

HUMAN RIGHTS POLICY IMPLEMENTATION IN THE OIL AND GAS SECTOR TRANSLATING POLICY TO PRACTICE

APPENDIX

SOURCES OF INFORMATION AND ADVISORY SERVICES ON HUMAN RIGHTS

1. BASE DOCUMENTS

Companies have found the following documents to be useful as a basis for policy creation and as a foundation for guiding in-country managers. Some of the below, such as the UN Declaration of Human Rights, provide a basis for inspirational company policy, while others, such as the Voluntary Principles, are useful as practical, business-directed standards.

- **United Nations Universal Declaration of Human Rights**
<http://www.un.org/Overview/rights.html>

Comprised of 30 articles covering fundamental freedoms ranging from the right to nationality to the right to equality before the law, the Universal Declaration of Human Rights (UDHR) was established in 1948 by the UN General Assembly. It serves as the international standard and codification of human rights norms and has been signed by 148 countries. It serves as the basis for region-specific human rights declarations such as the African Charter on Human Rights and the Middle East Convention on the same topic. It is also the foundation for other UN Protocols such as:

- **International Covenant on Civil and Political Rights**
<http://www.hri.ca/uninfo/treaties/3.shtml>
- **International Covenant on Economic, Social and Cultural Rights**
http://www.unhchr.ch/html/menu3/b/a_ceschr.htm
- **UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights**
<http://www1.umn.edu/humanrts/links/norms-Aug2003.html>

Please note that some companies have opted to use this document as a starting point, moving beyond adherence rather than officially signing it. Arguments against becoming a signatory include the fact that it has a “rather cumbersome compliance / monitoring aspect to it,” and that there is an implied focus on transnational corporations which, “shortcuts the responsibility of the state.”

- **UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**
http://www.unhchr.ch/html/menu3/b/h_comp43.htm
- **UN Code of Conduct for Law Enforcement Officials**
http://www.unhchr.ch/html/menu3/b/h_comp42.htm
- **OECD Convention on Combating Bribery of Foreign Public Officials**
http://www.oecd.org/document/21/0,2340,en_2649_201185_2017813_1_1_1_1,00.html

- **OECD Guidelines for Multinational Enterprises**
http://www.oecd.org/findDocument/0,2350,en_2649_34889_1_119820_1_1_1,00.html
- **OECD Principles of Corporate Governance**
http://www.oecd.org/document/62/0,2340,en_2649_37439_1912830_1_1_1_37439,00.html
- **Tripartite Declaration of Principles Concerning Enterprises and Social Policy**
<http://www.ilo.org/public/english/employment/multi/tridecl/decl.htm#decl>
- **ILO Declaration on Fundamental Principles and Rights at Work**
<http://www.ilo.org/public/english/standards/decl/declaration/text/>
- **ILO Convention Concerning Indigenous and Tribal Peoples (No. 169)**
<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C169>
- **African Charter on Human and Peoples' Rights**
<http://www.eastafricanlaw.com/ACOHR.htm>
- **Arab Charter of Human Rights**
<http://www1.umn.edu/humanrts/instree/arabhrcharter.html>
- **Voluntary Principles on Security and Human Rights**
<http://www.state.gov/g/drl/rls/2931.htm>

2. ORGANIZATIONS AND INDIVIDUALS THAT CAN ASSIST

- **Amnesty International**
www.amnesty.org

Amnesty International has drafted the “Human Rights Principles for Companies: an Introductory Checklist” which can be found at
<http://www.amnesty.org.uk/business/pubs/hrgc.shtml>

Each independent country office in the Amnesty system interacts with business in a different way. For example Amnesty Norway has created a human rights e-learning kit for Statoil and Hydro, while Amnesty’s International Secretariat, based in the UK, has had extensive contact and interaction with the extractive sector.

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- **Business & Human Rights Resource Centre**
www.business-humanrights.org

The Business & Human Rights Resource Centre is an independent, international, non-profit organization, partnering with Amnesty International and leading academic institutions. It is an online library covers over 1000 companies, 160 countries, and 150 topics. The site is composed of links to a wide range of materials published by companies, NGOs, governments, intergovernmental organizations, journalists, academics, etc. The purpose of the Centre's website is to promote greater awareness and informed discussion of important issues relating to business and human rights.

