

CSCR/ACCR



Local Perspectives
on Security and Human Rights
in the Niger Delta

“... recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” (*Universal Declaration of Human Rights*, Preamble)

SDN - CSCR/ACCR - IKV Pax Christi
April 2008

Contents

I. Context.....	1
II. Process	2
III. Findings	4
IV. Recommendations	5
V. Security Perceptions of Communities.....	6
VI. Community Contribution to Security.....	9
VII. Consultation	11
VIII. Deployment and Conduct	12
IX Potential of VPs for Communities.....	13
X. Role of VPs Civil Society Working Group	14
Annex 1: Background on the six surveyed communities.....	16
Annex 2: Joint communiqué of the Awareness Creation Workshop on the Voluntary Principles on Security and Human Rights, 29-31 October 2007, Warri, Delta State, Nigeria	19
Annex 3. Local Guide.....	25

I. Context

1. The Voluntary Principles on Security and Human Rights (VPs) are a tripartite initiative that can substantially contribute to the protection and promotion of human rights in communities surrounding company sites. The preamble of the VPs states that “security is a fundamental need, shared by individuals, communities, businesses, and governments alike.” This concept of security as a shared need is the core of the VPs' innovative power. Thus far, the VPs have been a top-down initiative, conceived in rich countries that are the homes of the world's largest companies. The people whose rights the VPs are supposed to help protect, and their governments, are still insufficiently involved. Participating companies have started to integrate the VPs into their security arrangements, but local tri-partite processes remain exceptional. For the VPs to realize its potential, it must gain buy-in from host governments and build a social support basis.

2. Centre for Social and Corporate Responsibility/African Centre for Corporate Responsibility (CSCR/ACCR), Stakeholder Democracy Network (SDN) and IKV Pax Christi decided early 2007 to try a bottom-up approach to the VPs in the Niger Delta. We wanted to assess the perspectives of people whose rights are central to the VPs, but who have not been attributed a clear role themselves. Six different communities in the Niger Delta were asked 'What can the VPs do for you?', with the aim to let the answers guide our future engagement in the Delta.

3. This report summarizes the answers that we heard from the communities and our conclusions. We have chosen to show one side of the story only, in its full subjectivity, without checking the facts or adding counterbalancing arguments.

4. The VPs lay down several robust obligations of companies and very few specific requirements for other participants. The obligations of Governments and NGOs remain mostly implicit, to be derived from their commitment to promote and support the principles, and to enable and assist companies to implement and follow the VPs. The role of communities is even less clear. They are mentioned only four times and given a role as partners to consult and engage with, as stakeholders whose welfare must be cared about and whose human rights must be upheld. Having been designed for potential victims of human rights violations, but without involving them, the VPs are in need of a reality check. Do they answer the concerns of communities in the Niger Delta? What would their contribution look like? What is understood by a shared security model? What would be needed to allow communities to be consulted and engaged with? These questions need answers.

5. Different stakeholders have different roles that must be balanced with each other. The VPs are to strengthen, not undermine their existing obligations. The state is primarily responsible for the protection of human rights and holds the monopoly on violence. The extent to which other stakeholders have a role to play on security and human rights issues depends on the ability of governments to fulfill their obligations. The primary responsibility of governments must be recognized by communities and

businesses, while governments will have to recognize the legitimate contribution that communities and companies can make.

6. The word security has several meanings. In a narrow sense, it refers to safety from sudden physical attack and injury, in its broadest sense to the concept of 'human security'¹, which entails securing the well-being of individuals and communities against all economic, social, health, and environmental threats. The broad definition requires a broad participation in security issues and empowers people to determine their own fate. The VPs do not in any way entail the concept of human security, but they do contain a few of its most meaningful elements, in that they recognize roles for a variety of stakeholders, link security with the protection of human rights, and mention the importance of contributing to 'welfare for the communities'. There are good reasons for this. An exclusively state-based, top-down approach to the problem of violence, that ignores dimensions like chronic poverty, injustice and exclusion, has a poor record of success. Without interface with other dimensions of the local context, security systems in complex environments suffer from a fatal strategic deficit.² The VPs are not designed to resolve long-standing issues like local development. They should definitely not address the full spectrum of security related issues, but for the VPs to become a success, these issues will have to be adequately addressed somewhere.

