



The Voluntary Principles on
Security and Human Rights

**AUDIT PROTOCOL TO
ASSESS COMPLIANCE WITH
KEY PERFORMANCE
INDICATORS**



Note: This protocol was developed by a group of VP member companies, it is not an official Voluntary Principles Initiative¹ document.

1. Voluntary Principles Initiative, based in The Hague, The Netherlands

Background

The extractive sector often operates in countries or areas of elevated security risk and faces the difficult challenge of how to safeguard company personnel and property in a way that respects human rights and the security of local communities. In December 2000, the United States and United Kingdom governments, along with a group of extractive companies and non-governmental organizations, agreed on a set of principles, known as the Voluntary Principles on Security and Human Rights (VPs), to guide companies on security and human rights. The VPs provide an outline of actions companies should take to assess risks and implement public and private security measures in a manner that respects human rights. This document outlines a methodology for the determination of the level of implementation of, and compliance with, the tenets of the VP's.

Audit Protocol Development

In order to assess the implementation of the Voluntary Principles on Security and Human Rights (VPs), it is necessary to determine the level of active compliance with them. The following Key Performance Indicators were developed by a group of Volunteer Member Companies with input from VPs Government and NGO members together with other external experts. The basis for these KPI's was the Voluntary Principles on Security and Human Rights Initiative reporting criteria. Professor John Ruggie, Berthold Beitz Professor in Human Rights and International Affairs at Harvard's Kennedy School of Government and Affiliated Professor in International Legal Studies at Harvard Law School, was an advisor to this process. This set of granular indicators is intended to provide guidance to companies implementing the VP's. The actual approach of individual VP member companies in monitoring their implementation remains bespoke.

Audit Process - General

The KPI Reporting Guidance is broken into four broad disciplines:

1. Commitment,
2. Policies, Procedures and Related Activities,
3. Country Implementation,
4. Lessons and Issues.

Each area has associated objectives, KPI's and specific audit tests designed to accurately portray the level of implementation and compliance with the tenets of the VP's. The auditor is provided with compliance expectations and Implementation Guidance Tool (IGT) section references for each KPI to ensure consistent application of the protocol.

Audit Process - Administration

What is the purpose of these audits?

The audit will provide assurance that the systems and processes required by the VPs are in place and are being complied with.

Who will perform the audits?

Audits may be conducted on a first, second or third party basis. Best practice would be second or third party and include a public statement verifying VPs implementation. Auditors should have experience with the VPs and be competent at conducting audit related activities.

How often will they be performed?

Audit frequency should be determined by the company and communicated.

Who will see the results/reports?

The detailed information obtained from the audit is intended to be used to assist companies to improve their VPs implementation.

Positions/Titles

The title conventions of your organization should be taken into account and this protocol adjusted. For example, this protocol contemplated site, regional and corporate security management. Should your organization be structured differently, the protocol will require adjustment.

Printing

The audit protocol is designed to be printed on 11 x 17 paper, or similar. If this is not feasible, the document can be viewed electronically.

Scoring

The scoring system is designed to assist in performance trends. Auditors may choose to use a more simplified compliant/non-compliant system if deemed appropriate by the client.

N/A = Item does not apply
0 = No evidence of compliance
1 = Some evidence of compliance
2 = Substantially compliant
3 = Fully compliant
ENTER 1 TO SELECT

