

The DCAF Security and Human Rights Implementation Mechanism

Annual report

2017

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1. Introduction

The DCAF Security and Human Rights Implementation Mechanism (SHR Mechanism) was created in September 2016 with the support of the UK Foreign and Commonwealth Office (FCO). The SHR Mechanism aims at targeted implementation of security and human rights good practice on the ground that is cost effective and involves a minimum of bureaucracy. It also promotes wider work on the role of business in complex environments. The year 2017 saw the first 3 pilot projects executed under the phase I of funding provided by the UK Foreign and Commonwealth Office. In addition, the contract was signed and planning initiated for phase II.

Phase I

In October 2016, the FCO and DCAF signed an agreement on an FCO seed contribution to the SHR Mechanism for a value of £ 183'480. In close collaboration with project partners, DCAF developed project proposals and budgets for three pilot projects to be funded through this contribution.

Phase II

In July 2017 the FCO and DCAF signed an agreement on a new FCO contribution to the SHR Mechanism for a value of £200,000, for the time period 2017-2018. In close collaboration with project partners, DCAF developed project proposals and budgets for three additional projects to be funded through this contribution.

As per the SHR Instrument's Terms of Reference, the DCAF-based Secretariat provides donors with quarterly monitoring reports for the first three quarters of any given year, and a consolidated annual narrative progress report. The present annual report focuses on the SHR Mechanism's activities during 2017.

2. Projects

Pilot projects (phase I)

2.1. Private Security Governance Observatory Project *(Project code: 538611)*

2.1.1. Overview

In the reporting period, the **Francophone part of the Observatory** network expanded its membership both in terms of geographic reach and numbers of members; this brought overall network membership at the end of 2017 to 46 CSOs¹. Additionally, another 8 CSOs filed for membership and are currently completing their respective profiles. Finally, as a result of engagement from the project, several new members in francophone Africa have shown a keen interest to become members of ICoCA's civil society pillar.

¹ The CSOs are located in Benin, Burkina Faso, Cameroun, Chad, Congo Brazzaville, Côte d'Ivoire, DRC, Gabon, Guinea, Mali, Niger, Senegal, Rwanda, and Togo.

DCAF, in collaboration with the Observatory Secretariat (namely *Lumière Synergie pour le développement* – LSD) and Steering Committee, in March of 2017 initiated the development of capacity-building tools for CSOs. The first draft of the Practical Guidance Tool for CSOs – “The Role of Civil Society Organizations in the Good Governance of the Private Security Sector” – was completed at the end of 2017.

An Observatory workshop took place on 20 September 2017, in Bamako, Mali, with three main objectives: a) Present a draft of the capacity-building tool and gather feedback from CSOs; b) Raise awareness on the status of private security regulation in Africa and opportunities to engage with existing international norms, good practices and initiatives, notably the Montreux Document and the ICoCA; c) Expand the Observatory network to include new organisations. The workshop was attended by 19 francophone CSOs; the sessions featured lively discussions and experience-sharing on PSC regulation across the region. The event received positive press coverage by 5 local newspapers.

As follow-up, DCAF conducted an initial capacity-building workshop for the new National Human Rights Commission of Mali (CNDH-Mali)² in November 2017. The objective of this workshop was to sensitise and raise awareness of the commissioners on the topics of business and human rights and security governance; conduct awareness-raising on private security norms and good practices at the international level (ICoC and Montreux Documents); explore challenges and opportunities for CNDH-Mali in monitoring and documenting human rights violations by PSCs; and to identify entry point for CNDH-Mali engagement with the Observatory network in Mali.

DCAF improved the Observatory’s online platform by providing additional information to member CSOs; simplifying the online application process for the Observatory; and making the platform more user-friendly. Development of new content for the Observatory’s online platform continued with updated country profiles: a total of 6 profiles featuring existing legal frameworks, news, and events had been updated by the end of 2017. Due to the sparse response to the ‘monthly’ newsletter initiative, the Secretariat and the Steering Committee decided to issue the newsletter on a quarterly basis; the last one was sent out in December 2017. The Secretariat has called for CSOs to share their work on the thematic challenges, as well as lessons learnt, and these contributions will be included in the first Observatory newsletter of 2018.