II. Process

1. During the Plenary meeting of the Voluntary Principles on Security and Human Rights in 2007, IKV Pax Christi highlighted the challenge to engage civil society with the Voluntary Principles (VPs) at the local level. In 2007, IKV Pax Christi, together with SDN and the CSCR decided to carry out a pilot project aimed to:

- raise awareness about the VPs among Niger Delta communities and CSOs;
- document local perceptions on issues of security and respect for human rights;
- assess the VPs potential to contribute to security and respect for human rights;
- identify options for effective civil society engagement with the VPs.

2. This report collates the findings from the research that took place from May to October 2007 in six communities in the Niger Delta, notably Kula, Idama, Dodo River, Azuzuama, Finima and Ugborodo. The findings are our summaries of the perspectives and opinions that have been encountered. The main text consists of quotations, summaries of encountered opinions, and occasional comments.

3. There have been three consultation meetings in which, together with SDN, CSCR/ACCR and IKV Pax Christi, several members of the VP Plenary participated at least once: International Business Leader Forum (IBLF), the UK and Dutch Governments, Shell,

¹ Human Development Report, UNDP, 1994.

² Dan Smith. *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together*.

Overview report of the joint Utstein Study of Peacebuilding. Oslo: International Peace Research Institute (PRIO), 2004.

Chevron, Total, BP, International Alert, and IKV Pax Christi. Their comments and concerns have been reckoned with at all stages and we have taken them into account when finalising this report.

4. The next step in the project will be to share the report and its recommendations with the Plenary Meeting of the VPs and with the six communities that have been visited and which have shown such keen interest in escaping violence and rights abuses.

Methodology

5. The main aim of the research was to create a level of awareness about the VPs in selected communities and to test their reception. The communities were all in the Niger Delta of Nigeria, Azuzuama and Bilabiri (Dodo River) in Bayelsa State, Finima, Idama and Kula in Rivers State, and Ugborodo, an Itsekiri community in Delta State. They were selected on criteria of ethnic diversity, experiences with a variety of oil companies, remoteness, history of activities of militants and the Joint Task Force, occurrence of incidents, spread over States, and familiarity of the researchers with the communities. The visits were carried out by boat in the rainy season (!!). All six communities host more than one oil company facility and most of them have at one time or the other had a problem either with the oil companies or within their communities. After each visit, the researchers produced a written report, this was handed over to the lead researcher who integrated all the reports into one.

6. Preparatory workshops and planning sessions have been held with the researchers. The main methodology was in-depth one-on-one interviews. For this, a survey questionnaire was produced to guide the interviewers. In addition, a Local Guide on the VPs was produced and disseminated (see annexes) as well as a Questionnaire. Each community was visited for at least two full days. The first day was spent on interviews, using the Questionnaire to ensure reliability and comparability. The second day was used to raise awareness about the VPs, using the Local Guide.

7. People did not wish to be interviewed alone and therefore group interviews were held. In general, a community spokesperson would provide most answers, while numerous others watched, concurring disagreeing and adding. In all communities, a wide variety of interviews were held in different settings and groups, from Councils of Chiefs and elders, to women and youth groups.

8. The awareness-creation sessions were all carried out on a community basis. At Idama, the community civic centre was used, at Kula it was a local church. A more formal sensitisation was organised jointly for Idama and Kula at Abonnema, due to time constraint and the fact that these two communities were undergoing stresses and strains.

9. The interviews were not recorded to create a safe environment and ensure a maximum of openness. Instead, multiple people took long notes, which were compared during debriefing on our return. Photographs and video footage were taken.

10. Although the researchers had worked in all these communities before, they went in with local guides. This is an absolute necessity. Nobody ever for once felt threatened; in fact exceptional hospitality was shown. In one of the communities, the traditional leader even vacated his bedroom for us.

