and risks. Information related to risk assessments should be shared 'to the fullest extent possible', including with concerned civil society. It is recognized, however, that it may not be appropriate to disclose all types of information. Sources need to be protected and when allegations concerning human rights abuses are received the information must be assessed for credibility and reliability

The Voluntary Principles also advise companies to consult with local communities regarding the impacts of their security arrangements. Companies should encourage public security providers to permit making the security arrangements for the business 'transparent and accessible to the public.' Companies should communicate their policies regarding 'ethical conduct and human rights' to public security providers.

The benefits in observing these practices are several:

- Businesses are able to test the reliability of information they use for risk assessments, increasing the accuracy of their assessments.
- Through openness they are able to build trust and confidence among key stakeholders.
- By soliciting feedback from stakeholders businesses can better identify risks and opportunities to enhance their operational security.



Case study

Raising issues collectively in Pakistan

BP Pakistan is one of several members of the Pakistan Petroleum Producing Companies Association, established to promote and coordinate the activities of the oil and gas industry. Engaging the government via this forum has been effective, including when it comes to sensitive security policy matters that impact several investors. For instance, companies have been able to coordinate their communication to the host government regarding issues related to requests for financial assistance from companies to help offset the cost of providing public security to protect oil and gas facilities. Collective representation can often be more effective than making an individual approach.

A different channel of engagement that has supported security for BP's operations in the Badin concession in southern Sindh has been through the workforce. The business's policy of hiring local people has helped to foster goodwill with nearby communities. This was put to the test following the assassination of Benazir Bhutto in December 2007, when levels of violence increased across the country. A field security administrator notes, 'At a time when the local administration was grappling with the law and order situation the support given by the local community was fantastic.'



For further information and updates on stakeholder engagement:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/stakeholder-engagement/>

Methods of engagement

Effective engagement involves the right method of communication that is sustained and proactive, and takes account of political, cultural and legal sensitivities and security concerns. Where possible, communication on security should be coordinated with broader engagement initiatives.

Using the right language for the context is important. 'Human Rights' is often an emotive and politically-sensitive term. For example, a government whose record has been the focus of international condemnation may not welcome a private company appearing to involve itself in the issue. An alternative way to address concerns about conduct by public security providers might be to use language that focuses on the impacts of BP's security arrangements and the welfare of local people and communities.

Businesses are sometimes concerned by the challenge of making their security arrangements open to external view without making those arrangements vulnerable or compromising relationships. An effective approach is to have the government determine the limits and lead engagement. In one location BP has participated in joint community consultation exercises with the local police, in which senior officers have described in outline key aspects of security provision for the business. Other important considerations for engagement include holding meetings in the community rather than in company offices, making the business's non-retaliation policy known, and working through appropriate intermediaries, such as joint industry bodies, to communicate messages.

Commonly-used communication and consultation tools

Community meetings: Public forums, workshops, open-house meetings, question and answer sessions, public hearings.

Publications: Brochures, pamphlets, booklets, posters describing in basic terms the security arrangements and providing contact details of relevant company personnel, especially field security and community liaison officers and, where they exist, telephone hotline numbers.

Hotlines: Call centres, enabling callers to report concerns and complaints anonymously.

Drop boxes: Collection boxes located in communities enabling people to submit letters or concerns cards to the company regarding security impacts and other issues.

Committees: High level or working level meetings convened on a routine, scheduled basis, with agenda items raised and meeting minutes recorded.

Surveys: Questionnaires to collect information regarding stakeholder concerns and perceptions regarding security, either of the security environment in general and/or of the business security impacts. Used to construct a baseline of opinion and repeated to identify trends. Surveys can be conducted on the behalf of businesses by independent third parties.

Case study

Seeking dialogue with communities in Azerbaijan on pipeline security

During 2006, BP helped to establish a community forum in Azerbaijan to facilitate dialogue between community members, local authorities, public security organizations and the company on security issues related to the Baku-Tbilisi-Ceyhan (BTC) pipeline. Called the Inter-Agency Security Committee, it has held meetings regularly in communities close to the route of the pipeline. Each session is chaired by the head of the local authority, and a basic overview of the pipeline security arrangements is provided by a representative from the business with input from the local police, national security and pipeline protection officials. Meetings then typically include question and answer sessions with landowners and users from the local community.

One independent auditor who observed a security committee event noted it was 'frank and open, and all individuals present were encouraged to ask questions regarding the presentation and the role of the public security forces in protecting the projects.' BP's security team and the government's pipeline protection department report that such meetings with local communities have helped to reduce the number of complaints made by the communities.



3 Supporting training and awareness

The ability of security providers to respond to incidents in a proportionate and ethical manner can be critical for a business's relations with local communities and its ability to sustain the safety and security of its operations. The Voluntary Principles identify support for training and education as a key means by which companies can work to achieve this goal. Developing awareness among our own relevant staff is also important.

