

# List of Challenges

---

Click on the titles below to directly access the relevant section

<b>I. WORKING WITH HOST GOVERNMENTS</b>	<b>15</b>
<b>1.1. Engagement and coordination</b>	<b>16</b>
A. The identification of key interlocutors within the host government may be challenging, particularly when there is a change of government or when responsibility for security is devolved to regional or local levels. Furthermore, more than one government agency may work on the same issues.	16
B. The host government may not see any added value in engaging in a VPs in-country process.	19
C. The lack of coordination between national and local authorities may undermine agreements reached by companies at the national level when implemented at the local level.	22
<b>1.2. Governance and transparency</b>	<b>24</b>
A. Governments may selectively enforce laws and policies, making decisions on corporate operations without consulting with local communities or fully taking into account their social and environmental impacts, potentially resulting in human rights violations. In such situations, companies risk being perceived as benefiting from or being complicit in these practices.	24
B. Host governments and local authorities may manage legitimate payments by extractive companies in a non-transparent way.	27
C. Companies may be perceived as trying to unduly influence public institutions when they get involved in efforts to strengthen them.	29
D. In contexts of weak governance and poor enforcement capacity, companies may feel they have little option other than to take on some responsibility in the provision of services to local communities, which the host government and local authorities should normally assume.	30
<b>1.3. Human rights concerns</b>	<b>32</b>
A. Companies may find it difficult to address security and human rights related concerns and at the same time maintain their good relations with host government stakeholders.	32
B. Companies may lose credibility if they are perceived as using their leverage with the host government more on commercial, taxation or security issues than on human rights concerns.	37

<b>II. WORKING WITH PUBLIC SECURITY FORCES</b>	<b>39</b>
<b>2.1. Security arrangements</b>	<b>40</b>
A. Companies may be “obliged” to work with public security, including inside their sites, without knowing in advance the numbers and operational capabilities, as well as the rules and restrictions governing public security forces assigned to their area of operations.	40
B. In situations of armed violence, the public security forces assigned to areas of corporate operations may be considered as a military objective by one of the parties.	42
C. Public security forces may suffer from insufficient human resources, low salaries, inadequate training and poor equipment. This may increase the risk that they engage in criminal activity or human rights violations.	45
D. If payments (cash and in-kind) to public security forces in exchange for their services are not transparent, this may raise suspicions of corruption.	48
<b>2.2. Privatisation of public security</b>	<b>49</b>
A. Public security forces protecting company personnel and assets may risk prioritising the security of company’s operations over the security of the local population.	49
<b>2.3. Memorandum of Understanding (MoU)</b>	<b>51</b>
A. Companies may find it challenging to agree on a MoU with host government stakeholders.	51
B. Agreements with public security may be reached at the national level, but not reflected in the engagement at the local level. Human rights violations may still occur despite having a MoU in place.	53
<b>2.4. Vetting</b>	<b>57</b>
A. Vetting of public security forces may be very sensitive and difficult (or illegal) to conduct, particularly in fragile states and in post-conflict contexts. The lack of relevant information, such as personnel records, may make it impossible to conduct background checks as recommended in various guidance documents.	57

<b>2.5. Training</b>	<b>59</b>
<hr/>	
A. Training provided by host governments to public security forces may be inadequate and/or incomplete – e.g. security forces may not be trained in international human rights standards or minimal use of force techniques.	59
<hr/>	
B. Companies may feel compelled to become involved in the training of public security forces assigned to their area of operations because of the low levels of awareness and understanding of security and human rights issues by these forces.	62
<hr/>	
C. Companies may lose the benefit from the briefings, induction and training they provide due to the frequent rotation of public security forces.	66
<hr/>	
D. Security actors may have very different attitudes to human rights than found in VPs member companies' home states.	67
<b>2.6. Equipment</b>	<b>70</b>
<hr/>	
A. The lack of appropriate equipment to help manage social conflicts may lead to excessive use of force by public security forces.	70
<hr/>	
B. Companies may find themselves with little other option than to provide logistical, financial and/or in-kind support to public security forces in order to cover their most basic needs.	72
<hr/>	
C. Misunderstandings may result from companies operating with different policies on the provision of equipment to public security forces. Furthermore, when companies provide different types of equipment, maintenance may prove a challenge for public security forces.	75
<b>2.7. Use of force</b>	<b>76</b>
<hr/>	
A. Public security forces may be unprepared and untrained to use force appropriately.	76
<b>2.8. Human rights violations</b>	<b>79</b>
<hr/>	
A. In situations where they observe or are alerted to human rights violations by public security forces, companies may face the challenge of criticising the same institution that is providing security for their operations.	79
<hr/>	
B. Raising awareness on human rights policies may be more challenging with the armed forces than the police.	82
<hr/>	
C. Public security forces may themselves suffer human rights abuses, which may affect the quality of security service provision.	83
<hr/>	
D. Companies may not adequately monitor the behaviour of public security forces and/or press for proper resolution of human rights violations.	84