III. Findings

1. 2007 witnessed an unprecedented rise in violence in the Niger Delta. Kidnapping, vandalism and pipeline attacks significantly reduced oil production. As a direct result, communities increasingly found themselves living in a militarised region.

2. All six communities were in agreement that violence in the Delta was a result of a combination of (in this order):

- a) failure of government to provide basic services, economic opportunities, and protection against injustices;
- b) a resulting lack of trust, sincerity and social contract;
- c) use of divide and rule tactics by oil companies.

These perceptions are strongly felt. It was made clear that the occurrence of violence in the Niger Delta cannot be dealt with in isolation from the issues that cause tension. A combination of factors have created a situation where a traditional security approach focusing on physically securing personnel and assets can no longer provide security for anyone.

3. Communities believe that it is necessary to introduce a security model that is built on shared interests in a secure environment for all stakeholders.

4. Communities approach the word security in a broad sense of the term: economic, environmental, physical, and including a sense of justice. The opinion was widely held that the oil industry will not be secure unless the communities feel secure and sense that they have a future. At the end of the day, it was said, the authorities and oil companies will not be able to rely on physical security systems as a last resort, because they isolate oil operations from society, polarise relationships and alienate the population.

5. All six communities see themselves as primarily responsible for security in their locality. They resent the militarization of the Niger Delta and see a role for themselves in providing security - in the broad sense of the word. They demand to be recognized as responsible and respectable parties. Security for them can only result from open, respectful and reciprocal relationships. There is room to engage communities in a security concept which tackles the disconnect between companies, government and communities, builds trust and ensures security for all.

6. Voluntary Principles are perceived as a potentially useful tool for establishing a constructive channel of communication about security with the authorities and oil companies. It could serve as a non confrontational platform to explain what is driving local insecurity and address problems, by way of structured dialogue, before potential human rights abuses might occur.

7. The VPs could play a useful part in shaping an inclusive security concept for the Niger Delta, if it takes into account the wider aspirations of the people.

8. There is no interest in yet another non-committing talk shop with companies. Communities would welcome the chance for constructive dialogue. They believe that the VPs can make a difference because it brings in the government, is linked with other governments and international NGOs, and has a procedure to deal with grievances.

9. Communities recognized the need for civil society groups to train, advise, support and monitor initiatives to realize the VP processes in Nigeria and the Niger Delta. Currently, they are unprepared to contribute to a VPs process.

10. It is vital to adjust the expectations that the VPs may arouse to the impact that it can be expected to have. The VPs are no panacea for the ills of the Niger Delta. Any security concept is primarily about protecting against sudden physical attack and injury. To have a broad security concept is not the same as curing all economic, environmental and other problems that people are faced with. On the other hand, it may be possible to manage expectations, but not aspirations. If these are not dealt with somewhere, they will boomerang.

IV. Recommendations

1. To all VPs participants, to encourage the Nigerian Government to endorse and actively participate in the VP process.
2. To Nigerian civil society organizations, to take a coordinated initiative to streamline and initiate bottom-up engagement with the VPs.
3. To Nigerian civil society organizations to build the capacity of communities to actively participate in VP processes.
4. To VPs participants present in Nigeria, to start pilot community engagement projects.
5. To VPs participants present in Nigeria, to present annual programmes and report on performance against it.
6. To oil companies present in Nigeria, to ensure that all community relations staff and security providers are trained on the VPs.

V. Security Perceptions of Communities

1. The six community case studies identified what community members perceived as local drivers of instability and conflict. When asked, 'What do you perceive to be the main sources of tensions in your community?' three main issues came up.

Causes of tensions in communities in the Niger Delta:

1. Failure of government;
2. lack of perceptions of sincerity / trust;
3. perceptions of divide and rule tactics by oil companies.