The case for supporting training

In a number of locations, BP businesses rely on dedicated public security organizations as well as private security contractors for the provision of security for their employees and facilities. Public and private security personnel have unique responsibilities, often involving day-to-day interaction with local people and communities.

In this context, businesses need to identify the capability of their security providers to conduct themselves professionally, in line with international norms and standards. The business's relations with local communities and licence to operate may depend upon it.

For example, a public security organization providing security for a BP facility will have a wide range of legal powers. These may include powers of arrest, detention, use of force and firearms and search and seizure. In exercising this authority, law enforcement officials must enforce the law without alienating the general public. By comparison, a private security guard has very restricted powers but because of what they do it is essential that they are able to communicate effectively with people and have a basic level of skill in resolving potential conflicts and disputes peacefully.

BP businesses in several countries have recognized competency levels as a critical factor for the security of their operations, and supported training as a risk mitigation measure. This experience has formed a basis for developing group-wide guidance on training, outlined here. Some examples of training initiatives we have supported are provided on pages 10 and 11.

Internal awareness

In sensitive locations, employees involved in managing or liaising with security providers or in government affairs and community relations need to develop a basic understanding of the human rights risks associated with the business's security arrangements. An awareness of BP's expectations and the principles applicable to assessing risk, responding to incidents and responding to government requests for security assistance is also essential.

To help individuals to develop a basic understanding of the Voluntary Principles, BP has developed a short introductory e-learning module. This addresses how the principles relate to and can be applied within BP projects and operations. On completion, students should:

- Understand the principles and recognize the implications for how security is managed within a business.
- Recognize how risks associated with the Voluntary Principles can be identified and assessed.
- Be able to identify some of the key tools and practices available within BP to implement the Voluntary Principles.

BP has also developed a Voluntary Principles workshop programme aimed at leadership teams, which has been rolled out through workshops in such locations as Angola, China, Russia, Turkey, Brazil and Algeria. The session typically takes a day, and includes an introduction to the Voluntary Principles, review of BP's experience around the world, and the tools and approaches available to manage risk, explored through scenario-based discussion. For further information email: voluntaryprinciples@bp.com



For further guidance on training and awareness and access to the curricula:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/training-awareness/>

Training for private security

Overview

Training requirements for the private security sector in some locations where we operate may be poorly regulated and guard force providers might lack the capacity to put in place effective human rights-related training, as well as other types of training. Here, it may be appropriate for a business to provide direct support.

BP has developed a standard training curriculum plus supporting lesson plans to help businesses put this into practice. The curriculum is designed to be delivered in a one-day session by BP security managers. It can be adapted and tailored to best fit the needs of the recipient, identified through a training needs assessment.

Course outline

The curriculum comprises four core sessions. The level reflects a number of assumptions about the recipient: that in line with standard BP practice, private security guards are unarmed and that their primary role is limited to 'behind the fence' duties.

Training sessions:

1. Introduction to human rights
2. Voluntary Principles on Security and Human Rights
3. Communications and conflict resolution skills
4. Principles governing the use of force

Aims

- To develop a basic knowledge of human rights standards and laws, and an understanding of BP's position on human rights.
- To develop a basic level of skill to integrate human rights principles into security duties, and to communicate effectively to resolve potential conflict.
- To increase the likelihood that guards will respond to incidents in a restrained, proportionate and effective manner.

In certain circumstances, the role of the private security guard may extend beyond typical behind-the-fence duties, such as to mobile patrolling, and escort and protection of personnel off site. In exceptional situations, contracted guards may also carry firearms. Recognizing this possibility, two supplementary modules are also provided offering comprehensive instruction on use of force and firearms and methods of instruction. Given the specialized nature of the subjects, these standalone courses are of longer duration and should be delivered using professional instructors.

Training for public security

Overview

The Voluntary Principles recommend that, where appropriate, businesses should 'support efforts by governments, civil society and multilateral institutions to provide human rights training and education for public security.' To help businesses put this recommendation into practice, BP has developed guidance on human rights-based teaching and instruction for public security, including a standard core curriculum.

Approaches to support human rights training for sovereign host nations can be sensitive. The public security forces of a host country will have a unique history and mode of operations and can be difficult to influence. Against this background, the conduct of a training needs assessment involving extensive consultation with the recipient organization is very important. The style of training should be highly practical, involving extensive use of scenario and role play work.

Course outline

BP's preferred training model is for human rights-based security instruction for law enforcement officials. This is based on a 'training the trainers' approach, delivered by qualified external specialists, and focuses on individual knowledge and skills development. The curriculum consists of four parts:

1. Human Rights law and practice
2. Human Rights-based law enforcement skills
3. Use of Force and Firearms
4. Instruction techniques and methods

Aims

- To embed a sustainable human rights training capacity by 'training the trainers'.
- To develop within students the skills, knowledge and values to incorporate human rights principles into daily duties, particularly principles of proportionality, legality and necessity applicable to the use of force and firearms.