The **Anglophone part of the Observatory** network has, since its first meeting in Ghana in May, finalised the meeting report and disseminated it to participants. Building on this first workshop, and with the support of several CSOs that had been present, a follow-up workshop was organised as the first day of the 3-day ACCA³ general assembly, thereby capitalising on the presence of many African CSOs that work on business and human rights and could be potential members of the Observatory. Though first planned for 17 October in Nairobi, Kenya, the meeting had to be moved at the last minute when the Kenyan elections were rescheduled. It eventually took place on 14 November in

² Re-established by a new law with the objective to better comply with the Paris Principles on the Status of National Human Rights Institutions.

³ The African Coalition for Corporate Accountability (ACCA) is a coalition of 116 civil society organisations from 31 African countries which supports African communities and individuals whose human rights are adversely impacted by activities of corporations, both multi-national and domestic. Its member organizations work on issues ranging from mining and other extractive industries, public and private security sector accountability, and in related fields of corporate accountability.

Pretoria, South Africa (with the additional days of the ACCA General Assembly on 15 and 16 November). Besides continuing to raise awareness on challenges surrounding private security governance in Africa (presented by CSO representatives from Kenya, South Africa and Nigeria) and on the work of the Observatory, the workshop also presented the structure of the ‘Practical Guidance Tool’ that was developed within the Francophone Observatory, generating feedback on its practical use and content. Additionally, international developments in the area of private security governance were presented (including the Montreux Document, ICoC/A and the VPs). CSOs were provided with information on how to engage with these initiatives and on the relevance of these instruments to strengthen private security governance in their national contexts. The meeting benefited from the presence of almost 100 ACCA participants, including more than a dozen Observatory members. DCAF coordinated with ICoCA to ensure that all ICoCA CSO members from the region were invited and sponsored, and to provide ICoCA with a dedicated slot to present a more in-depth explanation of the core functions of ICoCA on the 15th of November.

As a result of discussions held in the margins of the ACCA GA, a Temporary Steering Committee of 5 organisations from Nigeria, Kenya and South Africa volunteered to put into place the governance structure and institutional documents of the network and kick-start its project work. The group has since had regular calls and commenced the drafting of governance documents and a work plan. The Anglophone network at the end of 2017 consisted of 15 CSOs from 6 different countries⁴.

2.1.2. Milestones/indicators

Were all the Milestones / Indicators of Success met or achieved as planned, with the planned results?		
Milestone	Result <i>Achieved / Not achieved</i>	R/A/G
2.1. CSOs have adequate institutional capacity to play an effective oversight role over the private security sector in their respective countries, and share their experiences regionally and internationally (e.g. with ICoCA).	<i>On-going through both the workshops conducted and the tools and information provided. One of the positive results is the intent of several CSOs to become members of ICoCA’s civil society pillar.</i>	A
2.2. CSOs engage in dialogue and build relationships with relevant actors at the domestic level to address identified governance gaps, thus contributing to more effective monitoring of the private security sector.	<i>Achieved.</i> Engagement by Observatory network in Mali with CNDH-Mali. Senegalese Observatory member contributed to a national law workshop that was collecting input for the update of domestic private security legislation.	G
Were all the Outputs delivered as planned, with the planned results?		
Output Number	Result <i>Delivered / Not delivered</i>	R/A/G
2.2. At least two 2 regional awareness-raising/capacity-building workshops for CSO groups.	<i>Delivered</i>	G
Were all the Activities completed as planned?		
Planned Activities	Progress <i>Delivered / On track / Not delivered / Not on track</i>	R/A/G

⁴ Ghana, Liberia, Kenya, Nigeria, Sierra Leone, and South Africa.