Failure of Governance

2. It was recognised by all six communities that oil company practices are only partially responsible for current tensions and violence in the Niger Delta; they escalate and reinforce existing tensions. The primary driver of instability was identified as a failure by the government to provide basic services and development opportunities to the communities³. The consequence is a disconnect between the population and the governing elite, which has created an environment where many people feel that it is justified to use violence to address injustices and better themselves.

"The local government is not doing anything. We don't even know whether there is local government or whether there is State government. Since the inception of democracy, we have not even seen a local government chairman right here in our village in Dodo River." Dodo River

"In relation to development in the community Government has done nothing. In terms of resolving the violent conflict that occurred in the community in January 2007, in which 8 chiefs were murdered. Government has never done. Because of the distance from government, time and resources to be wasted in going to government, we resolved the matter by ourselves. They are selfish. They do not visit the village." Kula

"We do not know anything about government." Idama

³ "If you look at it, that is why I say we are not Nigerians. Government does not know us. From government we are not seeing anything. Today elect any young man to be chairman from this village; you will not see him again. When anything comes, they grab them into their pocket. We are suffering. This is what causes militancy. Without violence, we will die of starvation."

3. The absence of the government invites communities to turn their attentions to the government's wealthy business partners, the oil companies.

"We call oil companies because they are closer to us.....The governors are the problem of the Niger Delta after the problem from the oil companies. The real people that cause the problem is the government because the government is not doing its duty, the government is not functioning. They are only there to share money." Dodo River

"Why we are calling oil company X is because they are the people we see on ground. The whole problem is with government. To be candid, oil company X has a smaller problem to solve. And that problem, if the company allows it, oil company X will solve it. Government is our problem. They want to cut us off by all means but God does not allow it and this thing (oil) is still coming out of our backyard." Dodo River

"Lack of development in the communities by government is due to greed. Our experiences with those in government has made us to rely on the oil companies. They are the government we see." Idama

Lack of Sincerity / Trust

4. All six communities strongly voiced their frustrations that Memorandum of Understanding/Global Memorandum of Understanding (MoU / GMoU) agreements are often not upheld and/or negotiated without full consultation. This, combined with short term responses to long held grievances, has created a legacy of the perception of insincerity by oil companies and a resultant breakdown of trust.

"Let me cite a very good example, the E.A. field. Oil company X came in 2000 with MoU. And out of all in the MoU, up till now it was only one they did.... That was all. Now they want to go back and resume operations, what do you think will happen to these people? If with standing MoU they refused to do something and their operation was shutdown by militants and after 2 or 3 years they want to come back and work. If they come back what will happen to them?" Dodo River.
"Oil company X procedure is very hard, they make it difficult for the community, They only understand the language of violence." Azuzuama

5. The communities recognised that oil companies should have an interest in ensuring trust and understanding with them.⁴ However, none believed that current operating practices of the oil companies were creating trust. An important first step would be to address the unfinished agreements of MoU's and GMoU's and other historic grievances in a transparent manner.

⁴ "We, we want the oil companies to come back to our area, but their attitude is what is driving them from our territory. If they want to come back, let them come. As they are doing to other places, let them do it to this area." Dodo River

Perceptions of Divide and Rule

6. Communities noted that one of the main drivers of conflict in their localities was the perception of divide and rule tactics used by the oil companies. Divide and rule was explained as a deliberate act by the oil major's local staff to cause disaffection and disconnection among the community. This includes fostering distrust and enmity among community members and aiding and promoting those who are willing to cooperate with the oil companies in the short term for their own selfish ends, in order to forestall community cohesion and unity.

“Oil company X will never make peace for the communities. They rather cause the conflicts. They use divide-and-rule. They like fomenting problems for the communities. They instigate community conflicts.” Idama

7. The accusation of divide and rule tactic against oil companies is widespread, but not always made concrete⁵. Explaining the tactics of divide and rule as a root cause of conflict in the community, a community member in Finima Bonny kingdom said in relation to two oil companies:

“Divide and rule of the operators of the companies is at the root of the conflicts in the community. They use different techniques of divide and rule. Examples include double award of jobs to different people, harassment and intimidation and inducement with money, use of the army and police to suppress the people.”