Security sector reform and training assistance under the theme of human rights encompasses a broad range of activities. Assistance might also include engaging the military in international humanitarian law training, building capacity among civil society to advocate for transparency and accountability in security, and supporting initiatives to build public participation in community policing. Four supplementary modules within the curriculum set out additional standalone courses related to these themes.

3 Supporting training and awareness

Case study

Taking training beyond the classroom in Azerbaijan

Ensuring that security is provided in a way that upholds respect for the rights of those living and working close to our business is important wherever BP operates. Support for the training is an important means by which BP can engage and influence public security providers to achieve this goal.

In 2004 the BP on behalf of its partners in the Baku-Tbilisi-Ceyhan and South Caucasus pipelines established a human rights-based security training programme with the Government of Azerbaijan's Export Pipelines Protection Department (EPPD). This is a government security service that is responsible for protecting the BP-operated facilities and pipelines in Azerbaijan.

The training was delivered by an international training foundation, with the aim to embed a sustainable human rights training capacity within the EPPD by 'training the trainers'. The programme continued up to mid-2006 and involved several phases. The final component addressed development of instructor skills on the proportionate use of force and firearms; development of an enhanced general training curriculum that incorporates human rights-based instruction; development of operational procedures in line with international standards; and development of the organization's crisis response capabilities.

This last element of training was tested in a Crisis Response Exercise, held near the BP-operated Sangachal terminal. This was designed to test the organization's plans for a timely, well-coordinated and cooperative response to emergencies – key in helping provide protection to people in crisis situations.

BP Azerbaijan sought to include within the human rights-based security training programme instruction by other institutions of civil society. For example, the International Committee of the Red Cross and the Organization for Security and Cooperation in Europe participated in providing lectures to EPPD officers for the opening course.



Case study

Georgia guards focus on communication skills

During 2007, BP Georgia organized training for its private security contractor, plus its community liaison, field security and land officers, on key human rights principles and practices. The goal was to develop their skills in communicating effectively with people, to build their understanding of the need for restraint in response to potential security threats, and to enhance their knowledge of international standards, relevant Georgian legislation and BP's own principles on human rights.

The training was provided for over 80 guard supervisors and BP employees, and led by a team that included a professional security instructor, plus BP Georgia's security manager and an internal human rights advisor. Delivered over two sessions, students took part in group exercises to explore principles on crowd control and the exercise of restraint in the use of force, as well as communication skills.

The short course followed a 'train the trainers' approach, focusing on 44 InterSecurity guard supervisors who subsequently shared the information from those lessons with the company's security guards.



Case study



Promoting community-based security in Tangguh

During 2004, BP agreed a set of procedures with the head of the Papua Police that define the roles of private security and the police in providing security for the Tangguh liquefied natural gas (LNG) project in Indonesia – a commitment termed the Integrated Community-Based Security programme (ICBS).

One key aspect of the programme is regular joint exercises between Tangguh's private security provider and external stakeholders, including the police. The first was held in 2007: a five-day event involving classroom-based instruction on human rights and the principles of legality, necessity and proportionality in the use of force, and first aid instruction followed by practical drills. Training was provided by police instructors from Papua, plus an external training consultancy.

The training consultancy provided further instruction together with two senior Indonesian police instructors on community policing and civil disturbance management in a two-week 'train the trainers' course in Jayapura, West Papua in early 2008.

Having created a pool of instructors, BP Indonesia has since supported several more batches of training for private security guards. Training has also been provided for students from regional police units, for students from BRIMOB (the Indonesian police force's military unit) and for a platoon from an army battalion located in the district.

Case study

International Humanitarian Law and the military in Colombia

In 1998, the Colombian state oil company Ecopetrol signed an agreement with the Ministry of Defense to provide financial assistance together with BP and another partner to the military. This was aimed at supporting the provision of security for areas surrounding their operations in Casanare. The agreement was unique at the time because it included a requirement that the companies support training for the army units on human rights (HR) and international humanitarian law (IHL).

During the previous year, Colombia's army command had established a number of 'training tracks' to provide more practical training activity for troops in HR and IHL. BP learned about the programme in 2002 and contacted the Army's Education and Doctrine Command, which was considering creating new training tracks at each military academy and training school. The HR and IHL training track at the training centre of the 16th Army Brigade in Cupiagua was built in 2003, and training of soldiers began by the end of that year.

Through the Ecopetrol agreement, BP and its partners supported the 16th Brigade with the construction of the training track and supported workshops to train instructors, to publish teaching materials and booklets for instructors and soldiers, and to create a library with basic HR and IHL text books. BP continues to support the maintenance of the infrastructure.

The BP-sponsored HR and IHL Training Track in Cupiagua was at the time the only one in Colombia with permanent infrastructure. Located in a hamlet close to the BP-operated processing facilities, the course is used by the army to increase awareness and knowledge among troops of human rights requirements prior to field operations. Initially used exclusively by the 16th Brigade, the facility is now used by units from other parts of Casanare and neighboring regions. Training combines re-enactment of situations and classroom time. Mandatory refresher training is provided every six months before the soldiers go back into operations. Since inauguration in 2003, more than 10,000 soldiers have visited this site to receive training.





