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Mozambique and the Voluntary Principles on Security and Human Rights

Incentives for engagement and implementation

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Summary

- In 2021, the government of Mozambique signalled its intent to become an engaged member of the Voluntary Principles Initiative (VPI) and has used the Voluntary Principles on Security and Human Rights (VPs) as a framework to govern security relationships between some extractive companies, state and non-state security actors, and communities. The usefulness of the VPs is becoming better understood in Mozambique and an in-country working group has been established with government participation. The VPs are recognized as a link between security, investor confidence and the potential reward from unlocking the economic potential of Mozambique's natural resource endowment.
- Several companies in Mozambique already use the VPs to govern and guide their security relationships, as well as to identify and mitigate against risks of human rights abuses. They are integrated into their codes of conduct, and into memorandums of understanding with the government, and they provide a framework for including communities on security issues. Unilateral business adherence to the VPs can produce benefits through enhanced security management and social licence to operate, but without overarching government leadership this will remain small-scale, short-term and inconsistent.
- Government membership of the VPI – a multi-stakeholder membership-based initiative – and adherence to the VPs are on their own not sufficient to significantly improve human rights in Mozambique's critical extractive sector. They need to be matched by a wider national, government-led effort to improve the human rights environment. Transparency, freedom of the press, and open civic space are vital for accountability and for auditing adherence to the VP principles.
- The sustained implementation of the VPs and engagement with the VPI, with the intention of becoming a signatory, are important statements of intent to human rights observance that will support Mozambique's efforts towards wider national and international commercial and diplomatic objectives, including its ambition to hold a non-permanent seat on the UN Security Council. In 2013, Mozambique became the first African country to begin work on a National Action Plan (NAP) on Business and Human Rights as a joint initiative between the government and Mozambican civil society organizations (CSOs). The NAP is part of the state's responsibility to disseminate and implement the UN Guiding Principles on Business and Human Rights (known as the Ruggie Principles after their architect John Ruggie, former UN Special Representative for Business and Human Rights). Mozambique has a further opportunity to show leadership in Africa by signing up to the VPs.

Introduction

Mozambique is endowed with significant natural resources and has attracted increasing investment from the mining and extractive sectors in recent years. But the country also faces significant unrest, violence and criminality – most notably due to an insurgency in Cabo Delgado, its northernmost province.¹ Insufficient government capacity and weak state security forces mean that the security of operations in the extractive sector can only be maintained effectively if there is a high degree of collaboration between companies and private as well as state security actors, and if positive relationships are built with communities affected by mining and extractive industries. To be sustainable, respect for human rights must be built into exploration and operations right from the outset. How to ensure the security of operators while protecting and promoting human rights is therefore a key concern of many companies and investors in Mozambique.

These issues are not new. Businesses used state and private security providers to guard their supply chains during Mozambique's civil war (1977–92),² and in the last 20 years the growth of mining, especially for coal and rubies, has been accompanied by a renewed focus on the role of the private sector in human rights. In 2013, Mozambique became the first African country to begin work on a National Action Plan (NAP) on Business and Human Rights as a joint initiative between the government and civil society organizations (CSOs).³ Despite these positive steps, Mozambique's government and private sector partners still face widespread community anger – as well as severe criticism from human rights organizations – over abuses committed both in counter-insurgency operations and the conduct of extractive industries. This constrains further investment, slows growth and holds back much-needed development. More needs to be done.

It is in this context that the Voluntary Principles on Security and Human Rights (VPs) can offer a roadmap to sustainable progress. Established in 2002, the VPs are a set of standards that provide guidance to companies and governments in managing their security operations in a manner that reduces the risk of human rights abuses.⁴ The VPs were the result of a dialogue between governments, companies and non-governmental organizations (NGOs) that addressed security-related human rights abuses and violations. This three-pillar approach – governments, businesses and NGOs – remains critical in providing structures for support and learning, as well as for accountability and monitoring.

¹ Vines, A. (2021), 'Responding to Mozambique's Islamic Insurgency: Will Foreign Military Assistance Make a Difference?', *Georgetown Journal of International Affairs*, 15 September 2021, <https://gjia.georgetown.edu/2021/09/15/responding-to-mozambiques-islamic-insurgency-will-foreign-military-assistance-make-a-difference> (accessed 1 Oct. 2021).

² Vines, A. (1998), 'The business of peace: "Tiny" Rowland, financial incentives and the Mozambican settlement', *Accord*, (3): pp. 66–74, <https://www.c-r.org/accord/mozambique/business-peace-%E2%80%99tiny%E2%80%99-rowland-financial-incentives-and-mozambican-settlement> (accessed 12 Aug. 2021).

³ See the submission of a coalition of national NGOs to the UN Human Rights Council periodic review in February 2021, noting that Mozambique did not ensure that businesses respected human rights as set out in the UN Guiding Principles on Business and Human Rights, instead relying solely on voluntary self-regulation: UN, Office of the High Commissioner for Human Rights (2021), *Summary of stakeholders' submissions on Mozambique [Universal Periodic Review]: report of the Office of the United Nations High Commissioner for Human Rights*, A/HRC/WG.6/38/MOZ/3, https://www.upr-info.org/sites/default/files/document/mozambique/session_38_-_may_2021/a_hrc_wg.6_38_moz_3_e.pdf (accessed 12 Aug. 2021).

⁴ See Annex 1 for the text of the Voluntary Principles on Security and Human Rights. Also see Voluntary Principles Initiative (undated), 'The Voluntary Principles on Security and Human Rights', <https://www.voluntaryprinciples.org/the-principles> (accessed 12 Aug. 2021).

Mozambique has a further opportunity to show leadership in Africa by signing up to the VPs. Implementing these, and engaging with the Voluntary Principles Initiative (VPI) – a membership-based organization which brings together states, NGOs and businesses to promote the implementation of the VPs – can foster socio-economic and political benefits. Committing to the provision of security that protects and promotes human rights can be an important way to build confidence among international investors and, ultimately, to help resource-endowed countries unlock the broader economic potential of existing and new production. Such benefits require all parties to demonstrate a mutual commitment to implementation. In complex operating environments, the VPs provide an important framework for due diligence and guidance on identifying and mitigating human rights risks.

The VPs are a set of standards that provide guidance to companies and governments in managing their security operations in a manner that reduces the risk of human rights abuses.

The sustained implementation of the VPs and membership of the VPI are important statements of commitment to human rights that will support Mozambique's efforts towards wider national and international commercial and diplomatic objectives, including its ambition to hold a non-permanent seat on the UN Security Council.

Among the major companies present in Mozambique, ExxonMobil, Galp, TotalEnergies, Shell, BP, Rio Tinto and Vale are already fully signed up to the VPI. Gemfields and Eni are engaged corporate members and are likely to be full members in the near future. Important partners of Mozambique with diplomatic missions in the capital, Maputo, are also VPI members and advocates. These include Argentina, Canada, the Netherlands, Norway, Switzerland, the UK and the US.⁵

The Mozambican government first considered signing up to the VPI in 2015. The usefulness of the VPs is gradually becoming better understood by key government stakeholders in Mozambique, driven in part by the belief of the National Human Rights Commission that both public institutions and the Mozambican people need to develop a deeper understanding of the interplay of issues around business and human rights. In 2021 the VPs are once again on the national agenda, with signals emerging from within the government that it is inclined to sign up.⁶

The purpose of this research paper is to highlight to government actors and extractive companies the utility of the VPs in helping to promote human rights best practice in violently contested situations. It is intended as a resource for the

⁵ Australia, Colombia and Ghana have non-resident ambassadors or high commissioners accredited to Mozambique. It is noticeable that France, Italy and Portugal, all of which have long-standing embassies in Mozambique, have not yet signed up to the VPI.

⁶ See, for example, the series of policy debates hosted by CDD: Centro Para Democracia e Desenvolvimento (2021), 'Dialogue Platform: Business, Security and Human Rights', <https://cddmoz.org/webinars-antigos> (accessed 13 Aug. 2021).

government of Mozambique, the private sector and civil society on the utility of the VPs, and it identifies regional and international partners as well as support networks that can be drawn upon. As Mozambique is preparing to undertake the process of becoming engaged in the VPI, with an ambition to achieve full government membership, there are several international case studies that illustrate best practice, as well as potential pitfalls that should be avoided. This paper includes short case studies on Ghana, Colombia and Indonesia which outline the respective experiences of these countries and the companies operating in them. It also highlights areas where the requisite mechanisms and processes already exist in Mozambique and refers to cases of learning in the country's recent history.

A copy of the VPs is included below as Annex 1.

The case for the VPs in the extractive industries

A tool for business

The primary responsibility for the promotion and protection of human rights rests with national governments. But businesses are increasingly recognizing their own responsibilities, as outlined in the 2011 UN *Guiding Principles on Business and Human Rights*.⁷ Extractive companies often operate in areas of weak state control or uneven presence, or where the legitimacy of public security forces is contested or inadequate.

In such circumstances, creating the conditions for extractive companies to operate often requires working with a range of security actors, including state security forces such as the police or military, private security companies and international advisers, as well as other stakeholders such as NGOs and community-based organizations. Such ad hoc hybrid security arrangements can be an effective and economical approach to achieving and maintaining security. However, if poorly controlled and unplanned, they can be counterproductive to security and detrimental to the protection of human rights.⁸

The VPs are an important tool for governing and guiding the relationships between the actors involved in security, and encourage companies to identify risks of human rights abuses and to take meaningful steps to address those risks. They also help ensure that local communities are represented and are able to influence decision-making on security issues, providing for community representation within a multi-stakeholder approach for the protection of human rights. The guidelines are a practical way to enable extractive operations to effectively manage security and reputational risks at local, national and international level.

⁷ United Nations (2011), *Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework*, New York and Geneva: United Nations, https://www.ohchr.org/documents/publications/guidingprinciplesbusinessshr_en.pdf (accessed 12 Aug. 2021).

⁸ For a critical analysis of security 'assemblage' in three African case studies, see Enns, C., Andrews, N. and Grant, J. A. (2020), 'Security for whom? Analysing hybrid security governance in Africa's extractive sectors', *International Affairs*, 96(4): pp. 995–1013, <https://doi.org/10.1093/ia/iiaa090> (accessed 12 Aug. 2021).

Box 1. Core principles of the VPs

The VPs provide a framework for companies to manage risk effectively by:

- Conducting a comprehensive assessment of human rights risks associated with security;
- Engaging appropriately with public and private security service providers and surrounding communities in complex environments;
- Instituting human rights screenings of and trainings for public and private security forces; and
- Developing systems for reporting and investigating allegations of human rights abuses.