8. In Kula an elderly woman when asked about the causes of conflict in the community, said, “what oil company X brought to Kula, has destroyed Kula.” It became clear through the engagement with the community in Kula that they attribute the crisis in the community that claimed the lives of eight chiefs in January 2007 to divide and rule tactics. Apart from contributing to tensions between the communities and the oil companies, divide and rule was also highlighted as playing a key role in community tensions.

⁵ For instance in Ogoni land on Thursday, July 19, 2007 (the same day we were in Idama) Mr. Ledum Mitee, the leader of the Movement for the Survival of Ogoni People (MOSOP) told a Punch Newspaper Correspondent that one of the problems that leads to the crisis in the communities is oil company X's failure to recognize legitimate community leadership. He spoke in connection with the Trans Niger Pipeline fire which had raged for over three weeks. According to him, ‘the persistent refusal of oil company X Staff to recognize legitimate community leadership exacerbated the crisis which earlier closed the pipeline and has fed the current criminal behaviour’.

A similar tactic was reported in a Vanguard Newspaper publication of Tuesday, 24 July 2007, with the title “oil company X's Odidi gas project tears Ijaw community apart”. This emanated from a protest letter, dated 17 July, by the Ogbe-Ijoh community to the General Manager, company X, Warri, alleging that there was a clandestine and provocative plan, promoted by some Ogbe-Ijoh indigenes in collaboration with some company X officials to deny the community of its benefits from the project.

*“We protested and in the process because of the divide and rule principle, the other community attacked us. Up till now I am talking to you, there is tension”
Dodo River*

“Oil companies so much enjoy this divide and rule system and seem to benefit certain people who they see as their friends.” Finima

In short, communities perceive oil companies’ engagement policies as ‘divide and rule’ tactics. The belief is widespread that the companies are insincere and unwilling to engage with communities to find long-term solutions. Instead, they are perceived to be essentially motivated by a need to produce oil now and here.

9. Research into these community perceptions of causes of tensions in the Niger Delta including the Ogomudia report⁶ highlights the need that a security response in the Delta must also address the failure of development and failure to respond to the aspirations of the people.

VI. Community Contribution to Security

1. One of the major strengths of the VPs is its recognition that security is everyone's business. Nigeria has historically relied on the military and police to provide security. This research engagement with communities was the first time that they were involved in a process that views security as an inclusive rather than an exclusive process.

Community perceptions on their role

2. Community groups hold very strong views on their role in security in their locality. All viewed themselves as the primary providers of security and the presence of the police and JTF as a contributing factor to the insecurity they are faced with.

“We have our way of securing ourselves. You want us to tell you our secret. If they recognize us as partners, we will secure their facilities.” Ugborodo

The communities perceive that they play a central role in ensuring the security of oil installations and they claim that unless they feel involved, the oil industry cannot feel secure.

“In the early 60s we worked together. They employed our people. They used locals for security and there was peace.” Ugborodo

⁶ Ogomudia report was commissioned by the Obasanjo administration to suggest solutions to the growing conflict in the Niger Delta.

“We will like being involved in security. Yes, we will stop hostage taking. We will monitor the facilities and there will be no vandalization. We know them. We will simply ask them to stop destroying our things. No stranger will cross our territory.” Idama

“They operate in our area and if they give us sense of belonging, we will protect them.” Kula

“Let company X remove the military, use us from this local area, we are going to secure their facilities for them. If you allow us to guard them, will we destroy anything? Who likes to destroy where he is eating from?” Dodo River

“We need a civilian force. We will work with them to provide security. There is no need for the soldiers. They are not even familiar with the creeks. That is why the boys attack and easily escape.” Kula

“We will like being involved in security. Yes. We will stop hostage taking. Our role will be monitoring. If done, none of the facilities will be vandalized.” Idama

“Striking a balance between how the people fair and the security of the companies has been the problem. The VPs will be of assistance here in constructive engagement.” Finima

3. This willingness to be involved in an inclusive approach to security could be significantly undermined if a crack down by the Joint Task Force (JTF) occurs. There is still a small window through which the damage of the past can be overcome and as a result communities would see themselves as partners in the future of the region. This will require lasting changes far beyond those of the spectrum of the VPs, but a local tripartite VP process could be the start of a much needed dialogue between communities, government and the oil companies.