<p>2.2. Support to the development and strengthening of civil society observatories in Francophone and Anglophone Africa to support more effective oversight and accountability of the private security sector. These Observatories will support the ICoCA's monitoring function.</p>	<p><i>Key support provided includes the building of a solid knowledge base of member CSOs through various workshops, which includes information on how civil society can engage with the ICoCA; the sharing of information and resources on the Observatory's online platform; and the development of the Practical Guidance Tool "The Role of Civil Society Organizations in the Good Governance of the Private Security Sector".</i></p>	<p>G</p>
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2.1.3. What evidence do you have that the benefits of the project will be sustained?

Several members of the Observatory network have shown strong interest and enthusiasm for the topic and approach of the Observatory, to the extent that they operate independently (engage each other without DCAF stimulation or interference) and initiative activities (develop country research on the status of the private security industry, organise a national event on private security governance). To name one example, following recommendations from the regional workshop in Mali that encouraged CSOs to engage and promote the good governance of the private security industry at the national level, DCAF received a proposal from a member for a multi-stakeholder⁵ awareness-raising and sensitisation workshop in Cameroon, which will take place in March 2018. This signals that already with the connections made, and a small number amount of tools and information provided, a sustainable local dynamic has been created.

The work undertaken within the framework of the SHRIM to develop the Private Security Governance Observatory has proved critical in convincing the Open Society Foundations (OSF) to contribute USD 300'000 to a 18-month DCAF follow-up project (running from 2018 into 2019). This will ensure the sustainability of the network and lead to additional benefits for the UK through its contribution to good governance in fragile contexts and through the positive impact on the ICoCA.

2.2. Improving Voluntary Principles Implementation in Peru (Project code: 538612)

2.2.1. Overview

The first phase of the project ran from February to June 2017 with an extensive research process conducted in the Macro Sur mining region of Peru (consisting of the Arequipa, Apurímac, Cusco and Puno provinces). The objective was to provide an overview of security and human rights issues in the region and to analyse the feasibility and relevance of creating an operational Voluntary Principles working group in a mining region. A total of 72 stakeholders representing government, extractive companies, private security companies and civil society organisations were interviewed for the purposes of this study. Additionally, workshops were organized in each of the regions to discuss initial findings with local stakeholders.

The resulting Regional Study "Human Rights, Security and Extractive Companies in the Macro Sur Region of Peru: An Exploratory Study" (available in Spanish and in English) was submitted to the Steering Committee of the SHR Implementation Mechanism, which decided to go forward with the second phase of the project: Socios Perú engaged with stakeholders identified in the Regional Study

⁵ This workshop will include CSOs, the NHRI and national authorities from Cameroon.

as interested in becoming initial members of the Group, and it was jointly decided that the most appropriate location for the establishment of the Group would be the region of Cusco.

The Group was formally constituted on 31 August, 2017, in the city of Cusco. The initial core constituency group (*Grupo Impulsor*) consists of regional representatives of the Ministry of Production (which will take on the role of group coordinator), the Peruvian National Police, three mining companies (MMG, Glencore and First Quantum), and two civil society organisations (Centro Guamán Poma and Socios Perú). The Ministry of Foreign Affairs participated as an observer. Prioritized work topics were social conflicts, dialogue, prevention, and training on security and human rights.

The first activity organised by the Regional Working Group was a capacity building event on “the Voluntary Principles on Security and Human Rights and the prevention of social conflicts” which took place on 29 September, 2017, at the headquarters of the National Police in Cusco. 115 regional stakeholders participated in the event, including 83 police officers. The event provided the opportunity to introduce the newly established Group to regional stakeholders, familiarise them with the VPs and the DCAF-ICRC Toolkit, and jointly discuss regional security challenges.

Additionally, two Group-internal governance workshops for the drafting of operating rules and a work plan took place on 15 November and on 15/16 December. The 2018 work plan contains 3 main lines of action with 24 activities overall. The core constituency group has also identified another 30 stakeholders (public institutions, mining companies, private security companies, and civil society organisations) that constitute potential Regional Working Group members.

Finally, Socios Peru drafted a lessons-learnt document on the process of setting up the Regional Working Group.