REPORTING GUIDANCE REF	OBJECTIVES	KPI'S	AUDIT TESTS	N/A	0	1	2	3	COMPLIANCE EXPECTATIONS (WHAT SUCCESS LOOKS LIKE)	SCORE	BACKGROUND FOR AUDITOR IGT SECTION REFERENCES	ANY ADDITIONAL MEASURES	COMMENTS AND OBSERVATIONS
A. Commitment													
1 Statement of commitment or endorsement of the Voluntary Principles.	To ensure that the company is committed to the implementation of the Voluntary Principles	The Senior Leadership Team is aware of, and committed to the implementation of the Voluntary Principles	Interview the CEO, COO and General Counsel to gauge their understanding of, and commitment to, the Voluntary Principles.						1. Can demonstrate an understanding by describing the purpose of the VP's 2. Confirm the company's commitment	0	Page 9 Corporate mandate "from the top" Corporate mandate "from the top" – An explicit corporate-level commitment to respecting human rights is a key enabling factor that helps country and project-level staff effectively implement the VPs.		
			Discuss with the executive responsible for the VP's confirm that the statement or endorsement has been published and communicated throughout the organization						1. The responsible executive is able to demonstrate an understanding of the VPs and their importance to the company 2. A statement or endorsement is viewed (which may include a formal policy statement or executive level procedure or other statement).	0			
			Interview the General Manager and Security Manager to gauge their commitment to the Voluntary Principles						1. The General Manager and Security Manager confirm that they are committed to implementing the VPs	0			
B. Policies, Procedures, and Related Activities													
2 Relevant policies, procedures, and/or guidelines (or any changes thereto from the previous reporting year) to implement the Voluntary Principles.	To ensure that the implementation, and ongoing management, of the Voluntary Principles have been incorporated into company management systems	There is a policy and supporting standards, procedures and/or guidelines to assist with implementing the Voluntary Principles	Discuss with the executive responsible for the VP's and confirm that the statement or endorsement has been published and communicated throughout the organization. View implementation documentation. (I.e. policies, standards, procedures, guidelines, job descriptions, performance commitments, training programs, monitoring and evaluation procedures (both internal & external)						1. There is a statement of commitment (policy or other statement) in place committing to the VP's and this is understood at an operational level 2. There is an implementation plan or other document requiring or defining implementation 3. This has been communicated to the operations	0	Page 42 Tip 8 Establishing relationships with public security providers - Extract :Establish expectations – "In addition, establishing company policy on the VPs – and if possible – referring to expectations created by contracts or an investment agreement with the government, can be effective. "		
			Discuss with the General Manager and Security Manager at how the VPs are being implemented and view documentation supporting the implementation of the Voluntary Principles						1. The General Manager and Security Manager have knowledge of the corporate policy regarding the VP's 2. The General Manager and Security Manager confirm that they are committed to implementing the VP's 3. A Security & Human Rights training package for public and private security exists and is in use	0	Page 54 Step 4.3 Deploy and monitor selected private security provider Task 2. Develop policies, procedures, and other guidelines		
3 Company procedure to conduct security and human rights risk assessments.		There is a policy and supporting standards, procedures and/or guidelines to assist with carrying out a Security and Human Rights Risk Assessment. (implementing the Voluntary Principles)	Discuss with the executive responsible for the VP's and confirm that a Security & Human Rights Risk Assessment has been conducted at least annually at operations where the Voluntary Principles are relevant and reviewed by the General Manager, Security Manager and Community Relations Manager.						1. View a Security and Human Rights Risk Assessments, either internal or external (or both), that is less than 12 months old. 2. The Risk Assessments is reviewed by the General Manager, Security Manager and the Community Relations Manager	0	Page 22 Module 2: Risk Assessment Page 25 Step 2.1 Establish the scope and scale of assessment Page 27 Step 2.2 Identify Sources of Security and Human Rights Risks Page 29 Step 2.3 Identify risks Page 27 Step 2.2 Identify Sources of Security and Human Rights Risks Page 30 Step 2.4 Assess risks Page 32 Step 2.5 Identify risk treatment/mitigation Page 34 Step 2.6 Communicate, monitor and revise risk assessment		
			Confirm that the Risk Assessment is documented and includes identifying security risks, potential for violence, human rights record (public & private security), rule of law, conflict analysis, and equipment transfers.						1. The risk assessment includes risk identification, potential for violence, human rights record, rule of law, conflict analysis and equipment transfers. 2. Confirm that the risk assessment considered the following: - Identification of security risks - Potential for violence - Human Rights records - Rule of law - Conflict analysis - Equipment transfers	0			
4 Company procedure or mechanism to report security-related incidents with human rights implications by public/private security forces relating to the company's activities		There is a procedure or other requirement for the reporting of security-related human rights allegations against public/private security forces relating to the company's activities	Discuss with the executive responsible for the VP's and confirm that a procedure for the reporting of Security & Human Rights related allegations is in place. View the procedure or mechanism.						1. A procedure for the reporting of Security & Human Rights allegations is viewed.	0	Page 36 Module 3: Public Security Providers Page 45 Step 3.4 Work with public security providers on deployment and conduct - Where force is used by public security providers, it should be documented and reported Page 46 Step 3.5 Respond to human rights abuses - Task 3. Report credible allegations to authorities, using discretion Page 48 Module 4: Private Security Providers Page 51 Step 4.1 Define and Assess Private Security		