- **Business For Social Responsibility**

www.bsr.org

BSR is a leading global resource for the business community and thought leaders worldwide. It equips its member companies with the expertise to design and implement successful, socially responsible business policies, practices and processes. Addressing CSR in a comprehensive and customized manner, BSR helps members develop innovative, integrated strategies and adopt policies that are both cost-efficient and effective. Among its services, the organization provides customized training programs on issues such as:

- **Building Effective Relationships with Indigenous Communities**

Business For Social Responsibility & First Peoples Worldwide

The training explores internal and external preparations for engagement and collaborative decision-making with communities. Participants learn how to conduct stakeholder mapping and analysis, essential preparation for successful engagement and decision making with communities. Additional discussion centers on building capacity of both Indigenous communities and resource companies to fully participate in an ongoing engagement process.

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- **Collaborative for Development Action, Inc. (CDA)**

www.cdainc.com/cep/index.php

The objective of the Corporate Engagement Project (CEP) is to provide managers with clear ideas about how their work with communities relates to the broader sociopolitical environment and to develop practical management tools for supporting stable and productive relations in the societies where corporations work.

The Corporate Engagement Project will:

- Provide managers with a better perspective on which aspects of their operational decisions have direct and indirect impacts on the social environment.
- Identify operational options that, rather than feeding into and exacerbating conflict, have positive impacts on relationships among groups and promote overall social and political stability.
- Design management tools that will likely lower insurance, security, reputational and opportunity costs and will contribute to establishing a positive legacy for the company

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- **The Danish Centre for Human Rights**

www.humanrightsbusiness.org

Has created the Human Rights Compliance Assessment (HRCA), a diagnostic web-based tool designed to help companies avoid violating the human rights of employees, inhabitants of the local

area, and other stakeholders affected by business operations. Also provides training and consultation services.

It contains over 350 questions and 1000 human rights indicators developed from the Universal Declaration of Human Rights, the 1966 Dual Covenants and over 80 human rights treaties and conventions. This tool will be released in July 2004, where it will be made available for free on the web to all companies who want to address human rights in a transparent and systematic manner. The tool has been pilot tested on Shell International to ensure that it is practical and easy to apply in a business context. Since the HRCA serves as an internal company assessment, there are plans to develop a 3rd party verification system so that companies can work with National Human Rights Institutes and local NGOs after completing the assessment, in order to find viable solutions to the human rights problems detected.

The Centre also conducts a three-hour introductory course for business managers on international human rights law and how this applies to business.

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- **Elliot Shrage**

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A lawyer and business strategist, adjunct Professor at Columbia University Business School and Law School, and adjunct Senior Fellow in Business and Foreign Policy at the New York-based Council on Foreign Relations. Has advised, among others, Unocal, Gap, Inc., Rio Tinto, Reebok, Phillips van Heusen, and the U.S. Department of State.

Services include:

- *Education and training*: half- or full day seminars for lawyers and senior executives exploring the challenges emerging from human rights legal risks and addressing how companies can develop an integrated strategy that addresses the legal, communications and operational challenges. Sensitization courses for field-based personnel.
- *Country (or Project) Risk Assessments*: legal risk assessments of operations in specific markets, including analysis of evolving court rulings, examination of country conditions and business practices.
- *Country (or Project) Risk Management Programs*: design and implement program that minimize legal, reputation or operational risks associated with human rights violations.
- *Human Rights Risk Management Audit*

Extractive Industries Transparency Initiative

www.dfid.gov.uk/News/News/files/eiti_draft_report.htm

The Extractive Industries Transparency Initiative was launched by Prime Minister Tony Blair at the World Summit on Sustainable Development in Johannesburg, September 2002. Its aim is to increase transparency over payments by companies and revenues to governments in the extractive industries.

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- **Foley Hoag LLP**

www.foleyhoag.com/practice.asp?pid=88&image.x=6&image.y=5

Help business leaders limit companies' risk by incorporating internationally recognized standards into strategic planning, crisis response strategies, and relationships with stakeholders. Assisted BP Corporation co-ordinate its business strategies and social policies in countries experiencing civil strife and in countries in which host governments had questionable human rights records.