2.2.2. Milestones/indicators

Were all the Milestones / Indicators of Success met or achieved as planned, with the planned results?		
Milestone	Result <i>Achieved / Not achieved</i>	R/A/G
1.1. Increased dialogue and sharing of good practice between regional stakeholders leading to concrete strategies and approaches to address security and human rights challenges.	<i>Regional Voluntary Principles Working Group created including various stakeholders such as public institutions, extractive companies and civil society. With work plan established for 2018.</i>	G
1.2. Companies adopt internal security procedures in line with the VPs, the UN Guiding Principles on Business and Human Rights, and security sector reform good practice, drawing on the DCAF-ICRC Toolkit.	<i>On-going capacity-building for member companies of the Regional Working Group.</i>	A
Were all the Outputs delivered as planned, with the planned results?		
Output Number	Result <i>Delivered / Not delivered</i>	R/A/G
Feasibility studies in Cusco and Apurimac regions and mapping of key regional stakeholders in the selected region.	<i>Study completed for Cusco and Apurimac regions as well as two additional regions, incl. mapping of key regional stakeholders in each region.</i>	G

Were all the Activities completed as planned?		
Planned Activities	Progress <i>Delivered / On track / Not delivered / Not on track</i>	R/A/G
2.1 Support to the establishment of regional Voluntary Principles (VPs) Working Groups in Peru and capacity-building of its members.	<i>Delivered.</i>	G

2.2.3. What evidence do you have that the benefits of the project will be sustained?

The initial support from Socios Peru to the regional work group has enabled substantial progress in terms of understanding local dynamics with regards to security and human rights, creating the Group, agreeing on its work priorities and starting pilot activities. However, as the Group was only established in August 2017, additional support is required. DCAF was able to secure Swiss funding to extend the project by a further 4 months in 2018, demonstrating additional donor confidence in this innovative first attempt to create an operational VPs in-country group. The objective of this additional commitment is to strengthen the sustainability of the Regional Working Group, enable the participation of additional stakeholders, allow the implementation of new activities, and provide further arguments to encourage financial or in-kind contributions from Group members.

2.3. **Training for Public Security Forces Assigned to Areas of Extractive Operations in Kenya** (Project code: 538613)

(The project was originally planned to take place in DRC; the Steering Committee subsequently decided to relocate the project to Kenya to reflect a specific demand from stakeholders).

2.3.1. Overview

Between January and February 2017, DCAF initiated a process of stakeholder engagement involving all project partners (i.e. FCO, UK High Commission in Nairobi, Tullow Oil and Safestainable) and relevant actors operating in Kenya to share information and ensure alignment in activities both among project partners as well as between the project and related activities led by other stakeholders. On 24-30 April 2017, Safestainable carried out a field mission to Nairobi and to Turkana county to conduct a training needs analysis. The purpose of the mission was to gather data to inform the development of a training curriculum that will be used to train police officers deployed in Tullow Oil's operational area and to start discussing the logistics required to organize such training. For these purposes, Safestainable met with Turkana county authorities, Kenyan police representatives, civil society organisations, UK High Commission representatives and Tullow Oil employees.

Based on the training needs analysis, Safestainable developed a three-day training course titled "Service with Dignity" focused on police roles, responsibilities, ethics, and professional practices drawn from National Police Service (NPS) policies and best practices. To increase effectiveness and applicability, the training content was based on each force's respective roles and responsibilities, stressed their strengths, underlined their complementarities, and emphasised the need for cooperation. In view of the political and security risks associated to the re-scheduling of the presidential elections to 26 October, the training planned for early October had to be postponed. The training was delivered between 01 and 17 December 2017 four times to mixed groups of officers from the Kenya National Police Service (KPS), including members of the General Service

Unit (GSU) and Anti Stock Theft Unit (ASTU); Administrative Police Service (APS), Critical Infrastructure Protection Unit (CIPU), Kenya Police Reserve (KPR), and Kenya Wildlife Service (KWS). Two courses were delivered at Kapese Camp and two courses were delivered at a church in Kainuk to 85 total participants with the support of Tullow’s staff.