			View two examples (if available) of such reports.							1. Sight two example reports (if there have been reports). If there have been no reports then this is N/A	0	Page 36 Module 3: Public Security Providers Page 48 Module 4: Private Security Providers Page 51 Step 4.1 Define and Assess Private Security Requirements		
5 Company procedure to consider the Voluntary Principles in entering into relations with public/private security providers		There is a policy and supporting standards, procedures and/or guidelines to assist with implementing the Voluntary Principles regarding entering relations with public/private security providers.	Discuss with the Regional Legal Counsel or Regional Security Manager and confirm that the Voluntary Principles are considered when entering into relationships with public/private security providers for operations where the Voluntary principles are relevant. Where applicable, view an MOU with a public security provider and/or a security contract with a private security contractor and confirm that the Voluntary Principles or other international standards on security and human rights are included as a requirements. (note: it is not always possible to obtain a written form MOU, in these instances some form of documentation should be sought where the company has clearly communicated their expectations to the public security agency)							1. The Regional Legal Counsel or Regional Security Manager take the VPs or other applicable international standards on security and human rights into account when engaging and, where applicable, drafting an MOU with a public security provider or in a service contract with a private security contractor 2. An MOU with public security or a contract with private security is viewed and contains language regarding the VP's or other international standards on security & Human Rights are included as a requirement. (Note: if an MOU with Public security could not be obtained, these requirements will be included in some form of correspondence between the company and the public security agency)	0	Page 32 Step 2.5 Identify risk treatment/mitigation - Example: Establish human rights and humanitarian law training program with public security providers and incorporate into MOU. Page 36 Module 3: Public Security Providers Step 3.2 Engage with public security providers - Exchange views on level of willingness to incorporate VPs into an agreement or MoU with public security (see Tip 11) Page 45 Step 3.4 Work with public security providers on deployment and conduct - Memoranda of Understanding (MoUs) – The company should seek to establish an MoU with public security providers on each of the points raised above (see Tip 11) Page 45 Tip 11 Establishing Memoranda of Understanding (MoUs) with Public Security Providers Page 48 Module 4: Private Security Providers Page 52 Step 4.2 Conduct due diligence and select/contract a private security provider - Task 4. Establish formal contract with provider that incorporates the VPs and includes service level agreements (SLAs) Page 93 Annex J: Sample Contract Clauses on VPs for Private Security Contracts		
			Speak with the Head of the Private Security Contractor on-site (if applicable) or if not with the head of company security to confirm that the person is aware of the company's commitment to the Voluntary Principles							1. The person interviewed is aware of the company's commitment to the VP's.	0			
			Speak with the Head of the Public Security Detachment on-site (if applicable) to confirm that the person is aware of the company's commitment to the Voluntary Principles							1. The person interviewed is aware of the company's commitment to the VP's.	0			
6 Company procedure or mechanism to address security related incidents with human rights implications by public/private security forces relating to the company's activities		The company has a procedure or mechanism to address human rights incidents by public/private security forces relating to the company's activities.	Discuss with the executive responsible for the VP's and confirm that a procedure for addressing Security & Human Rights related allegations is in place. Discuss with the executive responsible for the VP's an example of when the procedure or mechanism was used (if one exists)							1. A procedure to address Security & Human Rights allegations is viewed. 2. An example (if applicable) is described.	0	Page 36 Module 3: Public Security Providers Page 48 Module 4: Private Security Providers		
			Discuss with the General Manager and Site Security Manager and confirm that a procedure for addressing Security & Human Rights related allegations is in place. Discuss with the General Manager an example of when the procedure or mechanism was used (if one exists)							1. A procedure for addressing Security & Human Rights allegations is viewed. 2. An example (if applicable) is described.	0			
			Discuss with the executive responsible for the VP's the procedural details or mechanism to ensure Security & Human Rights related incidents are addressed							1. A procedure, mechanism or framework is sighted that defines how Security & Human Rights related incidents are addressed.	0	Page 36 Module 3: Public Security Providers Page 46 Step 3.5 Respond to human rights abuses (Public) Page 48 Module 4: Private Security Providers Page 57 Step 4.4 Respond to private security provider misconduct		
7 Examples of promoting awareness of the Voluntary Principles throughout the organization or government.	To ensure that the Voluntary Principles and the status of implementation are communicated to all internal and external stakeholders	Positive action to promote awareness of the Voluntary Principles within the company and host government	Discuss with the executive responsible for the VP's what awareness is done throughout the organization and with host governments. View materials and examples provided Discuss with the Site Security Manager actions taken to promote the Voluntary Principles							1. Some form of awareness of the VP's has taken place within the company within the last 12 months. 2. Some form of awareness has taken place in the last 12 months with host governments or public institutions.	0			
8 Examples of promoting and advancing implementation of the Voluntary Principles internationally		The Voluntary Principles and related information are where appropriate, included in external communications (globally)	Discuss with the executive responsible for the VP's what activities are undertaken to promote the Voluntary Principles internationally. View materials and examples provided (these may include; conference papers, presentations, membership of and input to international associations etc.)							1. Sight reports, articles or other external publications or communications where the company has noted or promoted the VP's in the last 12 months.	0			