Attempts at non violent engagement

4. When asked how communities address issues with oil companies, all the communities stated that they start by writing letters, seeking audience with oil company management. It is when these are rebuffed that they take recourse to other means. In Ugborodo, it was put thus: “if you go to oil company X, you will find that our letters fill a store, all unattended.” In Finima, a Woman leader identified security with a cordial relationship and honesty and insecurity with a lack of keeping faith with promises and agreements by governments and oil companies. According to her, “when oil companies and governments fail to honour agreements, the peace of the community becomes threatened.”

5. The women of Azuzuama cited an example of when they tried to use a non violent mechanism, in this case a letter, to complain to oil company X about an oil spill.

“They pursued us with the military. We dropped our letter at the gate and since 2000 we have not gone there again.....Since 1977 we have not had any meeting with oil company X, since 1977 we have never known what is called oil company X, we the women.” As if in conclusion their leader shook her head and said, “nothing oil company X has done that is good.” Azuzuama

6. This experience was in stark contrast to that of Azuzuama Youth when they turned to violence and shut in a well head. The company was quick to negotiate a settlement and get the oil flowing again.

“Youths refused to vacate the well-head until their demands are met; we have been cheated for so long.” Azuzuama

7. These perceptions highlight the need for a proactive response to communities when they use non violent avenues to address grievances so that violence is not perceived as the only thing that gets a response. The VPs could be used as a proactive avenue for this to occur.

VII. Consultation

1. The VPs promote regular consultations between the different stakeholders in providing security. This does not currently happen in the Niger Delta, but all six communities expressed an interest in playing a proactive role in determining the future of their own security.

“There has never been a meeting on security between oil company X and the people of Ugborodo.”

“Neither company A nor company B has had a meeting with us on security, even during GMoU negotiation.” Kula

“They have never talked about the effect of security on us.” Idama

“They have never called us to a meeting to discuss what we have suffered as a result of the operations of the soldiers.” Dodo River

“No meeting. No consultation.” Finima

When asked if community groups would be willing to discuss security in their area with the government and oil companies there was a positive consensus that it should be given a try, even if the majority believed that oil companies would not come.

VIII. Deployment and Conduct

1. Once security personnel are deployed to protect any oil installation, their conduct determines the success of their mission. Although there has been marked improvement in the conduct of the military since civilian rule returned, there is little evidence from this research to suggest that the deployment of the JTF and others has improved local perceptions of security. Communities were asked to comment on the provision of security by the JTF, military and the police.

“The place is highly militarized. Imagine the number of soldiers and navy you saw on your way to this place. Look at the village, its size and population and the number of security men around the area. It is affecting our children and youth. We feel besieged.” Ugborodo

*“They are too many. We do not want them. They use them to intimidate us.”
Dodo River*

“They will be here and the militants and pirates will attack and go.” Ugborodo

“Have they protected themselves?” Idama

“If you go to the E.A. field, it is a very big field. The military were there when the destruction was done and COMPANY X could not operate for these two years and the army could do nothing.” Dodo River

“It gives the impression we are in a state of war. It is affecting our younger ones and it gives impetus to militarism and militancy.” Kula

“The army are there to do business out of COMPANY X and because there are those who make money in the process of hiring JTF, till now they have not realized their mistake. They still think the best way to secure their property is to use the army.” Dodo River

2. When the research team discussed the current use of force with communities a worrying trend of disproportional force as a result of misunderstanding and nervousness was prominent.