Contracting security

Through contracts, businesses can exercise influence over the conduct and performance of their private security provider. With a greater degree of influence comes a greater degree of responsibility, so it is essential for businesses to ensure their standards and expectations are communicated, understood, and enforced.

Giving meaning to the Voluntary Principles

The Voluntary Principles make several recommendations to guide the conduct of private security companies. These relate to acting in a lawful manner, putting in place policies on appropriate conduct, recording allegations of abuses related to their activities, vetting individuals that they employ, and investigating and reporting incidents. Where appropriate, the Voluntary Principles advise these to be included as contractual provisions.

Contracts provide businesses with a mechanism to help ensure private security providers act consistently with applicable international standards. Contracts can help to align expectations between businesses and contractors on security and human rights performance. They also enable businesses to monitor a contractor's performance.

To be meaningful and auditable the Voluntary Principles need to be broken down into specific provisions against which performance can be assessed. BP has developed a standard set of clauses that should be inserted by businesses within new or existing contracts with private security providers.

Risk management

An assurance checklist on the Voluntary Principles is available to businesses to guide periodic performance discussions with security contractors.

An assurance checklist for performance reviews in those exceptional circumstances where contracted security guards are equipped with firearms is also available. Recognizing the need for additional safeguards where, in this situation, there is greater potential for deadly use of force, a set of additional clauses has been developed. These cover specific standards on use of force and firearms and build on the International Association of Oil and Gas Producers Guidelines on Firearms and the Use of Force.

Adherence to the Voluntary Principles may be relevant also for other third parties. This primarily includes major contractors who procure their own security services in connection with activities undertaken for BP. It is particularly important that the contractor is aware of and is held to BP's commitment to the Voluntary Principles where projects are being developed in higher risk security environments, where there is significant interaction with local communities, and potential for social grievances associated with the project's impacts.

Overview of the standard key clauses

Compliance with the Voluntary Principles

The contractor will provide security in a manner that complies with the Voluntary Principles and with the Sarajevo Code of Conduct for Private Security Companies¹.

Employment and Vetting The contractor will carry out pre-employment vetting for criminal records, human rights violations and records of misconduct. Unless otherwise agreed, it will recruit employees from local communities where it operates.

Deployment and Conduct The contractor will provide defensive services only, refraining from any activity that is the responsibility of public security services. It will maintain policies on standards of conduct, including on acting in a lawful manner and observing principles of proportionality and necessity in use of force. Under no circumstances will it permit employees to carry firearms.

Training The contractor will maintain high levels of professional proficiency through

continuous training of its employees, including on relevant human rights standards and guidelines and on appropriate use of force.

Monitoring and investigations The contractor will provide any information requested to enable performance monitoring by the client, such as with respect to training records and incidents involving the use of force. It will promptly investigate any incident involving use of force and credible allegations of unlawful or abusive conduct that involve its employees.

¹ The Sarajevo Code was launched in 2006 and sets out basic standards of professionalism and service delivery for employers and employees in the private security industry.



For further guidance and access to the Voluntary Principles contractual clauses:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/contractual-clauses/>

5

Providing security assistance

Giving assistance to public security to support provision of security, whether through finance, donations or loans of equipment, or help-in-kind, can leave a business open to accusations of complicity in human rights abuses. It needs careful management. The case for businesses to follow a consistent approach to evaluating any request, assessing risks, putting in place safeguards and monitoring how assistance is used is compelling.

Avoiding complicity

BP businesses very rarely receive requests for assistance from public security, but they do sometimes occur, typically in higher risk environments, where a government finds its resources too limited to provide an adequate level of security. It is therefore considered justified to ask the business to assist to help offset the cost. Under the Voluntary Principles, companies in this situation are encouraged to 'take all appropriate and lawful measures to mitigate any foreseeable negative consequences, including human rights abuses and violations of international humanitarian law.'

Examples of assistance might include funding, use of a vehicle, or provision of fuel for transportation to support the deployment of law enforcement officers near to a work site. Requests can be significant and formal, others small-scale and one-off in response to an incident or threat.

In all cases, businesses need to be aware of the operational, legal and reputational risks they face if adequate safeguards are not in place. When requests are received they should be managed by following a consistent and rigorous decision-making process.

A decision-making process

- 1. Assess justification** Any equipment, facilities, funding or help-in-kind provided must contribute to the business's operational security. Assistance should meet a genuine need. Under no circumstances should any lethal or dual use equipment¹ be provided.
- 2. Assess the risk** Identify the impact and probability of any diversion or misuse of equipment or funding, particularly those that may lead to human rights violations. Is there credible and reliable evidence on record, for example, of systematic abusive conduct by the business's designated public security provider? The assessment should also identify the controls the business can realistically put in place to mitigate any foreseeable risk.
- 3. Put in place safeguards** Develop cooperation agreements, ensure appropriate training, monitoring and oversight, and promote transparency with respect to the details of any assistance.
- 4. Gain senior level clearance** Ensure that any plan to provide assistance is reviewed and signed off by BP's vice president for security and continuity, the country head and/or strategic performance unit leader.