Services include:

- Risk Assessment
- Standard Setting, and Program Implementation
- Crisis Response and Strategic Planning, and Government, Community, and Media Relations

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- **Good Corporation**

<http://www.goodcorporation.com/en/>

Helps organizations to develop, manage and monitor their corporate responsibilities. Based on a set of core principles devised by the Institute of Business Ethics, the standard sets out a framework of policies and good practices against which an organization can measure how effectively it is meeting its goals. It covers practices towards employees, suppliers, customers, and providers of finance, as well as community and environmental impacts.

Contact

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- **Human Rights Watch**

www.hrw.org

An activist organization focusing on international human rights issues, HRW has developed a sub-sector on business and human rights that has extensive experience with multinational firms. It has also developed a white paper entitled "Human Rights Watch: Specific Recommendations to Companies on Security Arrangements," available via email.

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- **International Alert**

www.international-alert.org

Founded in 1985, IA is a non-governmental organization that works for "just and peaceful transformation of violent conflict." It seeks to strengthen the ability of people in conflict situations to make peace by: facilitating dialogue at different levels and sectors of society in conflict, helping to develop and enhance local capacities, and encouraging the international community to address the structural causes of conflict.

- **International Labour Organization**

www.ilo.org

- **Training on International Labour Standards & Human Rights**

Training and advisory services in fields including employment policy, labor administration, labor law and industrial relations, working conditions, and occupational health and safety.

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- **Lester Pearson Peacekeeping Centre**

www.peaceoperations.org/en/home.html

- **Course on Human Rights for Security Personnel**

This course is designed to enhance the operational effectiveness of participants from military, police, and civilian organizations working in the areas of human rights standards and best field practices. Includes two objectives: (1) to explore in detail key aspects of international law, institutions, organizations, and relevant issues; and (2) to provide assistance to conflict-affected societies as they build the capacity to enforce human rights standards. This course can be tailored to specific needs and has been recommended highly by Talisman Oil, which sent its security personnel and Sudanese security officials to it.

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- **The New Academy of Business**

<http://www.new-academy.ac.uk/>

The New Academy works collaboratively, across sectors, developing innovative learning materials and processes which enable individuals and organizations to explore the dilemmas of corporate social responsibility, business and human rights, future leadership, globalization, health, safety, gender and diversity in supply chains, socially responsible investment and organizational change.

In addition to its general work, the New Academy holds training courses including:

- **An Introduction to Business and Human Rights**

This online course gives an appreciation of human rights, the relationship to business, and the steps that leading companies are taking to incorporate human rights into their business practice.

- **Business and Human Rights in Practice**

This course is offered in association with the Amnesty International UK Business Group. It aims to develop the capacity of companies to implement their human rights commitments. It is a hands-on practitioner's course comprising of three elements: on-line, three-day workshop, and workplace project.

- **Norwegian Confederation of Business and Industry**

www.nho.no

Has created a checklist on human rights from the perspective of business and industry. The English version can be found at:

<www.nho.no/hovedweb/hovedweb.nsf/d786a901065442e9c1256a77002a41fe/7e81e5924f825a97c1256bf0004a6936?OpenDocument>

- **Oxfam International**

www.oxfam.org

A confederation of 12 organizations working together in more than 100 countries, OI's branches act as strategic funders of development projects, providing emergency relief in times of crisis, and campaigning for social and economic justice.

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- **The Prince of Wales International Business Leaders Forum (IBLF)**

www.iblf.com/

In addition to its general CSR work, IBLF is publishing Human Rights Toolkit for managers that will be available in Winter 2004.

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- **United Nations Office of the High Commissioner for Human Rights Training Materials**
www.ohchr.org

UNOHC carries out training on human rights for law enforcement and military officers and has developed materials to be used for this purpose. While trainings are usually aimed at national police and national military these trainings materials can also be applied to private security firms and / or national military personnel commissioned to protect petroleum industry infrastructure. All materials can be found online at <www.unhcr.ch/html/menu6/2/training.htm>

- Professional Training Series N. 5: Human Rights and Law Enforcement: A Manual on Human Rights Training for the Police
- Professional Training Series N. 5/Add. 1: A Pocket Book on Human Rights for the Police - International Human Rights Standards for Law Enforcement
- Professional Training Series N. 5/Add. 2: Human Rights and Law Enforcement: A Trainer's Guide on Human Rights Training for the Police

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- **U.S. Department of State, Bureau of Democracy, Human Rights and Labor**
www.state.gov/www/global/human_rights/index.html

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- **World Bank**
www.worldbank.org

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- **World Monitors**
www.worldmonitors.com

Law firm-based consulting services ranging from advise on stakeholder engagement strategies, to sustainability reporting, to crisis management. Also publishes periodic reports, including eMonitors, a weekly electronic newsletter reporting on developments in business and human rights; eMonitors Legal Report, a quarterly report on Alien Tort Claims and similar actions against companies; and eMonitors China Report, a monthly report on business-related stories in the Chinese press.