While the training was designed to be delivered to mixed audiences, no village chiefs and few KPR officials attended the entire training as a result of barriers to participation. This hindered the ability of the course to improve cooperation and understanding between the police and the community in Turkana. Phase II will require a greater focus on improving the relationships between public security and the communities they serve and including relevant community members in the trainings themselves. Analysis of the results from the delivery road test will be used to finalise the course curriculum. The instructor and the participants generally agreed that the course was successful overall at achieving its aim and the content covered was well-received. Phase II activities, expected to begin in 2018, include further engagement with high-level public security actors in Turkana and at the state level and the development and delivery of a Train the Trainer (TTT) programme for the VPs course.

2.3.2. Milestone/indicators

Were all the Milestones / Indicators of Success met or achieved as planned, with the planned results?		
Milestone	Result <i>Achieved / Not achieved</i>	R/A/G
3.1. Training needs are identified, allowing to tailor training programmes accordingly;	<i>Training needs analysis report finalised by April 2017.</i>	G
3.2. Companies use the resources developed to improve training of public security forces assigned to their operations.	<i>A total of 85 Kenyan police officers assigned to extractive operations in Turkana county (Kenya), trained by December 2017 with buy-in and financial contribution from Tullow Oil.</i>	G
Were all the Outputs delivered as planned, with the planned results?		
Initial output	Result <i>Delivered / Not delivered</i>	R/A/G
Training side-event in the margins of the VPs workshop in Kinshasa.	<i>n.a. as project subsequently relocated to Kenya to reflect a specific demand from stakeholders</i>	<i>n.a.</i>
Were all the Activities completed as planned?		
Planned Activities	Progress <i>Delivered / On track / Not delivered / Not on track</i>	R/A/G
Development of a training programme on a “SSR approach to the implementation of the Voluntary Principles” for security providers in the area of one or two companies’ operations in the DRC.	<i>Project subsequently relocated to Kenya to reflect a specific demand from stakeholders . Training needs analysis report (for Turkana county in Kenya) finalised by April 2017.</i>	G

2.3.3. What evidence do you have that the benefits of the project will be sustained?

The aforementioned shift of the project from the DR Congo to Kenya was based on a specific demand from Tullow Oil, the first international oil company with operations in Turkana county. Turkana county is likely to be the new frontier of oil exploration in Kenya in the years to come, and the coming ‘oil rush’ has raised substantial human rights questions. The project’s training curriculum and approach was developed in coordination with Tullow Oil, as well as national

stakeholders directly involved in security governance around extractive operations in Turkana. Apart from mission and logistics support for the trainings (around USD 5'000), Tullow Oil also directly contributed USD 14'500 to the costs of the trainers. It has furthermore indicated a possible contribution to a follow-up second phase, in which the training curriculum and lessons learnt are to be generalized within police training in Turkana county. Tullow's support for the project means that police officers assigned to its extractive operations will routinely be trained on security and human rights issues; additionally, it should also make it easier to sensitise additional industry actors to the need for such trainings.

Projects Phase II

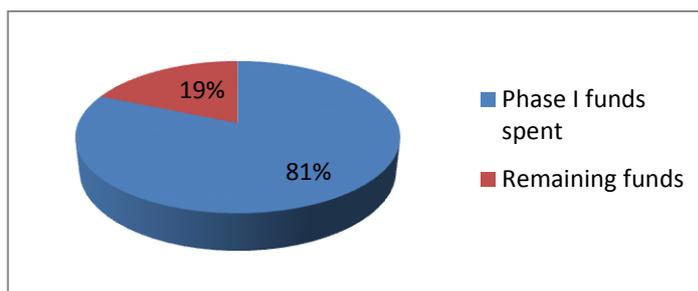
The contracts for the Phase II projects "Collecting lessons learned for in-country implementation of the Voluntary Principles on Security and Human Rights", in partnership with The Fund for Peace and the International Committee of the Red Cross (ICRC), and "Strengthening ICoCA's field monitoring function through support to the reporting, monitoring and performance assessment process", in collaboration with the International Code of Conduct Association (ICoCA), were only signed in 2018 due to the legal review conducted by the Steering Committee (see below). Activities for the former project will begin in 2018. Activities for the latter project were already initiated in 2017 and should be completed by the end of Q2 2018 (initially Q1 but this had to be delayed given problems in obtaining the visas for the last field-based review mission). Reporting on the activities will be provided in the reports for Q1 and Q2 2018.