Safeguards

Agreements and clauses Assistance should be conditional on undertakings by the recipient to act in a manner consistent with the Voluntary Principles. The intended use of assistance should be designated and a prohibition stated against transfer, loan or sale of equipment to a third party. Termination conditions should be included in the event that any funding, equipment, facilities or help-in-kind is misused. Periodic independent audit should also be required.

Training, monitoring and assurance Consider establishing a joint group to periodically review compliance with the agreement. Liase with the recipient government security organization on a regular basis. Support training to enhance management skills or individual competencies within the recipient organization to use funds or equipment responsibly.

Transparency Ensure all purchases are sourced through standard procurement processes. Consider making public the reasons justifying any assistance and seek approval from the recipient to publish details of any agreement related to the assistance.

¹ Goods, software or technology which can be used for both civil and military applications, and that require an export license from the country of origin or manufacture



For further guidance on responding to requests for security assistance:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/response-to-security-requests/>

6 Responding to incidents

Allegations or actual cases of human rights violations associated with a business can, if inadequately managed or left unaddressed, impact operability, create exposure to legal risk, and damage the business and Group's reputation. Just as response plans for safety and environmental incidents are essential, procedures to respond to allegations of human rights violations should be standard practice where the business identifies a genuine risk.

Effective response

Businesses need to be able to effectively respond at the site, country or business level to issues and events with a human rights dimension.

Depending on the circumstances, a human rights-related incident may prompt a response based on BP's three-tier crisis management framework. The flexibility of the system is able to provide for a robust response to all types of incidents, including for those with a potential human rights aspect.

Human Rights-related incidents may differ, however, from other types, such as safety or environmental-related incidents, in duration and location, in the stakeholders involved, and in the business's control or influence over the event. They can also occur as 'issue-led' crises, absent of any physical incident, requiring management outside of the crisis management response framework.

In such cases, where hard evidence may not be readily available, it is important to quickly assess the credibility, and severity of any claim, to proactively communicate with key stakeholders, and to document actions the business takes. Activities may need to be sustained over a long period as external concern can be long running.

Scenario-based training

Training is a critical element of preparedness in responding effectively to incidents, including those with a potential human rights aspect. One key objective is to increase the ability of relevant staff to recognize potential human rights issues associated with incidents and to respond in line with the guidance outlined opposite.

Training can be provided through:

- **Tabletop exercises:** Involves consideration of one or multiple human rights scenarios, guided by an experienced facilitator, and evaluated through immediate verbal feedback on areas for improvement. Scenarios to consider might involve an incident involving harm to individuals as a result of use of force by security providers or an allegation, regardless of whether there is a physical event to respond to, concerning a human rights violation that is associated with the business.
- **Inputs into limited and full scale exercises.** Human rights allegations and incidents can arise in the context of wider incidents. Recognizing this potential, limited and full scale exercises can include human rights-related considerations in scenarios developed around broader health, safety, environmental and security and continuity events.
- For further information about training scenarios contact: voluntaryprinciples@bp.com

Case study

Human rights response procedures in Tangguh

BP's Tangguh project in Indonesia developed in 2005 a detailed procedure for reporting and investigating human rights-related allegations associated with its activities. The document, which has been made publicly available on the project's website, describes the steps BP will take as operator on conducting internal inquiries and investigations, on reporting incidents to the Indonesian authorities and on maintaining project records.

The procedure was developed following consultation with international and Papua-based human rights organizations and other stakeholders. BP in Tangguh has worked to raise awareness of the procedure with the police and other Indonesian government authorities. It has also been shared with the project's major contractors, including the contracted security guard provider, as part of a roll-out process conducted in 2005.



Incident response guidance

The Voluntary Principles advise that allegations of human rights abuses by private security should be recorded. Companies should also record and report credible allegations of human rights abuses by public security in their areas of operations to appropriate host government authorities, and urge investigation. Companies should actively monitor the status of investigations and press for their proper resolution. The guidance summarized below aims to support response consistent with these recommendations.

1. Register and record grievances

- All allegations concerning abusive conduct by private security should be recorded and credible allegations of abuses by public security in the business's areas of operations reported to the appropriate host government authority.
- Maintain a register for all grievances, such as for land and compensation issues, environmental impact, and damage to property in addition to human rights-related allegations.
- Where businesses are aware of alleged violations within their area of operations, whether or not a grievance is raised, record the allegation and any actions taken.