<b>III. WORKING WITH PRIVATE SECURITY PROVIDERS</b>	<b>88</b>
<b>3.1. Risk and impact assessment</b>	<b>89</b>
A. Companies may establish inadequate and inappropriate private security arrangements as a result of a failure to properly identify risks and impacts.	89
<b>3.2. Bids and contracts</b>	<b>93</b>
A. Companies may find it difficult to properly assess quality and cost considerations when selecting private security providers	93
B. Human rights responsibilities and potential liabilities of both the company and the PSP may not be clear.	97
C. In the absence of implementation guidance, PSPs may not fully perform according to international standards, despite their inclusion in contracts.	99
<b>3.3. Labour standards</b>	<b>104</b>
A. PSPs may not adequately pay their employees or provide safe working conditions. In such situations private security guards may not perform their duties according to companies' expectations	104
<b>3.4. Local procurement</b>	<b>107</b>
A. Depending on the local context and capacities, international PSPs may not meet the same standards in all countries in which they operate.	107
B. Companies may have to procure services locally due to national legal or contractual requirements or as a commitment to help develop the local economy, even where local PSPs do not meet international standards.	109
<b>3.5. Vetting</b>	<b>113</b>
A. Vetting requirements may be unrealistic in certain contexts. In particular, documentation on past performance of the PSP, as well as service and criminal records of its employees, may be unobtainable.	113
<b>3.6. Training</b>	<b>116</b>
A. Private security personnel may lack adequate training and not be familiar with international standards on human rights and international humanitarian law and how they apply to their day-to-day security duties.	116
B. Non-local PSPs may be unaware of or lack training in the culture, traditions and values of the local community. This may result in security practices that could be considered culturally inappropriate or disrespectful, leading to increased risk of conflict.	119

<b>3.7. Relationship between public and private security</b>	<b>122</b>
A. In some countries public security personnel work for PSPs when off-duty. This may create confusion over roles and responsibilities, which may lead to inappropriate practices, in particular with regard to the use of force, apprehension and detention.	122
B. Companies working with both public and private security may face multiple lines of command, poor communication, inadequate coordination, and resulting difficulties in investigating human rights abuses.	124
C. Where public security response times are inadequate, or where company operations are located in remote areas, it may be necessary for PSPs to act as first responders in high risk situations, or to otherwise deal with situations that are normally the responsibility of public security forces.	126
<b>3.8. Security equipment and use of force</b>	<b>129</b>
A. Private security personnel may not always have equipment that allows for a graduated use of force or may carry inappropriate weapons and firearms. This may result in the excessive use of force.	129
B. Companies may find themselves with little other option than to provide the PSP with the necessary equipment to effectively perform their functions.	133
<b>3.9. Oversight and accountability</b>	<b>135</b>
A. PSPs may not be subject to effective oversight by national authorities and/or their clients. In these situations, PSPs' accountability for their actions may be inadequate.	135
<b>3.10. Human rights abuses</b>	<b>140</b>
A. Despite having clear company policies and processes to ensure respect of human rights, human rights abuses by private security providers may still occur.	140

<b>IV. WORKING WITH COMMUNITIES</b>	<b>145</b>
Introduction	146
<b>4.1. Stakeholder engagement strategy</b>	<b>148</b>
A. The company may be faced with community-related security issues caused by unidentified root causes, unaddressed impacts of the operation or unfulfilled commitments. In these situations, tensions with communities may persist despite efforts by the company to address them.	148
B. Communities often comprise multiple sub-groups with different power structures, interests, needs and vulnerabilities. In these situations, inclusive community engagement can be particularly challenging and companies may face the risk of favouring or inadvertently excluding some sub-groups, thus creating or fuelling existing tensions.	153
C. Companies may at times engage with community members who take advantage of their positions to capture benefits without taking into account the interests and needs of the community.	159
D. It may be difficult to determine an effective engagement strategy with indigenous peoples, particularly the division of responsibilities between the government and the company, to ensure that the special rights of indigenous peoples under international law are respected.	161
E. Communities may mistrust the company's grievance mechanism.	165
<b>4.2. Information sharing, consultation and consent</b>	<b>169</b>
A. Where consultation with communities did not start early enough or was not conducted according to international standards, companies may lack the social license to operate.	169
B. Local communities may give their consent to corporate operations on the basis of unrealistic expectations or unknown impacts.	171
C. Companies may find it challenging to determine which information to share and how to engage communities on security arrangements.	174

<b>4.3. Internal alignment and coordination on stakeholder engagement</b>	<b>176</b>
<hr/>	
A. Senior management may not recognise the importance of or time and resources required for engaging constructively with communities.	176
<hr/>	
B. Inadequate coordination between company departments (in particular between security and community relations departments) on stakeholder engagement may result in conflicting policies and processes.	178
<hr/>	
C. Companies may risk conflict with communities if their contractors do not follow the company's policies on stakeholder engagement.	181
<hr/>	
<b>4.4. Security impacts of operations on communities</b>	<b>183</b>
<hr/>	
A. The company's operations may create unintended consequences, such as increased presence of armed groups, a rise in criminal activity, or greater security risks. As a result, communities, and in particular vulnerable populations, may be left without adequate protection or law enforcement provision.	183
<hr/>	
B. In-migration to an area as a result of new job and business opportunities created by the presence of a company may create tensions with and within local communities and result in negative impacts.	186
<hr/>	
C. Company safety and security measures and protocols may be perceived by communities as a deliberate barrier to engagement and a signal that the company sees communities as a security threat.	188
<hr/>	
D. Local communities often have the perception that public security forces work for the benefit of the company rather than the community, in particular where the presence of public security forces increases with the arrival of the company.	189
<hr/>	
E. Company operations may threaten or render illegal the livelihood of local communities (e.g. artisanal mining, hunting, fishing, farming) as a result of restricted access to land or environmental changes. This creates tensions and conflict between the company and the community.	191
<hr/>	
<b>4.5. Community impacts on company security</b>	<b>192</b>
<hr/>	
A. Local communities may obstruct or threaten company operations to express frustration regarding their socioeconomic, cultural and political rights, even when the cause is not directly related to the company. Some stakeholders may also benefit from conflict and may fuel tensions between the company and the community rather than trying to find peaceful solutions.	192
<hr/>	
B. Trespassers and thieves may gain access to a company's grounds to conduct illegal activities. In certain situations, this can result in violent attacks on security guards.	194