C. Country Implementation											
9 Overview of country operations selected for reporting (include any notable changes from the previous reporting year if the same country is being reported this year)	Define the countries of operation selected for reporting	Operations where the VP's are relevant are selected for assessment	Of the sites selected for external audit at least 50% are relevant for the Voluntary Principles Where the Voluntary Principles are not implemented in Low Risk countries there is a documented internal process to determine 'in scope' operations						1. At least 50% of the sites selected for external audit are in scope for the VP's. 2. If the ICMM process is not being used, the audits will have been done at a representative number of 'in scope' locations 3. All 'in scope' operations will be audited within a seven year time frame.	0	
10 Engagements with stakeholders on country implementation	Determine the level of engagement on the VPs with the identified external groups in the VPs: 1. government officials related to public security; 2. community members; & 3. non-governmental organizations (NGOs) or human rights groups	External stakeholders identified by the company are engaged, or there is a plan for engagement, regarding country implementation.	Discuss with the executive responsible for the VP's and confirm that interaction with stakeholders is planned and/or conducted. View available documentation, plans or discuss actual engagement on the VPs. Discuss with the Regional or Country Security Manager their engagement with public security officials &/or non-governmental or human rights groups. Ask the site what they have done to communicate and engage on the VP's in the local community and identify appropriate people to talk to. Discuss with an identified sample of external stakeholders if they have been engaged on the Voluntary Principles or related human rights practices (if there is a community in the immediate vicinity of the operation)						1. The company will have engaged with the government on the VP's and expressed their commitment to the VP's. 2. The company will have taken action in engaging on the VP's with any public security agency providing support to the site. 3. External stakeholders relevant to the Voluntary Principles have been identified. 4. The local community is aware of the company's commitment to the VP's or to the principles of the VP's.	0	Page 10 Module 1: Stakeholder Engagement
11 Voluntary Principles considerations in the selection of private security providers and formulation of contractual agreement with private security providers, as well as arrangement with public security forces		Voluntary Principles to be considered in the selection of private and public security Documentation or other confirmation of such activities should be available.	Discuss with the Country Security Manager the mechanisms that ensure that the Voluntary Principle's are considered when entering into relationships with public/private security providers. View a security contract and confirm that the Voluntary Principles are included as a requirements. Confirm that the PSC personnel receive training in human rights, there is a requirement for vetting to occur and the company has a right to audit						1. The most senior security person in the country of operation confirmed that the VP's were considered when entering into relationships with public/private security. (If there is a PSC) 2. The private security contract viewed (if applicable) contains language that mentions the Voluntary Principles on Security & Human Rights specifically, or if not the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. 3. Confirmation that the PSC receive training in security & human rights 4. The company has a right to audit clause within the contract (if applicable) with the PSC 5. There is a clause within the contract (if applicable) for vetting of personnel for previous human rights violations to occur.	