In many cases, the VPs are already integrated into companies' own codes of conduct. Protection of communities and wider populations are integral to companies' social licence to operate.⁹ Other companies have also applied the VPs to maritime security.¹⁰ The VP framework's guidance on stakeholder engagement,¹¹ which brings community representatives and CSOs into conversations around security, can complement companies' existing stakeholder engagement and environmental, social and governance (ESG) initiatives, especially when companies encourage internal communication between security and community relations teams.

Patrick Pouyanné, chairman and executive officer of Total SA (now TotalEnergies), commented in late 2015:

[Total SA Group] is committed to respect internationally recognized [human rights] standards in the countries where we work. In doing so we focus on the following important issues: [...] Ensuring that the security of our people and facilities is managed in a responsible way and that the rights of [neighbouring] communities are respected; the management of security risks, including the use of government security forces and private security providers, should be in line with applicable international standards related to the proportionate use of force.¹²

⁹ Rio Tinto's 2011 guidance document on community complaints, disputes and grievances, which provides direction to Rio Tinto operations and sites in relation to community concerns that are reported, specifically references the VPs. (Page 11, document available at: <https://www.qal.com.au/media/9257/community-complaints-disputes-grievance-guidance-2011-2014.pdf>.) BP has a group-wide independent confidential helpline to enable employees or contractors to raise any concerns about possible breaches of the company code of conduct. In addition, its local subsidiaries have access to site-based or country-based grievance mechanisms to record and track reported stakeholder concerns. Such mechanisms include, in Azerbaijan, an emergency hotline mechanism to enable communities to report the use of force and rights abuses directly to BP and the state security provider; and in Georgia, the BP security team has installed 'feedback boxes' at all sites to ensure that the workforce can report issues. Global Compact Network Canada (2016), *Auditing Implementation of Voluntary Principles on Security and Human Rights*, <https://globalcompact.ca/wp-content/uploads/2016/08/Auditing-Implementations-of-VPs-on-Security-and-Human-Rights.pdf> (accessed 12 Aug. 2021).

¹⁰ Companies often require contracted security from both private and public providers offshore. Several models are emerging that use a mix of embarked private security force personnel, floating armouries, national maritime force personnel embarked on private vessels, and escorts. In Nigeria, TotalEnergies has worked with local staff in delivering awareness sessions for the Nigerian police and navy on the implementation of the VPs in maritime security activities. Oceans Beyond Piracy (2016), *Issue Paper: Defining Contracted Maritime Security*, available at: <https://oneearthfuture.org/research-analysis/obp-issue-paper-defining-contracted-maritime-security> (accessed 27 Sep. 2021).

¹¹ International Council on Mining and Metals (ICMM), International Committee of the Red Cross (ICRC), International Finance Corporation (IFC) and International Petroleum Industry Environmental Conservation Association (IPIECA) (2011), *Voluntary Principles on Security and Human Rights, Implementation Guidance Tools (IGT)*, https://www.icmm.com/website/publications/pdfs/social-performance/2011/guidance_voluntary-principles-on-security-and-human-rights.pdf (accessed 12 Aug. 2021).

¹² Total SA (2018), *Voluntary Principles on Security and Human Rights Total SA – 2017 Annual Report*, Paris: Total SA, https://www.sustainable-performance.total.com/sites/g/files/wompnd1016/f/atoms/files/total_-_vpshr_annual_report_2017.pdf (accessed 12 Aug. 2021).

Benefits to the state

Governments also gain significant intangible benefits from embracing the VPs. Signalling the intention to create a secure, stable and safe environment for businesses and their employees translates into increased confidence for operators and investors who are worried about compliance with international norms and standards. Government commitment is also necessary to enhance and elevate implementation of the VPs by businesses, given the need to address issues of state–society relations, the conduct and oversight of security forces, and accountability in decision-making that stretch far beyond the boundaries of any single mining site or exploration area. These are national issues that need national solutions.

For instance, human rights training for security forces needs to be implemented at a national level, rather than through standalone programmes targeted only at units deployed around operations and sites. Personnel are often redeployed, sometimes very rapidly, and companies may have subsidiary operations across a country that bring their own security and community relations challenges. For example, violent anti-government protests took place on the forecourt of a BP petrol station in Mozambique during the 2010 riots against fuel and food price increases. Government buy-in is also an important step towards building a domestic appetite for human rights training. Currently, many companies and partner governments support the use of third-party organizations or consultants to conduct human rights training for security forces. However, ‘train the trainers’ programmes would offer greater sustainability and scalability.¹³

Case study 1: Ghana

Box 2. Ghana: African leadership and the importance of government involvement

In 2016, Ghana became the first – and, to date, the only – government in Africa to become a member of the VPI, having first engaged with the initiative in 2014. Ghana has an extensive extractive industry. Mining contributes 6 per cent of national gross domestic product (GDP), and the country is the largest gold producer on the continent. The government’s commitment to the VPI is an important part of its domestic security and human rights agenda, in a context of historically poor trust in and credibility of its security forces; legacy issues between the mining sector and communities; and widespread artisanal and small-scale mining.

¹³ For example, the UK government has supported a ‘train the trainer’ programme in Kenya, implemented by the Geneva Centre for Security Sector Governance (DCAF) in partnership with the Safestainable consultancy, that has equipped 16 police instructors with the skills and knowledge to deliver onward training on VP implementation to a further 80 counterparts in four counties across Kenya. The training was an effort to improve Kenya’s police performance and respect of human rights in general, in particular when assigned to the protection of critical infrastructure projects. Foreign, Commonwealth and Development Office (2021), *Voluntary Principles on Security and Human Rights for businesses operating in complex or fragile environments: UK update report 2020*, <https://www.gov.uk/government/publications/voluntary-principles-on-security-and-human-rights-for-businesses-operating-in-fragile-environments-uk-update-report-2020> (accessed 12 Aug. 2021). Business & Human Rights Resource Centre (2019), *Addressing Security and Human Rights Challenges in Complex Environments*, DCAF–ICRC Quarterly Newsletter, April 2019, <https://www.business-humanrights.org/fr/derni%C3%A8res-actualit%C3%A9s/dcaf-icrc-quarterly-newsletter-april-2019> (accessed 12 Aug. 2021).

Between 2015 and 2018, a US-based NGO, Fund for Peace, and the Ghanaian branch of the West Africa Network for Peacebuilding (WANEP-Ghana) implemented a programme of support for strengthening engagement between civil society, government and the extractives sector on security and human rights issues.¹⁴ This supported the development of an NAP as well as increasing education at a national level on the VPs, with a core emphasis on facilitating national dialogue. The programme also produced a wide range of educational resources on the VPs and their implementation in the Ghanaian context.

In 2017, Ghana became one of the first countries to set up a VPI in-country working group (ICWG). The group meets quarterly in the capital Accra to discuss key security and human rights issues in the Ghanaian natural resource sector, to support government efforts to implement VP-related programmes and policy, and to share lessons learnt and success stories on implementation.

Government buy-in to the process, and cooperation with other actors through the working group, has had a positive impact in Ghana. In 2017, under Operation Vanguard, a military and police joint task force was set up by the president to address illegal mining and other issues relating to land use and resource extraction. Initially, forces were deployed without human rights training, and there were allegations of misconduct and human rights abuses against villagers. Following a recommendation by the working group, officers were given pre-deployment training on the VPs, following which the situation improved. The fact that government security forces are trained in the VPs is an important point for signatory companies, accountable to international shareholders, who must work in partnership with the government on issues around land use and illegal mining.

In Ghana, VPI members AngloGold Ashanti, Newmont and Tullow Oil have worked in cooperation with the government to ensure the safeguarding of human rights around their sites. This has included using third-party organizations, and working with national security personnel, to provide training on the VPs, including to government officials and to the Ghana Chamber of Mines. In line with internationally recognized best practice, AngloGold Ashanti has a policy that all contractual agreements and memorandums of understanding (MoUs) with private and public security service providers make reference to the company's commitment and obligations to the VPs, and detail its expectations from security providers.

In 2020, the ICWG of the VPs in Ghana received funding support from the Voluntary Principles Association to implement some activities outlined in the NAP.¹⁵ The four priority areas are public security training, private security licensing reform, security and human rights in small-scale mining, and coordination between the oil and gas sector and coastal communities.

¹⁴ The Fund for Peace and WANEP-Ghana (2018), *Voluntary Principles in Ghana: Final Project Report*, Washington, DC: The Fund for Peace, <https://fundforpeace.org/wp-content/uploads/2018/08/201011808-vpsshghana-sml-1.pdf> (accessed 12 Aug. 2021).

¹⁵ Government of Ghana (2021), *2020 Annual Report of the Government of Ghana on Voluntary Principles on Security and Human Rights Initiative*, <https://www.voluntaryprinciples.org/wp-content/uploads/2021/03/Ghana-2020-VPs-Report.pdf> (accessed 12 Aug. 2021).

A transnational network

In addition to the principles themselves, the VPI is a multi-stakeholder initiative comprising companies, governments and civil society that promotes the implementation of the principles through peer learning and the sharing of best practice. Founded in 2000, the VPI's governmental membership now comprises ten states around the globe: Argentina, Australia, Canada, Colombia, Ghana, the Netherlands, Norway, Switzerland, the UK and the US.

Members of the VPI participate in dialogue about the challenges of implementing the principles; engage in mutual learning and collaborative problem-solving with other members which are well versed in security and human rights issues; create partnerships to address the challenges of security and human rights at international, national and project level; jointly promote human rights to provide lasting positive impact; and develop tools that will help define best practice.¹⁶

A range of resources is available to support governments and companies in their application and implementation of the VPs at a practical level: for example, presenting options for how to use the VPs as a basis for human rights training for public security personnel.

See Annex 4 for an overview of key guidelines and toolkits to support the implementation of the VPs.

The VPs have been criticized, particularly by some international NGOs. The VPs themselves are non-binding and have no enforcement mechanism, and so depend on stakeholders honouring their commitments to upholding the principles, taking steps to prevent abuse and accurately reporting abuse when it does occur. Compliance and implementation remain at the discretion of individual companies, which frequently have a limited capacity for third-party enforcement, leading to a perceived transparency deficit around reporting. Further criticisms have focused on the vagueness of some of the principles, the potential flexibility surrounding their interpretation and the lack of a mechanism for the disclosure of security-sensitive matters. Moreover, the VPs work on a narrow definition of human rights, and do not cover indigenous peoples' rights, freedom of expression, assembly and association, or women's rights. These doubts have led some international NGOs to disengage from the initiative.