2. Determine the credibility, severity and cause of the incident

- Quickly establish the basic facts: What happened and who was involved, whether the business caused the event either directly or through its contractors and security providers, whether reports are credible, and what is the actual or potential severity of the event.
- In determining severity, refer to the BP Group Defined Operating Practice for Reporting HSSE and Operational Incidents.
- Human rights-related allegations or incidents can be classified and reported as a 'Major Incident Announcement' or as a 'High Potential Incident Announcement'.
- Log and retain securely any information gathered through this process.

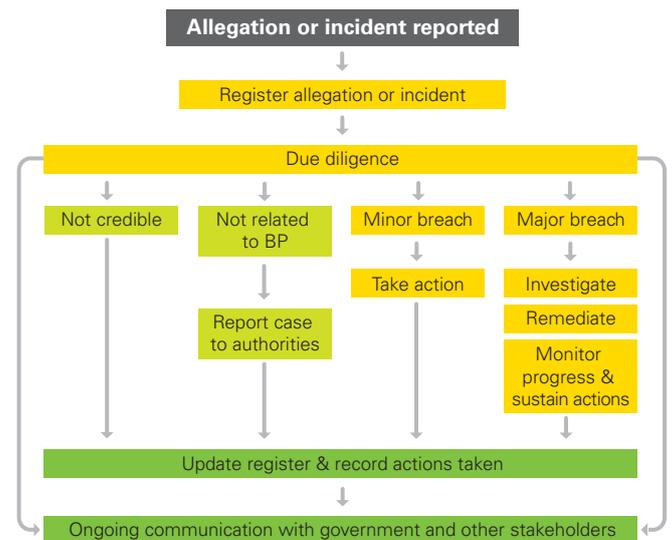
3. Report the incident to senior line and/or country management

- If an incident appears credible and serious notify the strategic performance unit leader or country manager. Also notify the relevant regional security advisor.
- Additional notifications to group level should be in accordance with the BP Group Defined Operating Practice for Reporting HSSE and Operational Incidents.
- If the incident triggers a crisis response, notifications will be guided by the crisis management framework.
- If there is uncertainty as to whether the incident or issue associated with it amounts to a potentially significant human rights violation the case should still be escalated to senior management.

4. Investigate the incident

- Any investigation should follow BP's Group Defined Operating Practice on Incident Investigation.

Sample incident response flowchart



- An investigation can also be conducted where there is evidence that our actions or omissions may have played a role in the alleged abuse – including those occurring outside the BP Work Environment.
- Human rights-related allegations and incidents can be investigated using root cause analysis methodology, but investigation teams should draw upon security and/or communications and external affairs professionals.
- In the event of more severe incidents or allegations, consider resourcing the investigation using BP colleagues external to the business.
- Where an incident triggers significant concern from external stakeholders, consider commissioning an external investigation.

5. Notify stakeholders

- The host government should be the first external stakeholder to be notified in the event of a significant human rights-related incident.
- Highlight to the host government the business's willingness to assist and cooperate. Communicate our policies regarding ethical conduct and human rights, and urge investigation and action to be taken to prevent any recurrence.
- In the event of an incident that generates major external stakeholder concern and publicity, it is important to notify other key external stakeholders. These might include relevant NGOs, home government embassies and multilateral institutions.
- Businesses should also not overlook employees: allegations or incidents receiving wide media coverage can cause concern among staff.



For further guidance and case studies on responding to incidents:

<http://safetyandoperations.bpweb.bp.com/voluntary-principles/response-to-human-rights-incidents-allegations/>



Evaluating and reporting performance

In evaluating and reporting Voluntary Principles performance, businesses should aim to make a reasonable assessment of their performance, to take action where gaps exist and to continuously improve. The goal is not primarily to demonstrate compliance but to facilitate the appraisal and reporting of issues and concerns and to enable informed input to help solve problems on the ground.

A simplified framework

BP's security and continuity management planning process 'Getting Security Right' includes several tasks that overlap with Voluntary Principles-related practices. In most cases completion of this annual process provides a sufficient means of internal assurance against the Voluntary Principles.

A number of businesses operate in situations that necessitate more detailed reporting. For instance, businesses with operations impacted by high levels of violent crime and conflict, requiring the presence of armed public or private security for protection, and where there is a risk of protest action related to concerns and grievance that communities might have about the business. In such contexts, systematic performance review is an essential part of effective risk management and benefits from the use of a standardized and simplified framework for reporting.

Element 7 of the implementation guideline sets out 11 'verification points' created to assist businesses in developing or enhancing reporting practices and to capture key data related to their Voluntary Principles performance. The same framework is intended to be used to support information gathering for a variety of reporting activities, whether it is for a peer review, a country sustainability report or an external assessment.

Methodology

The reporting framework is based on eight 'core' and three 'additional' verification points. The core verification points address security practices and arrangements, such as assessing risk and working with private security, that businesses will almost certainly have in place. The three additional verification points address aspects of working with public security that not all businesses will be exposed to. These should therefore be applied on a case-by-case basis.