0	Page 32 Step 2.5 Identify risk treatment/mitigation - Example: Establish human rights and humanitarian law training program with public security providers and incorporate into MOU. Page 36 Module 3: Public Security Providers Step 3.2 Engage with public security providers - Exchange views on level of willingness to incorporate VPs into an agreement or MoU with public security (see Tip 11) Page 45 Step 3.4 Work with public security providers on deployment and conduct - Memoranda of Understanding (MoUs) – The company should seek to establish an MoU with public security providers on each of the points raised above (see Tip 11) Page 45 Tip 11 Establishing Memoranda of Understanding (MoUs) with Public Security Providers Page 48 Module 4: Private Security Providers Page 52 Step 4.2 Conduct due diligence and select/contract a private security provider - Task 4. Establish formal contract with provider that incorporates the VPs and includes service level agreements (SLAs) Page 93 Annex J: Sample Contract Clauses on VPs for Private Security Contracts
			Where applicable, view an MOU or language within the MOU and confirm that there is language relevant to the Voluntary Principles within the document. Confirm with the public security senior officer that the company's commitment to the Voluntary Principles has been made clear. (note: it is not always possible to obtain a written form MOU, in these instances some form of documentation should be sought where the company has clearly communicated their expectations to the public security agency)						1. Where applicable, the auditor selects an MOU and confirms that it contains language that mentions the Voluntary Principles on Security & Human Rights specifically, or if not the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. . (Note: if an MoU with public security could not be obtained, these requirements will be included in some form of correspondence between the company and the public security agency). 2. If there is public security receiving support from the company - the senior public security Officer interviewed was aware of the company's commitment to the VP's or abovementioned UN norms. 3. The company monitors the support (to the extent reasonable)	0	
12 Examples of supporting outreach, education, and/or training of (i) relevant personnel, (ii) private security, (iii) public security, and/or (iv) civil society (e.g. local NGOs, community groups)		Voluntary Principles implementation is proactively promoted to country stakeholders	Discuss with the executive responsible for the VP's and the Country Security Manager the Voluntary Principle awareness activities undertaken. View documentation, photographs or other confirmation. View materials and examples provided Ask three private security officers if they have received training in security & human rights						1. The company communicates commitment to the VP's to the host government in some form. 2. The security officers interviewed have been trained in security and human rights or are enrolled to be trained. 3. The company communicates commitment to civil society.	0	Page 13 Step 1.1 Identifying and Characterizing stakeholders Page 17 Step 1.4 Working with NGO's Page 19 Step 1.5 Working with communities communicate security arrangements – Companies should communicate security arrangements, as well as the company's commitment to the VPs, to host communities. This should be done carefully so as not to create security risks Page 36 Module 3: Public Security Providers Page 43 Tip 9 Establishing relationships with public security providers Page 45 Tip 11 Establishing Memoranda of Understanding (MoUs) with Public Security Providers - e) Agreeing to a training program, if applicable; Page 48 Module 4: Private Security Providers Page 54 Step 4.3 Deploy and monitor selected private security provider Task 3. Conduct training (see Quote 2) Page 76 Annex C: Case Studies - Case Study 7 - Incorporating the VPs into Investment Agreements
13 Company procedure to review progress on implementing the Voluntary Principles at local facilities		Company to have a procedure, plan or process to review the progress of implementation of the Voluntary Principles	Confirm with the executive responsible for the VP's the existence of a process to monitor the progress of Voluntary Principle implementation View relevant implementation plans, progress reports etc.						1. A process exists to monitor the implementation of the VP's.	0	