Recognizing this monitoring gap, in 2012 and 2013 a group of VPI participants created a baseline set of key performance indicators (KPIs) and an audit protocol that together provide a methodology for companies and others to help assess levels of implementation of, and compliance with, the VPs. In 2015, a multi-stakeholder working group was formed within the Global Compact Network Canada to further explain the KPIs and the audit protocol, producing a guidance document for companies to help measure and improve stakeholder confidence in their security

¹⁶ Voluntary Principles Initiative (undated), 'The Voluntary Principles on Security and Human Rights'.

and human rights programmes.¹⁷ This highlights the level of agency that national governments and CSOs can exercise in creating and shaping context-specific frameworks to aid the implementation of the principles.

Case study 2: Colombia

Box 3. Colombia: State commitment to VPs must be backed up with wider support for human rights

The successful implementation of the VPs in Colombia has been attributed to the country's state-led, 'top-down' approach. However, concerns remain about the wider context of business and human rights in the country. The case of Colombia highlights that the VPs can play an important role in reducing the risk of human rights abuses in interactions between the security forces and civilians (including employees) centred around extractive operations. A more concerted effort will be required from the state, both to improve its human rights record and to implement policies for equitably managing natural resources while supporting national economic development.

Like Mozambique, Colombia faces a range of security threats. A peace deal with the Revolutionary Armed Forces of Colombia (FARC) rebel group in 2016 brought the country closer to ending almost five decades of 'hot conflict', although violence continues. Colombia also faces significant threats from other armed groups and from organized crime. The presence of natural resource extraction operations has shaped the course and character of conflict in the country.¹⁸ For FARC, oil is considered a military target, given the government's fiscal dependence upon it. In the past, FARC has also used oil theft and illegal mining as sources of funding. Right-wing paramilitary groups have also benefited financially from mining.¹⁹ Colombia continues to face complex economic, political and security dynamics.

The VPs have been implemented in Colombia since their inception by companies operating in the country. The government of Colombia has been vocal in its commitment to the promotion and implementation of the VPs since 2003. Four international oil companies and the largest national oil association approached the embassies of VPI member states and helped to facilitate a dialogue involving the vice-president's office and the Colombian foreign and defence ministries regarding the importance of the VPI for Colombia.²⁰ This dialogue led to the creation of the National Committee for the Implementation of the Voluntary Principles, renamed in 2008 to the Mining and Energy Committee on Security and Human Rights (Comité Minero Energético de Seguridad y Derechos Humanos – CME). Participation in the CME was subsequently expanded to include the National Human Rights and IHL (international humanitarian law) Programme, the high command of the military

¹⁷ Global Compact Network Canada (2016), *Auditing Implementation of Voluntary Principles on Security and Human Rights*, <https://globalcompact.ca/wp-content/uploads/2016/08/Auditing-Implementations-of-VPs-on-Security-and-Human-Rights.pdf> (accessed 12 Aug. 2021).

¹⁸ Giner Lloret, A. (2017), 'Social dynamics surrounding oil exploitation in Colombia: a case study of BP's activities in Casanare', *Yearbook on Humanitarian Action and Human Rights* (6/2009): pp. 15–38, <https://djh.revistas.deusto.es/article/view/1099/1278> (accessed 12 Aug. 2021).

¹⁹ *Ibid.*

²⁰ Government of Colombia (2021), *Voluntary Principles on Security and Human Rights Annual Report 2020: Colombia*, <https://www.voluntaryprinciples.org/wp-content/uploads/2021/03/VP-Colombia-Report-2020.pdf> (accessed 12 Aug. 2021).

forces and the Colombian army; the national police; and the superintendency of surveillance and private security. In 2009, the Colombian government became an engaged member of the VPI, progressing to full membership from 2013. Cross-ministry engagement and cooperation is seen as contributing to the success of this process.

On 9 December 2015, Colombia became the first non-European country to adopt an NAP on Business and Human Rights. The initial three-year plan has been followed by successional three-year plans, all within the framework of the National Strategy for Guaranteeing Human Rights 2014–2034.

Colombian companies have trained employees in human rights; adopted security protocols to protect union leaders; introduced the requirements of the VPs to contractors, including private security operators; installed hotlines so that employees and communities can report irregular behaviour; and acted to reduce the number of former military staff unsympathetic to human rights norms being employed by their security departments.

[In Colombia, some] companies have even begun to analyse complex issues such as the peace and human rights concerns involved in reintegrating former combatants; how to help contractors avoid extortion by illegal armed groups; and ways to strengthen judicial authorities and promoting democratic culture. All this would not have been possible without the VPs.²¹

Alexandra Guáqueta, public affairs adviser, Cerrejón

All actors in Colombia's conflict continue to face allegations of human rights abuse, including the public security forces.²² Human rights groups have criticized companies for using the VPs to legitimize their presence in conflict-affected areas, and for the role they have played in that conflict, including sharing intelligence that leads to abuse. Furthermore, data from the Business & Human Rights Resource Centre data show Colombia to be the second most dangerous country in the world for attacks on human rights defenders working on business issues, accounting for 9 per cent of all cases globally.²³

The VPI also supports ICWGs, which meet regularly to discuss security and human rights issues and work towards improving trust and achieving mutually agreeable solutions. For example, in Ghana, VP programmes have facilitated training and dialogue for constructive engagement between local government, communities and companies to address issues and grievances transparently, and to ensure that public and private security forces are acting responsibly and proportionately. (See case study 1 and Box 2.) Working with a diverse range of stakeholders greatly enriches risk assessments and conflict analysis, as well as building trust. The successful implementation of the VPs is dependent on creating a wider environment of human rights recognition and protection, accountability

²¹ Alexandra Guáqueta, public affairs adviser, Cerrejón, cited in Reuters (2008), 'Business and human rights – Debate: Voluntary Principles on Security and Human Rights – Do the Voluntary Principles safeguard human rights?', 2 June 2008, <https://www.reuters.com/sustainability/business-strategy/business-and-human-rights-debate-voluntary-principles-security-and-human-rights-do> (accessed 12 Aug. 2021).

²² Human Rights Watch (2020), 'Colombia: Events of 2019', <https://www.hrw.org/world-report/2020/country-chapters/colombia#> (accessed 12 Aug. 2021).

²³ Business & Human Rights Resource Centre (2020), 'Business and Human Rights Defenders in Colombia', <https://www.business-humanrights.org/en/from-us/briefings/business-and-human-rights-defenders-in-colombia> (accessed 12 Aug. 2021).

and transparency – including press freedoms and freedom of reporting. In this regard, the VPs complement other initiatives on the protection of human rights and other ESG issues.²⁴

Box 4. The impact of ICWGs in South Kivu, Democratic Republic of the Congo (DRC)

The South Kivu working group in the DRC is highlighted as a successful example of how ICWGs can contribute to improved security and human rights protection. In the Congolese town of Nyabibwe, three cooperatives were in dispute over the operating licence of a mining site. Violence had begun to escalate and had put a halt to mining, threatening the livelihoods of the local community. The ICWG intervened and supported a process of mediation between the cooperatives, leading to the striking of an agreement and the reopening of the site.²⁵

In Bitale, mining cooperatives hired elements of the public security forces to defend their claims, forcing public authorities to suspend mining operations. The ICWG facilitated a resolution and followed up with the commanding general. It advocated for the withdrawal of troops that were stationed illegally on the mining site and in the adjacent town, helping to prevent further human rights violations and allowing artisanal and small-scale extraction to resume.²⁶ Lastly, in Twangiza the working group picked up on allegations of police abuse, including shootings and torture. It brought the case before provincial authorities and obtained the arrest and replacement of the officers involved. New security arrangements were introduced in consultation with the community.²⁷

²⁴ A number of international frameworks and principles exist to help governments and companies on security issues, including: the Montreux Document and Montreux Document Forum relating to practices of private security companies; the International Code of Conduct for Private Security Service Providers and the International Code of Conduct Association; the Security and Human Rights Implementation Mechanism; and a framework agreement between DCAF, the ICRC and the China Chamber of Commerce of Metals, Minerals and Chemicals Importers and Exporters (CCCME) to promote security and human rights good practice with Chinese companies operating in complex environments abroad. With specific regard to extractive industries in conflict areas, in 2016 the OECD produced the third edition of its *Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (see below). The primary African institutions on human rights are the African Charter on Human and Peoples' Rights (adopted in 1981), the African Commission on Human and Peoples' Rights (established in 1987) and the African Court of Justice and Human Rights (1998). In September 2014 the UN Working Group on Business and Human Rights facilitated a conference around the UN Guiding Principles on Business and Human Rights and the UN Office of the High Commissioner for Human Rights (OHCHR)'s 2012 guidance resource, 'The Corporate Responsibility to Respect Human Rights: An Interpretive Guide', in partnership with the African Union Commission, the UN Economic Commission for Africa, and the OHCHR. Geneva Centre for Security Sector Governance (DCAF) (2021), 'International Initiatives', <https://businessandsecurity.dcaf.ch/en/international-initiatives-0> (accessed 12 Aug. 2021); OECD (2016), *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition*, Paris: OECD Publishing, <http://dx.doi.org/10.1787/9789264252479-en> (accessed 12 Aug. 2021).
²⁵ Geneva Centre for Security Sector Governance (DCAF) (2020), 'DRC case studies – Nyabibwe', <https://www.securityhumanrightshub.org/node/402> (accessed 12 Aug. 2021).
²⁶ Geneva Centre for Security Sector Governance (DCAF) (2020), 'DRC case studies – Bitale', <https://www.securityhumanrightshub.org/node/401> (accessed 12 Aug. 2021).
²⁷ Geneva Centre for Security Sector Governance (DCAF) (2020), 'DRC case studies – Twangiza', <https://www.securityhumanrightshub.org/node/400> (accessed 12 Aug. 2021).

Security, business and human rights in Mozambique

Respect for human rights is a cornerstone for the kind of country we are building, a country where each and every citizen should feel free and protected as a citizen.²⁸
President Filipe Nyusi, address to the nation marking National Women's Day, 7 April 2021.