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3 CODES AND MONITORING

- **Caux Principles**

www.cauxroundtable.org/principles.html

Developed in 1994 by business leaders at the Caux Round Table, these principles are a loose guide for companies to develop, re-examine, implement, and monitor their own internal principles. The Principles state that the real value of any set of principles is in its use and implementation in day-to-day business activities.

- **CERES Principles**

www.ceres.org/

Created by a collation of investors and environmental advocacy groups, the Principles establish an environmental ethical standard with criteria to evaluate and review corporate environmental performance. Corporations supporting these Principles publicly state a belief that corporations have a responsibility for the environment and agree to go beyond legal requirements.

- **Fair Labour Association**

www.fairlabor.org/

Created ten leading apparel and footwear manufacturers and retailers, human and labor rights, and consumer groups the FLA is an industry-wide code of conduct and monitoring system that will hold companies publicly accountable for their labor practices. It covers issues such as forced and child labor, harassment and abuse, discrimination, health and safety, freedom of association and collective bargaining, wages and benefits, overtime compensation, and hours of work. The FLA hires independent monitors, certifies that companies comply with the Code of Conduct, and serves as a public information resource.

- **Global Reporting Initiative Guidelines**

www.globalreporting.org/guidelines/2002.asp

A voluntary initiative, the GRI is an internal mechanism to evaluate the correspondence between corporate economic, environmental, and social policy with its performance. The Guidelines can assist in implementing sustainability theories at the operations and services level. The organization also offers a structure for effective dialogue with internal and external stakeholders.

- **Global Sullivan Principles**

www.globalsullivanprinciples.org

Developed by Reverend Leon Sullivan, NGOs, and multinational enterprises, the Principles guide companies to champion social, political, and economic integrity in the locations where they do business to improve the quality of life for local communities and workers. Member companies are asked to provide an annual letter of assurance.

- **Institute for Social and Ethical Accountability (AA1000 Assurance)**

www.accountability.org.uk/default.asp

The AA1000 Standard was established as a unified approach to social and ethical accounting, auditing, and reporting, and is an effective tool to deal with qualitative and quantitative data comprising sustainability performance. It is designed to complement the GRI Reporting Guidelines and other standardized or company-specific approaches to disclosure.

- **International Code of Ethics for Canadian Business**

www.cdp-hrc.uottawa.ca/globalization/busethics/codeint.html

An international code for Canadian business designed to provide an appropriate standard of conduct for Canadian companies operating in a wide variety of systems and cultures throughout the world.

- **Social Accountability International (SA8000 Standard)**

www.sa-intl.org/

The SA8000, an NGO – initiated standard, deals mainly with labor-related issues such as child and forced labor, health and safety, freedom of association and right to collective bargaining, discrimination, disciplinary practices, working hours, and remuneration. It details requirements for companies to follow to develop and enforce policies to manage corporate social responsibility, and to enable companies to demonstrate that their policies and practices are in conformity with this standard.

- **United Nations Global Compact**

www.unglobalcompact.org/Portal/Default.asp

The UN Global Compact is a voluntary initiative that seeks to provide a global framework to promote sustainable growth and good citizenship through committed and creative corporate leadership.

- **Voluntary Principles on Security and Human Rights**

www.state.gov/g/drl/rls/2931.htm

Sponsored by the UK and US governments, these Principles are a voluntary guide for companies to assure the safety and security of their operations while respecting human rights and fundamental freedoms. It covers issues such as the potential for violence, conflict analysis, equipment transfers, security arrangements, responses to human rights abuses, and interactions between companies and private security forces.

- **Verité**

www.verite.org

Founded in 1995, Verité is an independent non-profit that seeks to address concerns about human rights in global subcontracting. In addition to independent monitoring, the organization engages corporations in the design and implementation of training and remediation programs both at the company level and in the supply chain.