D. Lessons and Issues													
14 Lessons or issues from this reporting year, as well as plans or opportunities to advance the Voluntary Principles for the organization	To identify any lessons learned or issues that have arisen in regards to the implementation of the VPs in the relevant reporting year and any plans to advance the implementation of the VPs in the following year	Company to have a lessons learned and/or an action plan that identifies the actions to take for the implementation of the VPs in the following year	Discuss with the executive responsible for the VP's any plans to for improving the implementation of the VPs in the following year. Verify that there is a written plan in place.							1. VP implementation has been informed/adjusted by major events that have occurred during the year (if any).	0		
										0			
										0%			

DEFINITIONS

1. **"Give assurance."** This means that the auditor is expected to use his/her professional experience and judgment to **verify** the extent to which the company meets the relevant KPI.

2. **"External stakeholders."** For the purpose of this audit of the VPs, these are considered to be three groups: government officials related to public security (e.g. police or army officials usually, although there can be other government officials from other agencies also involved); community residents; and non-governmental organizations (NGOs) or human rights organizations.

3. **"Assess completeness"**
This term refers to whether adequate steps have been identified and taken into account in complying with the indicted KPI. This might refer to areas such as: disseminating information about the VPs both internally and externally; providing adequate training programs for private or company security personnel; carrying out a Country Risk Assessment; carrying out a Site Risk Assessment and risk mitigation plan; and so on.

4. **"Completeness"** for the Country Risk Assessment asks such questions as whether all relevant actors were contacted to get as wide an identification of security-related human rights risk as possible and whether all key risks were identified. This includes other Departments such as Community Relations, Environment and Exploration, as well as external groups, such as local communities around the mine site, public security agencies, international and/or national human rights organizations (through their publications or directly communicating with them), other companies operating in the same area or country, industry associations and/or the Embassies of governments resident in that country. The Regional or Country Security Manager should be responsible for carrying out this higher level review.

5. **"Completeness" for a Site Risk Management plan** means whether all critical risks related to security and human rights at a particular site have been correctly identified in the Risk Assessment process and then have been adequately addressed through the assigning of appropriate mitigation measures.

6. **"Mitigating factors."** These are factors that prevent the implementation of the identified KPI. For example, in some countries, public security agencies will not engage with private actors on public security matters. These mitigating factors preventing the implementation of the identified KPI should be noted by the auditor.

7. **"Discuss behaviours of public or private security personnel to assess their conduct."** Community residents do not always understand what is meant by "human rights" or "the Voluntary Principles." However, they do understand when you talk about "proper behaviour by police or army," for example. They will mention such things as: they treat us politely and with respect; they are respectful to our women; they don't beat people; they don't take bribes; and so on. Or they will mention the converse of those points. This "conduct" or "behaviours" issue is what the VPs are intended to address so this is the kind of question that should be asked by the auditor. Different sites will require slight variations on this question.



The Voluntary Principles on
Security and Human Rights