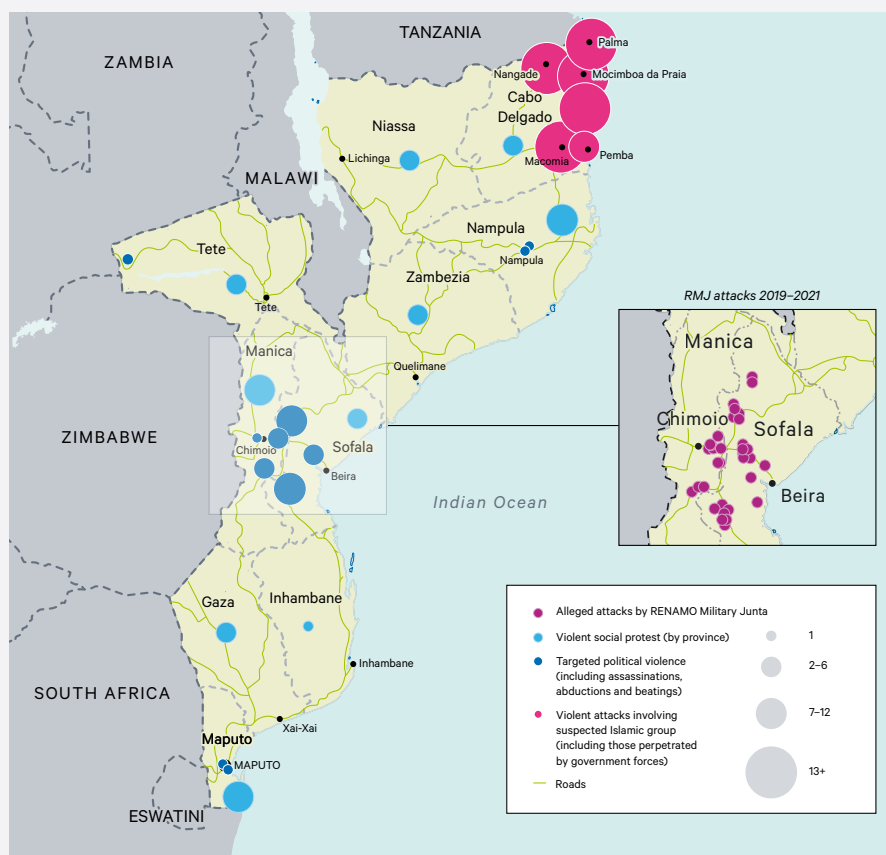
Box 5. Mozambique's diverse security risks: social protest, armed violence and insurgency

The government of Mozambique faces a variety of security threats. Since October 2017 an armed insurgency has gained momentum in Cabo Delgado, in the extreme northeast of the country close to the Tanzanian border, threatening the future of the fledgling liquefied natural gas (LNG) sector and creating a humanitarian crisis. Although a peace deal in 2019 brought an end to armed violence perpetrated by RENAMO (the Mozambican National Resistance) – the losing party in Mozambique's civil war (1977–2002) which had resumed limited armed operations in 2013 – a splinter group, the RENAMO Military Junta (RMJ), continued to commit sporadic armed attacks until the death of its leader in October 2021.

Organized crime and the illicit trade in drugs, minerals, gemstones, timber and illegal wildlife products are prevalent throughout the country, particularly in the less developed north, and all provinces have been affected by violent protests focusing on socio-economic issues. The state has an uneven presence across the country. In many locations it has minimal capacity and is severely weakened by corruption. There is a high risk of human rights abuses occurring when public or private security forces are weak, inexperienced or not adequately trained to counter these diverse and varied risks.

²⁸ See NewsHawks.com (2021), 'President Nyusi Sadc double Troika Summit speech', 10 April 2021, <https://thenewshawks.com/president-nyusi-sadc-double-troika-summit-speech> (accessed 12 Aug. 2021).

Figure 1. Social protest and armed violence in Mozambique, October 2017–July 2021



Source: Chatham House Africa Programme.

The government of Mozambique faces several peace and security challenges. While progress has been made on disarming and demobilizing former RENAMO combatants, the ongoing insurgency in northern Cabo Delgado has had a significant humanitarian impact on the local communities, and has alarmed the international operators of the recently established LNG projects, as well as those operators’ partners. External intervention, including a rapid deployment force from the Southern African Development Community (SADC) – the SADC Mission in Mozambique (SAMIM) – and a 1,000-strong contingent sent by Rwanda in July 2021, has made progress in pushing back insurgent gains, but there is recognition both within and outside the country that a reliance on externally provided security will not resolve the issue in Cabo Delgado.

Events in Cabo Delgado have increased attention and debate on how security can be provided by Mozambique’s Defence and Security Forces (FDS); how they can collaborate with other actors on the ground; and what frameworks exist to govern these security relationships. The relationship between business and human rights had already come under scrutiny in response to a surge in investment in the coal and ruby mining sectors between 2006 and 2011. Many challenges persist on the provision and implementation of security and protection of human rights around resource sites,

especially with regard to the resettlement of people displaced by mining activities. In 2013, a Human Rights Watch report alleged that the Mozambican government's speed in both approving mining licences and inviting billions of dollars in investment outstripped the pace of the creation of adequate safeguards to protect directly affected populations, disrupting communities' access to food, water and work.²⁹

Since then, the government of Mozambique has committed itself to protecting and promoting human rights, and has taken several steps in support of this aim. As mentioned above, in 2013 Mozambique became the first country in Africa to begin work on an NAP on Business and Human Rights as a joint initiative between the government and CSOs.³⁰ In the same year, deputy justice minister Alberto Nkutumula highlighted the growing recognition of the responsibility of companies in protecting human rights, stating that 'this climate is indispensable for the balance between economic growth and the welfare of citizens, thus contributing to the harmonious development of the country'.³¹ In 2014, Albachir Macassar, the then national director for human rights and citizenship within the justice ministry, spoke at the UN-convened African Regional Forum on Business and Human Rights in Addis Ababa on the importance of NAPs. The justice ministry published a report in 2016 on business and human rights, and in November 2017 the Mozambique Bar Association's Human Rights Commission, with support from the Westminster Foundation for Democracy, held three days of training and multi-stakeholder consultations across government, parliament, business and civil society to build capacity on business and human rights, including drafting NAPs. The efforts of national champions within ministries and departments must now translate into wider government support.

Box 6. Key pillars of consideration for the National Action Plan on Business and Human Rights

- Raise citizens' awareness of the links between business and human rights, and of VP violations and available remedies;
- Publicize existing norms and legislation, and invest in their improvement and development by exchanging best practices with other countries; and
- Build the technical, human, material and financial capacity of administrative and judicial institutions, including the office of the ombudsman and independent human rights bodies.

Source: Authors' compilation.

The expanding role of mining and extractives as a key contributor to the national economy means that there is an urgent need for codes of conduct to be adopted and for rules to be established concerning the duties and rights

²⁹ Human Rights Watch (2013), 'Mozambique: Mining Resettlements Disrupt Food, Water', 23 May 2013, <https://www.hrw.org/news/2013/05/23/mozambique-mining-resettlements-disrupt-food-water> (accessed 12 Aug. 2021).

³⁰ It was structured into several phases, beginning with awareness-raising for all stakeholders including government institutions; and second, development of the baseline study analysis that formed the basis for the report.

³¹ AllAfrica.com (2013), 'Mozambique: Role of Business in Human Rights Discussed', 17 September 2013, <https://allafrica.com/stories/201309180276.html> (accessed 12 Aug. 2021).

of government institutions, businesses and citizens. High-level commitments need to be turned into action on the ground, and it is in this context that the VPs can offer a way forward. Initial steps to launch discussions have already been taken by Mozambique's international partners, including the UK, US and the UN Development Programme.³² At the 38th session of the UN's Universal Periodic Review of Mozambique's human rights record, held in Geneva in May 2021, the Mozambican government was asked (by the US) to detail the steps it is taking to implement the VPs, and was also asked whether it had considered joining the VPI.³³

Several companies present in Mozambique have independently noted that their in-country security arrangements are in compliance with their VP commitments. These include Rio Tinto and Gemfields, an engaged corporate member. The energy companies TotalEnergies, ExxonMobil and Eni³⁴ have also conducted workshops and training that include coverage of the VPs.³⁵

Box 7. Private sector commitments to the VPs in Mozambique

Many commercial operators in Mozambique are already implementing the VPs in their security protocols. A total of 12 VPI signatory companies or aspiring members currently operate in the country, or have previously done so: Anglo American, BHP Billiton, BP, Eni, Equinor, ExxonMobil, Galp Energia, Gemfields, Rio Tinto, Shell, TotalEnergies and Vale. These companies are already reporting on human rights abuses on their sites, and most are already supporting third parties to conduct human rights training for security forces.

TotalEnergies reported in 2020 that it does not use private armed security companies in Mozambique.³⁶ A company spokesperson was cited in January 2021 as having stated: 'Each Mozambican military or police officer assigned to the protection of the [Afungi-based Mozambique LNG] facility receives VPSHR (Voluntary Principles on Security and Human Rights) training. [TotalEnergies] is particularly vigilant about the proper application of these principles, and this subject is regularly raised with the authorities.'³⁷

³² A number of events have taken place: the UN Development Programme has held a series of workshops; the UK lobbied the Mozambican government on the VPs in 2015; and round-table discussions on the topic of business and human rights for UK-affiliated companies working in the extractive sector were hosted by the British High Commission in 2019. The round-table talks served as an opportunity to exchange information on how companies can do more on the VPs, including boosting compliance. One of the UK companies in attendance gave a presentation on its experience of safeguarding human rights and developing an operational grievance mechanism in Mozambique. The US has also been encouraging the government's engagement.

³³ UN Human Rights Council (undated), 'Universal Periodic Review – Mozambique', Third Cycle, <https://www.ohchr.org/EN/HRBodies/UPR/Pages/MZindex.aspx> (accessed 25 Jun. 2021).

³⁴ Eni (also an engaged corporate member) held human rights training sessions in Mozambique in 2014 and 2018 that included discussion of the VPs.

³⁵ In 2014, Eni commissioned the Danish Institute for Human Rights (DIHR) to conduct a scoping exercise for a human rights impact assessment (HRIA) of its activities in Mozambique. Priority impact areas were identified including conflict and security. In May 2018, DIHR also conducted a human rights assessment (HRA) related to the activities carried out by Eni's subsidiaries operating in Mozambique (Eni Rovuma Basin and Eni Mozambique) and Coral FLNG SA, including reference to the VPs. Eni Rovuma Basin (2020), *Area 4 Human Rights Action Plan: Interim Report*, Maputo: Eni Rovuma Basin, https://www.eni.com/assets/documents/eng/just-transition/human-rights/HRAP-Area-4-Interim-Report-rev_20210308.pdf (accessed 25 Jun. 2021).

³⁶ In January 2021, the TotalEnergies group was reported to have contracts in Mozambique with the British security consultancy firms Blue Mountain and Control Risks, as well as with the global security giants GardaWorld (Canada), G4S (UK) and the Mozambican Arkhe Risk Solutions. Business & Human Rights Resource Centre (2021), 'Mozambique: Total keen on continuing with gas project despite insurgency', 7 January 2021, <https://www.business-humanrights.org/en/latest-news/mozambique-total-keen-on-continuing-with-gas-project-despite-insurgency> (accessed 25 Jun. 2021).