The second phase of the Kenya project ("Training for public security forces assigned to areas of extractive operations in Kenya – Phase II"), in partnership with Safestainable, Tullow Oil and a local civil society organization, depends on discussions with stakeholders in Kenya pending the review of the lessons learnt report from phase I (see the reporting above).

3. Significant decisions by the SHR Mechanism Steering Committee

- The Steering Committee approved the commissioning of a legal review concerning potential liabilities under Swiss law for SHRIM projects implemented by partners. The review took place between October 2017 and January 2018; two templates – one for projects implemented by partners only, one for projects implemented in joint ventures with DCAF – were developed and will be used by the Secretariat for all future contracts.
- The Steering Committee agreed on a cost-neutral extension for two projects under Phase I: "Improving Voluntary Principles Implementation in Peru" (until 15 January 2018) and "Training for Public Security Forces Assigned to Areas of Extractive Operations in Kenya" (to allow for the completion for lessons learnt report at the beginning of 2018).
- The Steering Committee decided to set aside GBP 5'000 for an audit of Phase I expenditures in 2017 as well as those under cost-neutral extensions, in April 2018. The audit will close the books on phase I. The SHR Mechanism Secretariat will produce overview an overview for the Steering Committee on funds left, and suggest possible use for future SHR Mechanism management/activity expenses.
- At the beginning of 2018, the project financial management will move from GBP to CHF. This is due to new donors joining the funds and a single currency – in this case, CHF as DCAF's standard one – promoting clear and simple financial management procedures.

4. SHR Mechanism financial management



The budgets components, in particular those concerning activities, underwent a series of revisions and adaptations between the approval of the overall proposal by FCO and the beginning of concrete activities. This is due not only to the fact that 2017 was a pilot year and hence of lessons learnt for the SHRIM, but that the very nature of the Mechanism – targeted implementation of security and human rights good practice on the ground in complex environments – brings with it a number of political and logistics challenges that require time to clarify. This process of revisions and adaptations, as well as cost efficiencies in activity implementation and the use of synergies with other DCAF projects, allowed reducing total costs as compared with the initial budgeting.

It is proposed that the remaining funds be rolled over into the second phase of the SHRIM.

Was the project completed on Budget? Yes		
Planned total Cost	Actual Total Cost	Variance (difference between planned and actual costs)
GBP 183'480	GBP 149'223	GBP 34'257
Please explain any variance in planned and actual expenditure, where the difference is greater than 5%		
Cf. description above.		

5. SHR Mechanism Outreach

Outreach remains a priority in order to consolidate and further grow the SHR Mechanism. In the reporting period, it involved the following activities:

- Switzerland: Following a series of discussions between DCAF and the Human Security Division (HSD) of the Swiss Federal Department of Foreign Affairs, the new phase of the project “Addressing Security and Human Rights Challenges in Complex Environments” (2018-2020) will contain a CHF 50'000 call for proposals as a direct Swiss contribution to the SHR Implementation Mechanism. Additionally, the Swiss contribution to the salary of a DCAF-based Project Coordinator will be considered as in-kind contribution to the SHR Mechanism.
- Netherlands: Following DCAF’s contribution to Voluntary Principles-related workshops in the DR Congo (Goma and Lubumbashi) under the project “Addressing Security and Human Rights Challenges in Complex Environments”, the Dutch MFA and DCAF have initiated discussions on Dutch funding for a pilot project to support a security and human rights multi-stakeholder initiative in South-Kivu. Funding would be channelled via the SHR Implementation Mechanism.
- Germany: DCAF has engaged the German MFA on potential funding in the field of Security and Human Rights, and will continue to do so in 2018.