Each verification point sets out three to four more detailed key performance indicators (KPIs), against which data is to be provided. The KPIs include both 'leading' and 'lagging' indicators. For example, in working with private security, the business is asked to report any policies the contractor has in place on ethical and professional conduct – a 'leading' or 'input' indicator – as well as to state the number of incidents involving the use of force by the security contractor that result in injuries or fatalities – a 'lagging' or 'outcome' indicator. Leading indicators assess the strength of our controls to prevent incidents and mitigate consequences. Lagging indicators record the unintended consequences resulting from gaps or weaknesses in management plans.

Case study

Colombian implementation

BP Colombia has put in place a Voluntary Principles evaluation process, focusing on the extent to which the business is applying the principles with respect to risk assessment, working with private security and working with public security. To support the exercise, which is carried out on a bi-annual basis, BP Colombia developed a checklist of actions, aligned closely with the text of the Voluntary Principles. The review is conducted as an internal audit of security by a combined legal/compliance and ethics team, as opposed to having the security review its own performance. Each review involves extensive gathering of evidence to support the key findings. Supporting documentation gathered includes risk assessments, grievance logs, and meeting minutes.



Verification Points

VP1 Risk Assessment

Comprehensiveness and timeliness of risk assessments conducted by the business to identify the potential impact of its security arrangements on people and communities.

Sample KPIs

- Identify the methodology used to assess security-related impacts to people and communities.
- Confirm the frequency with which assessments are reviewed and updated.
- Report the range of issues considered in compilation of the assessment.
- Report the range and frequency of stakeholders consulted for the assessment.

VP2 Transparency of security arrangements

Degree of transparency and public access to information regarding the security arrangements in place for the business.

Sample KPIs

- Describe the mechanisms in place to share information about the business's security arrangements with local communities and civil society.
- Report how feedback from local communities and civil society is recorded, tracked and taken into account in security planning for the business.

VP3 Response procedures

Existence of procedures for recording and responding to credible human rights-related allegations, for referring such allegations to the appropriate authority, and for urging investigation.

Sample KPIs

- Confirm that the business maintains a registry of complaints and allegations that are made in connection to its operations and security arrangements.
- Confirm whether the business has procedures in place that address: receipt of allegations; reporting allegations to the appropriate authority; urging investigation; monitoring the status of investigations.

VP4 Information and documentation

Measures observed by the business to ensure that information concerning human rights allegations and security risks is documented, controlled and protected, and assessed for credibility and reliability prior to being shared externally.

Sample KPIs

- Confirm that the business documents information provided by or requested from relevant local/national governments, military and law and order forces, security firms, NGOs, other companies, home governments, multilateral institutions, and members of civil society.
- Confirm that the business controls and grades security and human rights information in line with the BP Global Information Handling Practice and with Group Security guidance on grading information.

VP5 Working with public security

Extent and effectiveness of consultation by the business with the host government regarding its policy on the Voluntary Principles and the impacts of its security arrangements on local communities.

Sample KPIs

- Report the frequency, scope and method of communication with the host government on the security arrangements and impacts of the business.
- Confirm with whom and at what levels of the host government the business engages on security matters.
- Confirm if the Voluntary Principles have been incorporated into any relevant agreements.

AVP6 Use of force

Number of business-related incidents involving the use of force by public security providers and the extent to which the business promotes and monitors the application of international standards related to the use of force and firearms.

Sample KPIs

- Report the number of times the business has reported incidents to public security providers that has then led to the use of force in any subsequent response.
- Report the number of cases in which the use of force by public security in response to incidents within the business's area of operations has resulted in injuries or fatalities.
- Describe the steps the business takes to promote international standards applicable to the use of force and firearms among its public security provider.

AVP7 Training

Extent to which the public security provider meets international standards on training in the use of force and degree to which the business supports human rights-related security training.

Sample KPIs

- Identify what instruction on international security and human rights standards a public security officer providing security for the business typically receives.
- Confirm whether the business supports directly or indirectly the provision of human rights-related security training for public security providers.

AVP8 Security assistance

Management of risk associated with the provision of equipment, facilities, funding or help-in-kind to host government security providers.

Sample KPIs

- Confirm whether the business provides presently or has done in the past any equipment, facilities, funding or help-in-kind to public security providers.
- Report the items, funds and help-in-kind provided to host government security providers.
- Confirm whether risk assessment has been completed prior to providing assistance.

VP9 Working with private security

Existence of appropriate policies and practices on recruitment, deployment and conduct (including use of force) by private security providers that are employed directly, contracted or sub-contracted by the business.

Sample KPIs

- Report the number of business-related incidents involving the use of force by private security providers that have resulted in injuries or fatalities.
- Describe the steps the business takes to: conduct due diligence regarding the private security provider's background and record on conduct; monitor the conduct of the security provider; communicate its expectations and policies on appropriate conduct.

VP10 Private security training

Extent to which private security personnel are trained to observe human rights-related policies and procedures relevant to their duties and to the business's operations.