³⁷ Ibid.

Likewise, ExxonMobil has reported that ‘in some instances, host governments require ExxonMobil to engage their security forces. In these cases, we have signed agreements with governments that include expectations for respecting human rights consistent with the Voluntary Principles, as well as compliance with relevant local, [UN] and other security-related frameworks. We have agreements in place in [...] Mozambique.’³⁸

In 2019, Eni submitted a company application and action plan to the VPI. The VPs were already included in two of the company’s main human rights documents, *Eni’s Statement on Respect for Human Rights* and its *Code of Ethics*.³⁹ In 2021, the company achieved the top score among extractive companies on the Corporate Human Rights Benchmark index, having been assessed against a number of indicators focusing on key areas of the UN Guiding Principles on Business and Human Rights.⁴⁰ In Mozambique, Eni and its local subsidiary Eni Rovuma Basin have engaged with the Danish Institute of Human Rights, which produced a report of observations and recommendations for their in-country operations. The company’s human rights action plan for 2019–22, approved at group level in 2019, is being implemented, though some activities have been postponed due to the COVID-19 pandemic.

In 2020, Gemfields became the first gemstone company in the world to be recognized as an engaged corporate member by the VPI.⁴¹ The company operates the Montepuez ruby mine in Cabo Delgado, owning a 75 per cent stake, with Mozambican mining firm Mwiriti Limitada owning the remaining 25 per cent. Gemfields also has four exploration projects in the country. The firm had previously faced legal action over accusations of abuse by public and private security forces at the concession. Unlike VPI member companies involved in the Tete coal boom – Anglo American, Rio Tinto and Vale – Gemfields faces the additional issue of the infiltration of very high numbers of informal artisanal miners at its site. It was seen as imperative that the company’s security arrangements place the VPs at their core to address such security issues, including in its incident reporting mechanisms. The company’s director of sustainability, policy and risk has commented that ‘[the] VPSHR represents an important space for governments, NGOs and corporates to share and challenge each other on how to improve security and human rights best practice and we welcome the opportunity to learn from these knowledgeable peers, as well as share our own experiences.’⁴²

³⁸ ExxonMobil (2021), ‘Human Rights’, 5 January 2021, <https://corporate.exxonmobil.com/Sustainability/Sustainability-Report/Social/Human-Rights#Securityandhumanrights> (accessed 25 Jun. 2021).

³⁹ Eni SpA (2020), *Eni SpA: Annual Report on Voluntary Principles on Security and Human Rights*, Voluntary Principles Initiative, <https://www.voluntaryprinciples.org/wp-content/uploads/2021/03/Eni-Spa-ANNUAL-REPORT-2020-.pdf> (accessed 13 Aug. 2021); see also Eni SpA (undated), *Eni’s Statement on Respect for Human Rights*, https://www.eni.com/en_CH/attachments/pdf/Enis-Statement-on-respect-for-Human-Rights.pdf, and Eni SpA (undated), *Code of Ethics*, <https://www.eni.com/assets/documents/governance/eni-code-of-ethics.pdf> (accessed 13 Aug. 2021).

⁴⁰ See World Benchmarking Alliance (2020), ‘Corporate Human Rights Benchmark’, <https://www.worldbenchmarkingalliance.org/corporate-human-rights-benchmark> (accessed 27 Sep. 2021).

⁴¹ An overview of the company’s policies, processes and experience with the VPI can be found in its 2020 engaged company report to the initiative: Gemfields (2020), *Gemfields: Voluntary Principles on Security and Human Rights. 2020 Engaged Company Report*, <https://www.gemfieldsgroup.com/sustainability/?upf=dl&id=11696> (accessed 13 Aug. 2021).

⁴² Bulbulia, T. (2020), ‘Gemfields accepted as corporate member of voluntary human rights initiative’, *Engineering News*, 26 May 2020, <https://www.engineeringnews.co.za/article/gemfields-accepted-as-corporate-member-of-voluntary-human-rights-initiative-2020-05-26> (accessed 14 Aug. 2021).

There is growing support for the VPs from Mozambique's civil society. In 2021 the national NGO Centro para Democracia e Desenvolvimento (CDD) conducted a series of webinars on business security and human rights, focusing on Cabo Delgado. During these discussions – which were attended by representatives of the justice and defence ministries, the CDD and the National Human Rights Commission, delegates from provincial governments, businesses and CSOs, and researchers – a consensus was reached on the importance of the VPs for Mozambique at this phase of its economic development. A large portfolio of investments in the mining and extractive sectors is threatened by the intensification of insurgent attacks in Cabo Delgado and allegations of human rights abuses against public and private security providers.

In the context of persistent reports from among the population of extortion, theft and abuses by the FDS, leaders of Mozambique's security forces have likewise acknowledged the importance of the VPs in offering a guide for the behaviour of its personnel, in addition to the Universal Declaration of Human Rights and other norms of public international and humanitarian law.⁴³ In addition, the Mozambican government has used the VPs to frame engagements that it has reached with the private sector, notably the memorandum of understanding it signed jointly with TotalEnergies on 24 August 2020, which stated that: 'The Government of Mozambique is committed that the Joint Task Force personnel shall act according to the Voluntary Principles on Security and Human Rights (VPSHR).'⁴⁴ However, it is important to note that citizen engagement and participation is largely restricted to those communities around sites, and there is no wider platform for national engagement on these issues.

On 14 July 2021, an agreement was concluded which established a national working group on the effective implementation of the VPs in Mozambique.⁴⁵ Speaking at the launch event – which was hosted jointly by the justice ministry and the CDD – Jorge Ferreira, the ministry's inspector general, stressed the importance of establishing a national VP working group that brought together state institutions, private sector actors and CSOs,⁴⁶ and emphasized that adherence by Mozambique to the VPs should be complemented by adherence to other, related, instruments, in particular the UN Guiding Principles on Business and Human Rights. A partnership with CDD and the Geneva Centre for Security Sector Governance (DCAF) has been established to promote the implementation of the VPs in Mozambique through the creation of two VP working groups, one

⁴³ Colonel Omar Saranga, speaking on behalf of the defence ministry, was quoted in February 2021 as stating that the VPs are 'one of the tools of reference in the operation of the [Mozambique armed forces]'. Cronje, J. (2021), 'Feature: Centre for Democracy and Development pushes human rights in Mozambique', DefenceWeb, 17 February 2021, <https://www.defenceweb.co.za/joint/diplomacy-a-peace/feature-centre-for-democracy-and-development-pushes-human-rights-in-mozambique> (accessed 12 Aug. 2021).

⁴⁴ Mozambique LNG (2020), 'Total signs agreement with the Government of Mozambique regarding the security of Mozambique LNG project', Press release, 24 August 2020, <https://mzlmg.totalenergies.co.mz/en/press-releases/total-signs-agreement-government-mozambique-regarding-security-mozambique-lng-project> (accessed 28 Sep. 2021).

⁴⁵ CDD (2021), 'Roundtable Endorses Creation of National Working Group on Voluntary Principles for Mozambique', *VPSHR in Mozambique Bulletin*, 1(17), <https://cddmoz.org/wp-content/uploads/2021/07/Roundtable-Endorses-Creation-of-National-Working-Group-on-Voluntary-Principles-for-Mozambique.pdf> (accessed 13 Aug. 2021).

⁴⁶ CDD (2021), 'Princípios Voluntários sobre Negócios, Segurança e Direitos Humanos em Moçambique' [Voluntary Principles on Business, Security and Human Rights in Mozambique], CDD Mozambique, YouTube, streamed live on 14 July 2021, <https://www.youtube.com/watch?v=9yd2ML6ke7U> (accessed 13 Aug. 2021).

at national level and one in Cabo Delgado. CDD plans to lead the initiatives in-country, while DCAF will provide technical advice, project management expertise and international donor coordination.⁴⁷

In addition to the implementation of the VPs, membership of the VPI would also greatly enhance the opportunities within Mozambique for information sharing and dissemination. There is significant benefit to being able to engage with business and CSOs to identify problems and grievances before they escalate. This includes working with VP signatory governments' diplomatic missions, both in Maputo and in neighbouring states accredited to Mozambique. VPI membership also provides a platform to cooperate with signatory companies responsible for providing protection to their Mozambican employees and facilities.

Challenges to the implementation of the VPs in Mozambique

Adherence to the VPs would benefit investments in the mining and extractive sectors in Mozambique, minimize the possibility of conflict, and help support the state in its duty to protect human rights. But there are several important challenges to formal adherence and consistent use of the VPs in Mozambique.

First, there is a need for education at a national, state, commercial and community level. Citizens are largely unaware of their human rights, especially within a context of conflict and big business. Most citizens – and many working within state institutions – have never heard of the VPs or the UN Guiding Principles on Business and Human Rights. Most have no access to information on the rights of the communities, the duties of the state and businesses, how to identify violations or what legal remedies might be available.

There is a need for education at a national, state, commercial and community level. Citizens are largely unaware of their human rights, especially within a context of conflict and big business.

Second, both the country's parliament and its judiciary must be involved in any national commitment to improving the human rights environment. Mozambique has recent and untested legislation governing business, mining and extractives. It needs to be consolidated, disseminated and tested in practice. On the rare occasions when there have been attempts to enforce such legislation, the weak material, human and financial capacity of legal, administrative and judicial institutions has proved inadequate to effectively address the complex challenges of enforcing human rights protections.

⁴⁷ The programme will be underpinned by financial support provided – at this initial stage – by the UK and Switzerland through DCAF's Security and Human Rights Implementation Mechanism.

Box 8. Key Mozambican national institutions and their responsibilities on business and human rights

- Parliament: the key institution in the development of Mozambique’s legislation on business and human rights, which is still in its early stages;
- Ministry of Mineral Resources and Energy: responsible for issuing investment authorizations for the mining and extractive sector;
- Ministry of Land and the Environment: commissions environmental impact studies;
- Ministry of National Defence: coordinates security in areas where major private investment projects are implemented;⁴⁸
- Ministry of the Interior: authorizes and regulates the entry of private security companies into national territory; and
- Ministry of Justice and Constitutional and Religious Affairs: coordinates the entire justice sector, including all organs that ensure the application of the law – courts, the Office of the Attorney-General, the Mozambican Bar Association, and the Office of the Ombudsman.

Third, any credible attempt to implement the VPs and other frameworks to protect human rights must be buttressed by proper investigations leading to prosecutions of perpetrators, including non-state armed combatants, and public and private security forces. Alongside this, improved transparency and press reporting on security issues is necessary, including permitting media organizations to report freely from Cabo Delgado. Independent institutions for the promotion, monitoring and protection of human rights (such as the National Commission on Human Rights, the Mozambican League of Human Rights, and others) face the same challenges as state institutions in terms of their ability to intervene and their weak technical, material, human and financial capacities. The government must also confront several important debates regarding legacy human rights issues: for example, how to balance the trade-off between amnesty and accountability for offences committed in Cabo Delgado in the period since 2017. How it engages with stakeholders, interest groups and Mozambican citizens in making these decisions will be important signals of the government’s future intent for adherence to global norms on business and human rights.

Finally, an important factor for creating credible auditing and monitoring processes is the separation of powers and responsibilities between ‘players’ and ‘referee’. In Mozambique the oil and gas industry regulator sits within the Ministry of Mineral Resources and Energy, exposing the minister to pressure and to potential conflicts of interest between industry, the state-owned hydrocarbons company, the regulatory body, the government, and the interests of the current party of

⁴⁸ For example, in March 2019, TEPMA1, the division of Total that is developing and operating the Mozambique LNG project in Palma district (Area 1) and Mozambique Rovuma Venture, the operator in Area 4 – the offshore Rovuma Basin – signed a security memorandum of understanding (MoU) with the defence and interior ministries. (The MoU was subsequently amended in July 2020.)

government, FRELIMO (the Liberation Front of Mozambique), and of individuals within it. A monitoring and audit system for the VPs – and other regulations protecting human rights at the interface of companies and communities – could be better placed within the justice ministry, the National Commission on Human Rights or an independent body.

The ministry of national defence is aware of the complexity of the relationship between security and human rights and the implementation of human rights within the scope of the constitution of the republic of Mozambique and within the scope of the policy on security.

[President Filipe Nyusi] talked on his visit to Tanzania on the relevance of implementing the Voluntary Principles on Security and Human Rights in the country, in particular in Cabo Delgado.⁴⁹

Colonel Omar Saranga, spokesman, Ministry of Defence, Mozambique.

Case study 3: Indonesia

Box 9. Indonesia: Without government buy-in, company implementation is inconsistent and citizens are at risk

Indonesia was one of the initial targets of the VPs, owing to the prevailing security situation in the country, issues of corruption and human rights concerns. Several multinationals with operational subsidiaries in Indonesia, including BP, ExxonMobil, Freeport-McMoRan Inc., Rio Tinto and Vale, have joined the VPI, but the Indonesian government has remained hesitant and is not itself a signatory to the initiative. Without genuine buy-in from both the government and multinationals, corruption and human rights abuses in Indonesia's mining sector are likely to continue.

Indonesia is a major player in the global mining industry and has abundant natural resource reserves, including coal, copper and gold. In 2019, the country was the world's largest coal exporter (in terms of weight), exporting 455 million tonnes of coal and providing 41 per cent of globally traded thermal coal.⁵⁰ Indonesia is also home to the Grasberg mine, operated by PT Freeport Indonesia, which contains one of the largest reserves of gold and copper in the world. The mining sector has been central to Indonesia's economic growth, contributing approximately 5 per cent of the country's GDP in 2018.⁵¹ For the economies of resource-rich provinces, such as East Kalimantan and Papua, the economic contribution of mining is much greater.

However, the country's mining sector has been mired in corruption and human rights abuses, with both the government and multinational companies at the centre of controversy. Continued conflict between security forces and separatist movements in resource-rich provinces makes building trust between the government

⁴⁹ Colonel Omar Saranga, spokesman, Ministry of National Defence: CDD Moçambique (2021), 'Plataforma de Diálogo: Negócios, Segurança e Direitos Humanos (25/03/2021)', Youtube, 29 March 2021, <https://www.youtube.com/watch?v=mezilD9yZbc> (accessed 13 Aug. 2021).

⁵⁰ International Energy Agency (2020), *Coal 2020: Analysis and forecast to 2025*, Paris: IEA, <https://www.iea.org/reports/coal-2020/trade> (accessed 12 Aug. 2021).

⁵¹ PwC (2019), *Mining in Indonesia: Investment and Taxation Guide*, 11th edition, Jakarta: PwC, <https://www.pwc.com/id/en/pwc-publications/industries-publications/energy-utilities---mining-publications/mining-guide-2019.html> (accessed 12 Aug. 2021).

and local communities extremely challenging. Indonesian civil society has long been campaigning for greater transparency and accountability in the sector, as well as demanding that mining companies recognize community rights. Of paramount importance for the protection and promotion of local community rights is the establishment of effective reporting and grievance mechanisms, a commitment to transparency and accountability, and continued external monitoring.

Government commitment to the VPI could go some way to restoring this relationship. Despite hesitance from the government, many large multinationals have made commitments under the VPs. For instance, BP implemented a community-based security programme for operations in Tangguh LNG (a development of gas fields in West Papua), and used external monitors to check that human rights commitments were being upheld.⁵² Prior to the COVID-19 pandemic, BP worked with government agencies and the International Committee of the Red Cross (ICRC), the Papua Chapter of Indonesia's National Human Rights Commission (KOMNAS HAM) and local NGOs to train local police and military units, as well as private security guards, on the VPs.

However, ongoing accusations of corruption and corporate human rights abuses bring the integrity and commitment of these multinationals into question.⁵³ In resource-rich regions such as Papua, where separatist movements seeking political independence have been in long-standing conflict with security forces, multinational companies have been accused of, and in some cases proved to be, supporting the Indonesian police and military, both materially and financially, raising tensions with local communities.⁵⁴ Incidents of land-grabbing, forcible eviction and the denial of customary land have also triggered conflict between local communities and the Indonesian security sector, working for or on behalf of mining multinationals.⁵⁵

Moreover, the Indonesian government has recently faced criticism for amendments it has made to the country's 2009 Mining Law. Of particular concern is the removal of the limit on the size of mining operations under a single permit: removing this limit will allow mining areas to expand, leading to forcible evictions and deforestation, and opening up the mining sector to further social and environmental exploitation.⁵⁶

⁵² Bader, C. (2013), 'Security for oil & gas projects can't ignore human rights', Al Jazeera, 25 January 2013, <https://www.aljazeera.com/opinions/2013/1/25/security-for-oil-gas-projects-cant-ignore-human-rights> (accessed 12 Aug. 2021).

⁵³ Gillard, M. (2018), 'Special Investigation: BP In West Papua – Slow Motion Genocide, High Speed Profit', New Matilda, 5 November 2018, <https://newmatilda.com/2018/11/05/special-investigation-bp-west-papua-slow-motion-genocide-high-speed-profit> (accessed 12 Aug. 2021).

⁵⁴ Global Witness (2007), *Oil and Mining in Violent Places: Why voluntary codes for companies don't guarantee human rights*, Washington, DC: Global Witness, https://cdn2.globalwitness.org/archive/files/pdfs/oil_and_mining_in_violent_places.pdf (accessed 12 Aug. 2021).

⁵⁵ White, N. D., Footer, M. E., Senior, K. et al. (2018), 'Blurring Public and Private Security in Indonesia: Corporate Interests and Human Rights in a Fragile Environment', *Netherlands International Law Review*, 65: pp. 217–25, <https://doi.org/10.1007/s40802-018-0107-8> (accessed 12 Aug. 2021).

⁵⁶ Jong, H. N. (2020), 'With new law, Indonesia gives miners more power and fewer obligations', Mongabay, 13 May 2020, <https://news.mongabay.com/2020/05/indonesia-mining-law-minerba-environment-pollution-coal> (accessed 12 Aug. 2021).

Conclusion

In 2013, Mozambique became the first African country to begin work on an NAP on Business and Human Rights as a joint initiative between the government and CSOs. The government first considered signing up to the VPI in 2015, and by 2021 it was back on the national agenda. Mozambique has a further opportunity to demonstrate leadership by becoming the second African state after Ghana to sign up to both the VPs and the VPI, the associated international initiative.

Major companies operating in Mozambique, such as ExxonMobil, Galp Energia, TotalEnergies, Shell, BP, Rio Tinto and Vale, are fully signed up to the VPI, while Gemfields and Eni are in the process of joining as corporate members. Important partners of Mozambique are also VPI members and advocates: these include Argentina, Australia, Canada, the Netherlands, Norway, Switzerland, the UK and the US.⁵⁷ And although no Mozambican CSOs are currently members of the VPI, some may be minded to start an engagement – especially those involved in working groups, such as CDD. This would also be a positive step for the VPI, which is keen to engage more CSOs from the ‘global South’.

There is now momentum developing to adopt and implement the VPs and, as the government of Mozambique embarks on the process of engagement with the VPI with the objective of becoming a full government member, it should reflect on the key lessons that emerge from examining the experiences of other states facing similar challenges, as well as from its own history.

First, governments cannot leave the work to the private sector. Unilateral business adherence to the VPs can bring benefits in enhanced security management and social licence to operate, but without overarching government leadership this is likely to remain small-scale, short-term and inconsistent. Government commitment to the VPs and engagement as a member of the VPI allows for cooperation and coordination between stakeholders, as well as access to the lessons learnt, and to the experience and assistance of the wider transnational stakeholder network.

Second, cross-stakeholder accountability and auditing is vital to support adherence to the principles. This will demand openness to free reporting and critical journalism, transparency in decision-making and, significantly, the enhancement of the capacity of domestic oversight mechanisms, judicial bodies and civil society.

Finally, while government membership of the VPI and adherence to the VPs are necessary, they are not sufficient to change the trajectory of Mozambique’s critical extractive sector. They need to be matched by a wider national, government-led effort to improve the human rights environment, and in particular business and human rights, including prioritizing education on human rights for the population, state institutions and security forces, and implementing national training programmes to challenge entrenched patterns of corruption and abuse.

⁵⁷ France, Portugal and Italy are not currently members of the VPI. As the home jurisdictions of TotalEnergies, Galp and Eni respectively, their engagement in the initiative would add important additional weight and support to the companies’ efforts at operational and national level in Mozambique.

This research paper has illustrated the potential benefits that engagement with the VPs and the VPI could bring – to Mozambique’s government, people and private sector partners. Effective implementation will not be easy. It will not be a discrete event, but rather a journey: a process that will require sustained focus and a willingness to pursue greater transparency and dialogue across government, business and civil society. However, the VPs will provide a roadmap and offer ways to both guide and chart improved human rights for business operations in Mozambique.

Annex 1: The Voluntary Principles on Security and Human Rights

(Source: Voluntary Principles Initiative,
<https://www.voluntaryprinciples.org/the-principles>)

Introduction

Governments of the United States and the United Kingdom, companies in the extractive and energy sector ('Companies'), and non-governmental organizations, all with an interest in human rights and corporate social responsibility, have engaged in a dialogue on security and human rights.