Sample KPIs

- Describe the private security provider's internal training systems and confirm whether or not these provide for adequate education.
- Identify the number of guards that have received training related to: Use of force, and/or personal communication and community interaction skills, and/or conflict resolution skills.

VP11 Private security contracting

Inclusion of Voluntary Principles-related provisions in contracts with private security companies.

Sample KPIs

- Confirm whether an obligation to comply with the Voluntary Principles is included within contracts with private security providers.
- Identify whether or not the private security provider is monitored for their performance against the Voluntary Principles.

7 Evaluating and reporting performance

External monitoring

In exceptional circumstances, where the potential impact of a business and level of external concern regarding security and human rights are significant, external monitoring may be recommended. There are several benefits:

- Monitoring by credible external professionals can provide an additional layer of assurance for stakeholders.
- It can generate practical advice and guidance to improve performance.
- It can increase transparency regarding the security arrangements for the business.

External monitoring can address Voluntary Principles issues as part of a wider remit, such as the approach followed by the Tangguh Independent Advisory Panel (see www.bp.com/tangguh).

Alternatively, the scope of monitoring can focus solely on the Voluntary Principles, as has been done by an external monitor for BP in Azerbaijan and Georgia (see www.bp.com/caspian). In either case, external monitoring should not be considered a substitute for ongoing internal evaluation and reporting by a business.



Case study

Security provision in Azerbaijan and Georgia

In Azerbaijan and Georgia, BP commissioned independent assessments to review how it is implementing the Voluntary Principles in the provision of security for the Baku-Tbilisi-Ceyhan and South Caucasus pipelines. Conducted every year to 18 months by an international law firm, assessments have been made publicly available on the business's external website, together with a BP response in English, Azerbaijani and Georgian.

Each monitoring exercise involved an assessment against a checklist of verifications points based on the Voluntary Principles. Evidence was gathered through visits to the field and interviews with key company and government representatives, public and private security providers, multinational institutions operating in the countries, local NGOs and representatives from the local regions and communities affected by the pipeline projects. External monitoring during the construction and early operations phase of the pipelines have enhanced scrutiny and transparency of the security arrangements and provided BP with a source of challenge to improve implementation.



For further information about reporting and evaluation:
<http://safetyandoperations.bpweb.bp.com/voluntary-principles/evaluating-reporting-performance/>

Access to the Implementation Guideline

The full version of BP's Voluntary Principles Implementation Guideline is available within the Group Security Intranet website here:

<http://safetyandoperations.bpweb.bp.com/group-security/voluntary-principles/>

The online content provides additional resource for security professionals and other relevant staff including case studies, access to e-learning, and relevant tools and links.

Each of the seven elements of implementation is set out in separate pages, which you can navigate to using the left-hand-side toolbar.

As our overall experience is developing and increasing, online content will be periodically updated and improved.



The screenshot shows the BP Group Security website interface. At the top left is the BP logo. To its right is the text 'Group Security'. Further right are navigation links: 'OneBP', 'Contact us', 'Sitemap', and 'Help'. Below these is a search bar with a 'Go' button and the text 'Advanced search'. A horizontal menu contains links for 'S&O Home', 'Group Security', 'Standard', 'Country risk & travel', 'Toolbox', 'Training', 'Contacts', and 'Fraud reporting'. The main content area is titled 'Voluntary Principles' and includes a sidebar with a list of seven elements: 'Element 1 – Impact assessment', 'Element 2 – Stakeholder engagement', 'Element 3 – Training & awareness', 'Element 4 – Contractual clauses', 'Element 5 – Response to security requests', 'Element 6 – Responding to incidents and allegations', and 'Element 7 – Evaluating & reporting performance'. The main content area features a 'Voluntary Principles' heading, a row of four images, and three text boxes: 'Introduction to BP's Voluntary Principles Implementation Guideline' with a foreword by John Sullivan, 'What are the Voluntary Principles?' with a link to an overview PDF, and 'About the Implementation guideline' with a 'More' link. A 'Useful links' section at the bottom right contains a link to 'The Voluntary Principles on Security and Human Rights'.

Further information and links

BP Human Rights Guidance Note

Explains what 'human rights' means to BP, articulates BP's position on difficult issues involving human rights and our business, and provides guidance for our leaders and employees.

www.bp.com/humanrights

Voluntary Principles on Security and Human Rights

For access to the full text of the Voluntary Principles, and information about participants from governments, companies and non-governmental organizations.

www.voluntaryprinciples.org

Business and Human Rights Resource Centre

For access to information about business impacts on human rights worldwide, both positive and negative.

www.business-humanrights.org

Human Rights Training Toolkit for the Oil and Gas Industry

Provides managers with a template that can be used and adapted to conform to a company's policy or position on human rights and applicable domestic laws and regulations.

www.ipeica.org/activities/social/social_hr.php

Contact details

Your feedback is important. For comments or further information e-mail:

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Voluntary Principles on Security and Human Rights Implementation Guideline

An extended summary