The participants recognize the importance of the promotion and protection of human rights throughout the world and the constructive role business and civil society – including non-governmental organizations, labor/trade unions, and local communities – can play in advancing these goals. Through this dialogue, the participants have developed the following set of voluntary principles 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. Mindful of these goals, the participants agree to the importance of continuing this dialogue and keeping under review these principles to ensure their continuing relevance and efficacy.

- *Acknowledging* that security is a fundamental need, shared by individuals, communities, businesses, and governments alike, and acknowledging the difficult security issues faced by Companies operating globally, we recognize that security and respect for human rights can and should be consistent;
- *Understanding* that governments have the primary responsibility to promote and protect human rights and that all parties to a conflict are obliged to observe applicable international humanitarian law, we recognize that we share the common goal of promoting respect for human rights, particularly those set forth in the Universal Declaration of Human Rights, and international humanitarian law;
- *Emphasizing* the importance of safeguarding the integrity of company personnel and property, Companies recognize a commitment to act in a manner consistent with the laws of the countries in which they are present, to be mindful of the highest applicable international standards, and to promote the observance of applicable international law enforcement principles (e.g. the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials), particularly with regard to the use of force;
- *Taking note of* the effect that Companies' activities may have on local communities, we recognize the value of engaging with civil society and host and home governments to contribute to the welfare of the local community while mitigating any potential for conflict where possible;

- *Understanding* that useful, credible information is a vital component of security and human rights, we recognize the importance of sharing and understanding our respective experiences regarding, inter alia, best security practices and procedures, country human rights situations, and public and private security, subject to confidentiality constraints;
- *Acknowledging* that home governments and multilateral institutions may, on occasion, assist host governments with security sector reform, developing institutional capacities and strengthening the rule of law, we recognize the important role Companies and civil society can play in supporting these efforts;

We hereby express our support for the following voluntary principles regarding security and human rights in the extractive sector, which fall into three categories, risk assessment, relations with public security, and relations with private security:

Risk assessment

The ability to assess accurately risks present in a Company's operating environment is critical to the security of personnel, local communities and assets; the success of the Company's short and long-term operations; and to the promotion and protection of human rights. In some certain circumstances, this is relatively simple; in others, it is important to obtain extensive background information from different sources; monitoring and adapting to changing, complex political, economic, law enforcement, military and social situations; and maintaining productive relations with local communities and government officials.

The quality of complicated risk assessments is largely dependent on the assembling of regularly updated, credible information from a broad range of perspectives – local and national governments, security firms, other companies, home governments, multilateral institutions, and civil society knowledgeable about local conditions. This information may be most effective when shared to the fullest extent possible (bearing in mind confidentiality considerations) between Companies, concerned civil society, and governments.

Bearing in mind these general principles, we recognize that accurate, effective risk assessments should consider the following factors:

- *Identification of security risks.* Security risks can result from political, economic, civil or social factors. Moreover, certain personnel and assets may be at greater risk than others. Identification of security risks allows a Company to take measures to minimize risk and to assess whether Company actions may heighten risk.
- *Potential for violence.* Depending on the environment, violence can be widespread or limited to particular regions, and it can develop with little or no warning. Civil society, home and host government representatives, and other sources should be consulted to identify risks presented by the potential for violence. Risk assessments should examine patterns of violence in areas of Company operations for educational, predictive and preventative purposes.

- *Human rights records.* Risk assessments should consider the available human rights records of public security forces, paramilitaries, local and national law enforcement, as well as the reputation of private security. Awareness of past abuses and allegations can help Companies to avoid recurrences as well as to promote accountability. Also, identification of the capability of the above entities to respond to situations of violence in a lawful manner (i.e., consistent with applicable international standards) allows Companies to develop appropriate measures in operating environments.
- *Rule of law.* Risk assessments should consider the local prosecuting authority and judiciary's capacity to hold accountable those responsible for human rights abuses and for those responsible for violations of international humanitarian law in a manner that respects the rights of the accused.
- *Conflict analysis.* Identification of and understanding the root causes and nature of local conflicts, as well as the level of adherence to human rights and international humanitarian law standards by key actors, can be instructive for the development of strategies for managing relations between the Company, local communities, Company employees and their unions, and host governments. Risk assessments should also consider the potential for future conflicts.
- *Equipment transfers.* When Companies provide equipment (including lethal and non-lethal equipment) to public or private security, they should consider the risk of such transfers, any relevant export licensing requirements, and the feasibility of measures to mitigate foreseeable negative consequences, including adequate controls to prevent misappropriation or diversion of equipment which may lead to human rights abuses. In making risk assessments, companies should consider any relevant past incidents involving previous equipment transfers.

Interactions between Companies and public security

Although governments have the primary role of maintaining law and order, security and respect for human rights, Companies have an interest in ensuring that actions taken by governments, particularly the actions of public security providers, are consistent with the protection and promotion of human rights. In cases where there is a need to supplement security provided by host governments, Companies may be required or expected to contribute to, or otherwise reimburse, the costs of protecting Company facilities and personnel borne by public security. While public security is expected to act in a manner consistent with local and national laws as well as with human rights standards and international humanitarian law, within this context abuses may nevertheless occur.

In an effort to reduce the risk of such abuses and to promote respect for human rights generally, we have identified the following voluntary principles to guide relationships between Companies and public security regarding security provided to Companies:

Security arrangements

Companies should consult regularly with host governments and local communities about the impact of their security arrangements on those communities.

Companies should communicate their policies regarding ethical conduct and human rights to public security providers, and express their desire that security be provided in a manner consistent with those policies by personnel with adequate and effective training.

Companies should encourage host governments to permit making security arrangements transparent and accessible to the public, subject to any overriding safety and security concerns.

Deployment and conduct

The primary role of public security should be to maintain the rule of law, including safeguarding human rights and deterring acts that threaten Company personnel and facilities. The type and number of public security forces deployed should be competent, appropriate and proportional to the threat.

Equipment imports and exports should comply with all applicable law and regulations. Companies that provide equipment to public security should take all appropriate and lawful measures to mitigate any foreseeable negative consequences, including human rights abuses and violations of international humanitarian law.

Companies should use their influence to promote the following principles with public security: (a) individuals credibly implicated in human rights abuses should not provide security services for Companies; (b) force should be used only when strictly necessary and to an extent proportional to the threat; and (c) the rights of individuals should not be violated while exercising the right to exercise freedom of association and peaceful assembly, the right to engage in collective bargaining, or other related rights of Company employees as recognized by the Universal Declaration of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work.

In cases where physical force is used by public security, such incidents should be reported to the appropriate authorities and to the Company. Where force is used, medical aid should be provided to injured persons, including to offenders.

Consultation and advice

Companies should hold structured meetings with public security on a regular basis to discuss security, human rights and related work-place safety issues. Companies should also consult regularly with other Companies, host and home governments, and civil society to discuss security and human rights. When Companies operating in the same region have common concerns, they should consider collectively raising those concerns with the host and home governments.

In their consultations with host governments, Companies should take all appropriate measures to promote observance of applicable international law enforcement principles, particularly those reflected in the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms.

Companies should support efforts by governments, civil society and multilateral institutions to provide human rights training and education for public security as well as their efforts to strengthen state institutions to ensure accountability and respect for human rights.

Responses to human rights abuses

Companies should record and report any credible allegations of human rights abuses by public security in their areas of operation to appropriate host government authorities. Where appropriate, Companies should urge investigation and that action be taken to prevent any recurrence.

Companies should actively monitor the status of investigations and press for their proper resolution.

Companies should, to the extent reasonable, monitor the use of equipment provided by the Company and to investigate properly situations in which such equipment is used in an inappropriate manner.

Every effort should be made to ensure that information used as the basis for allegations of human rights abuses is credible and based on reliable evidence. The security and safety of sources should be protected. Additional or more accurate information that may alter previous allegations should be made available as appropriate to concerned parties.

Interactions between Companies and private security

Where host governments are unable or unwilling to provide adequate security to protect a Company's personnel or assets, it may be necessary to engage private security providers as a complement to public security. In this context, private security may have to coordinate with state forces, (law enforcement, in particular) to carry weapons and to consider the defensive local use of force. Given the risks associated with such activities, we recognize the following voluntary principles to guide private security conduct:

- Private security should observe the policies of the contracting Company regarding ethical conduct and human rights; the law and professional standards of the country in which they operate; emerging best practices developed by industry, civil society, and governments; and promote the observance of international humanitarian law.
- Private security should maintain high levels of technical and professional proficiency, particularly with regard to the local use of force and firearms.

- Private security should act in a lawful manner. They should exercise restraint and caution in a manner consistent with applicable international guidelines regarding the local use of force, including the UN Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials, as well as with emerging best practices developed by Companies, civil society, and governments.
- Private security should have policies regarding appropriate conduct and the local use of force (e.g., rules of engagement). Practice under these policies should be capable of being monitored by Companies or, where appropriate, by independent third parties. Such monitoring should encompass detailed investigations into allegations of abusive or unlawful acts; the availability of disciplinary measures sufficient to prevent and deter; and procedures for reporting allegations to relevant local law enforcement authorities when appropriate.
- All allegations of human rights abuses by private security should be recorded. Credible allegations should be properly investigated. In those cases where allegations against private security providers are forwarded to the relevant law enforcement authorities, Companies should actively monitor the status of investigations and press for their proper resolution.
- Consistent with their function, private security should provide only preventative and defensive services and should not engage in activities exclusively the responsibility of state military or law enforcement authorities. Companies should designate services, technology and equipment capable of offensive and defensive purposes as being for defensive use only.
- Private security should: (a) not employ individuals credibly implicated in human rights abuses to provide security services; (b) use force only when strictly necessary and to an extent proportional to the threat; and (c) not violate the rights of individuals while exercising the right to exercise freedom of association and peaceful assembly, to engage in collective bargaining, or other related rights of Company employees as recognized by the Universal Declaration of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work.
- In cases where physical force is used, private security should properly investigate and report the incident to the Company. Private security should refer the matter to local authorities and/or take disciplinary action where appropriate. When force is used, medical aid should be provided to injured persons, including to offenders.
- Private security should maintain the confidentiality of information obtained as a result of its position as security provider, except where to do so would jeopardize the principles contained herein.

- To minimize the risk that private security exceed their authority as providers of security, and to promote respect for human rights generally, we have developed the following additional voluntary principles and guidelines:
- Where appropriate, Companies should include the principles outlined above as contractual provisions in agreements with private security providers and ensure that private security personnel are adequately trained to respect the rights of employees and the local community. To the extent practicable, agreements between Companies and private security should require investigation of unlawful or abusive behavior and appropriate disciplinary action. Agreements should also permit termination of the relationship by Companies where there is credible evidence of unlawful or abusive behavior by private security personnel.
- Companies should consult and monitor private security providers to ensure they fulfill their obligation to provide security in a manner consistent with the principles outlined above. Where appropriate, Companies should seek to employ private security providers that are representative of the local population.
- Companies should review the background of private security they intend to employ, particularly with regard to the use of excessive force. Such reviews should include an assessment of previous services provided to the host government and whether these services raise concern about the private security firm's dual role as a private security provider and government contractor.
- Companies should consult with other Companies, home country officials, host country officials, and civil society regarding experiences with private security. Where appropriate and lawful, Companies should facilitate the exchange of information about unlawful activity and abuses committed by private security providers.

Annex 2: VPI members

(Source: Voluntary Principles Initiative, <https://www.voluntaryprinciples.org/about>)

Government members

- Argentina
- Australia
- Canada
- Colombia
- Ghana
- Netherlands
- Norway
- Switzerland
- UK
- US

Corporate members

- Agnico Eagle
- Alphamin Bisie Mining SA
- Anglo American
- AngloGold Ashanti
- Barrick Gold Corporation
- BHP Billiton
- BP
- Chevron
- ConocoPhillips
- Dinant (Engaged)
- Eni (Engaged)
- Equinor
- ExxonMobil
- Freeport-McMoRan Inc.
- Frontera Energy
- Galp Energia
- Gemfields (Engaged)
- Glencore
- MMG (Engaged)
- Newcrest Mining Limited
- Newmont
- Norsk Hydro
- Oil Search
- PanAust
- Repsol
- Rio Tinto
- Shell
- Sherritt International
- Total⁵⁸
- Tullow Oil

- Vale
- Woodside Energy
- Yara (Engaged)

NGO members

- CDA Collaborative Learning Projects
- COMPPART
- The Fund for Peace
- Green Advocates (Engaged)
- Human Rights Watch
- IMPACT
- International Alert
- LITE-Africa
- New Nigeria Foundation
- Pact
- PAX
- Search for Common Ground
- UNICEF Canada
- West Africa Network for Peacebuilding, Ghana (WANEP) (Engaged)

Observers

- CME – Seguridad y Derechos Humanos
- DCAF – Geneva Centre for Security Sector Governance
- ICMM – International Council on Mining & Metals
- ICoCA – International Code of Conduct Association
- ICRC – International Committee of the Red Cross
- IFC – International Finance Corporation
- IHRB – Institute for Human Rights and Business
- IPIECA – International Petroleum Industry Environmental Conservation Association
- OECD

⁵⁸ Now TotalEnergies.

Annex 3: List of Mozambican key stakeholder submissions: Human Rights Council, Working Group on the Universal Periodic Review, Thirty-eighth session, 3–14 May 2021

Civil society

Individual submissions:

REFORMAR – Research for Mozambique, Maputo (Mozambique);

Joint submissions:

JS4 Joint submission 4 submitted by: Fórum da Terceira Idade, Maputo (Mozambique), Associação Moçambicana de Assistência ao Idoso, Associação dos Aposentados de Moçambique, e Associação de Apoio ao Idoso;

JS8 Joint submission 8 submitted by: Coligação para a Eliminação de Uniões Prematuras, Maputo (Mozambique), Fórum da Sociedade Civil para os Direitos da Criança (ROSC), Associação Amigos da Criança Boa Esperança (ACABE), Action Aid Moçambique, Associação dos Defensores dos Direitos da Criança (ADDC), Aliança InterReligiosa para Advocacia e Desenvolvimento Social (AIRDES), Associação Sócio-Cultural Horizonte Azul (ASCHA), Associação Mulher Lei e Desenvolvimento (MULEIDE), Associação Moçambicana de Mulheres da Carreira Jurídica (AMMCJ), Associação Solidariedade Zambézia (ASZ), Associação Wona Sanana, Centro de Aprendizagem e Capacitação da Sociedade Civil (CESC), Centro de Direitos Humanos da Faculdade de Direito da UEM, Comunidade Moçambicana de Ajuda (CMA), Coalizão da Juventude Moçambicana, Conselho das Religiões de Moçambique (COREM), Fanela Ya Mina, Fundação Apoio Amigo (FAA), Fundação para o Desenvolvimento da Comunidade (FDC), Fórum Mulher, Fórum Nacional das Rádios Comunitárias (FORCOM), Girl Move Foundation, Iniciativa Africana para a Criança em Moçambique (HACI), Iniciativa Regional de Apoio Psicossocial (REPSI), Le Musica, Liga dos Direitos da Criança da Zambézia (LDC), Associação Linha Fala Criança, Movimento de Educação Para Todos (MEPT), Mulher e Lei na África Austral (WLSA), N’weti, Plan International, Pathfinder International, Rede Comunicadores Amigos da Criança (RECAC), Rede da Criança, Rede Homens pela Mudança (HOPEM), Save the Children, Rede Provincial de Protecção da Criança de Sofala (SOPROC), Terre des Hommes Alemanha, Terre des Hommes Itália, Terre des Hommes Schweiz, Voluntary Service Overseas (VSO), World Vision Mozambique, Young Women’s Christian Association, Associação Jovem para Jovem (AJPJ), Associação Moçambicana para o Desenvolvimento da Família (AMODEFA), Associação Grito das Crianças Desfavorecidas (AGCD), Associação Progresso, Rede Provincial de Protecção da Criança de Nampula (REPROGRINA), Associação para o Fortalecimento Comunitário UATAF-AFC, Child-fund, Family Health International 360 (FHI 360), Malhalhe, Nova Vida, Nafeza, AMPARAR, Right to Play Mozambique, H2n-Melhorando Vidas, Associação Kanimambo, Associação

Crianças na Sombra, Plataforma SUN, Conselho Islâmico de Moçambique, Associação Jovens de Sucesso, Associação Kuvumbana, and UDEBA-LAB: Unidade de Desenvolvimento de Educação Básica – laboratório);

JS10 Joint submission 10 submitted by: Small Media London (United Kingdom), The Collaboration on International ICT Policy in East and Southern Africa (CIPESA), Fórum das Associações Moçambicanas das Pessoas com Deficiência (FAMOD), and the Association of the Blind and Partially Sighted of Mozambique (ACAMO).

JS12 Joint submission 12 submitted by: The Sexual Rights Initiative, Ottawa (Canada), the Coalition of African Lesbians, and the Young Feminist Movement of Mozambique;

JS13 Joint submission 13 submitted by: Coalition of Child Rights-focused NGOs for UPR-Mozambique, Maputo (Mozambique), Rede CAME, Rede da Criança, ROSC; Save the Children, ADRA, Aldeia de Crianças SOS Mozambique, Diakonia, Right To Play, Terre des Hommes Mozambique, ChildFund Mozambique and FDC;

JS14 Joint submission 14 submitted by: Fórum das Associações Moçambicanas das Pessoas com Deficiência, Maputo (Mozambique), Associação dos Cegos e Amblíopes de Moçambique (ACAMO), Associação dos Jovens Surdos de Moçambique (AJOSMO), Associação dos Deficientes Moçambicanos (ADEMO), Associação das Mulheres Moçambicanas com Deficiência (AMMD), Associação Moçambicana de Autismo (AMA), Associação Moçambicana de Usuários de Saúde Mental (AMUSAM), Associação dos Surdos de Moçambique, Associação Companhia de Teatro N’lhuvuco, Comité Paralímpico de Moçambique, and Associação dos Jovens Deficientes de Moçambique;

JS15 Joint submission 15 submitted by: Justiça Ambiental (JA!), Maputo (Mozambique), Alternactiva, Associação de Projectos e Pesquisas (APROPE – Association of Projects and Research), Centro de Democracia e Desenvolvimento (CDD – Centre for Democracy and Development), Hikone – Associação para o Empoderamento da Mulher (Association for Women’s Empowerment), Justiça Ambiental (JA! – Environmental Justice), Observatório Cidadão para a Saúde (OCS – Citizens’ Observatory for Health), União Nacional de Camponeses (UNAC – National Peasants’ Union).

Annex 4: Resources and links

In 2010 the Fund for Peace and International Alert published guidance entitled *Voluntary Principles on Security & Human Rights: National-Level Implementation Guidance Note* (available at https://www.international-alert.org/sites/default/files/publications/international_alert_voluntary_principles.pdf).

The International Council on Mining and Metals (ICMM), the International Committee of the Red Cross (ICRC), the International Finance Corporation (IFC) and the International Petroleum Industry Environmental Conservation Association (IPIECA) developed the *Voluntary Principles on Security and Human Rights, Implementation Guidance Tools (IGT)* in 2011 (available at https://www.icmm.com/website/publications/pdfs/social-performance/2011/guidance_voluntary-principles-on-security-and-human-rights.pdf). These tools include modules focusing on stakeholder engagement, risk assessment, public security providers and private security providers.

In 2019 the Geneva Centre for Security Sector Governance (DCAF) and ICRC published the third edition of their toolkit entitled *Addressing Security and Human Rights Challenges in Complex Environments* (available at <https://www.securityhumanrightshub.org/toolkit>), which builds on the IGTs and focuses on supporting company engagement with public and private security, host governments and communities, filling gaps in guidance not covered by other documents. See also DCAF (2020), *Promoting Coherence between the OECD Guidance and the Voluntary Principles on Security and Human Rights*, available at https://www.securityhumanrightshub.org/sites/default/files/2020-10/Promoting_Coherence_OECD_VPs_PDF_0.pdf.

Additionally, in 2016 the Global Compact Network Canada and Business for Peace produced a paper entitled *Auditing Implementation of Voluntary Principles on Security and Human Rights* (available at <https://globalcompact.ca/wp-content/uploads/2016/08/Auditing-Implementations-of-VPs-on-Security-and-Human-Rights.pdf>). John Ruggie, the former UN Special Representative for Business and Human Rights and the architect of the UN *Guiding Principles on Business and Human Rights* (see https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf), wrote in his foreword to the Global Compact paper that the latter represented a welcome step in the direction of closer alignment for companies that adhere to the VPs; it elaborated on the key performance indicators and cross-referenced them to related principles and guidance materials.

About the authors

Christopher Vandome is a research fellow with the Chatham House Africa Programme. His research focuses on the political economy and international relations of Southern Africa, as well as regional peace and security, environmental issues and extractive industries. In 2017 he undertook a secondment to a leading global mining company to work on its Africa strategy, including matters relating to government and community relations and security.

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Cover image: A resident walks through the streets of Macomia, Northern Mozambique.

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