“During the uprising of 2005 they killed Bawo Ajegbouku. He was aged about 28 years. And till now there has been neither investigation nor compensation. They are brutal and ruthless. Imagine the way they treated unarmed women and shot at defenceless young men.” Ugborodo

“They use the same soldiers who kill and injure our people to guard the tank farm.” Idama

“When they came here on false information that our youth were among those who attacked them when Asari was arrested, they beat up our people, no one was treated. No enquiries were set up.” Idama

“The military do not know any person. Now our people cannot even fish around the area. They cannot fish because of the military. Any person they see they molest. They cause a lot of trouble right inside the creek. Even in the creek, a lot of fishing trawlers have been molested by military personnel.”. Dodo River⁷

3. A greater understanding by security guards of the activities and movements of the local population is expected to result in a reduction of activities which are seen locally as harassment and this would reduce tensions. It is important that the negative cycle of ‘us and them’ is broken from all sides. This would need reform of the region’s security system and the VP’s could be used as a channel to start these discussions.

IX Potential of VPs for Communities

1. Even though they were not involved in shaping the VPs, local communities in the Niger Delta expressed a real interest and desire to be involved in their implementation⁸. Since it is not in the scope of the VPs to solve all causes of tension in the Niger Delta, it would be extremely important to manage expectations and ensure that the focus of resultant VP dialogues remain in line with the VPs mandate.

“The way I see it, the VPs will help us discuss problems with the oil companies. It will help our voice to be heard.” Ugborodo

“Meeting on the effect of security will prevent ill-feelings.” Ugborodo

“Getting our people in security provision will reduce unemployment.” Idama

“It is an instrument for GMoU negotiation to mainstream security in the process.....It will contribute to settling disputes with oil companies and even with our neighbours.” Kula

⁷ “Amatu boys employed by Oil company X as surveillance workers were going on surveillance operation, the army killed two of them.... COMPANY X surveillance workers-o. About six of them were going on the operation and two of them were shot and killed by the army, one of them was seriously wounded and one managed to escape.... And in the process, Berry, protested, in the process Oil company X manipulated and arrested Berry and took him to Asaba in Delta State. The injured were not treated nor compensation paid on the dead. Berry is still fighting the case with Oil company X since 2003.” Dodo River

⁸ “The community should be mainstreamed in the VPs process. The communities were not involved in the making of the VPs. It will be good we are involved in the implementation.” Kula

“The VPs will assist the community in negotiation on security and capacity in conflict resolution.....If we had the VPs when I was president, it would have been of much help in dealing with the oil companies in the area of security and community welfare.” Finima

“The community will like to take part in the VPs. It will assist in having regular meetings with oil company X.” Azuzuama

If the VPs can be used as a platform to facilitate dialogue between the different actors then this in itself will be an important first step forward.

X. Role of VPs Civil Society Working Group

1. Community participants made clear to the research team that for any project on the VPs to be successful in the Niger Delta, a body would be needed that could train, monitor, work with and support community engagement with oil companies and the state. This body would need to have the full trust of the communities, which would exclude direct financing by companies or the authorities. There are currently too many suspicions and too many promises have been broken for any initiative to be given much room for success.

“It should monitor the implementation of the VPs. The group should be accessible and acceptable. Its acceptability will depend on its credibility. It should resolve conflicts between the communities and the oil companies. Even between communities and within communities..... It should be based in Port Harcourt.” Finima

“We will like the VPs to be monitored. You people should monitor it.” Ugborodo

“We want the VPs to be monitored. NGO people should monitor it. We don’t want government. We don’t want oil companies.....The people will recognise the organ when set up, but it will require confidence building.” Dodo River

“The group should hold meetings and consultations with all stakeholders and engage in publicity, it should be funded by independent groups to avoid being hijacked.” Idama

“We will welcome any group that will assist us in our meetings with the Oil company X. We do not want violence. If Oil company X does not see violence, he will do nothing. We want a group that we can rely on in our relationship with Oil company X. In any negotiation with oil companies, the government is always in favour of the companies. A lot of groups have come and gone without visible benefits to us.” Azuzuama

“Let them monitor the VPs, and what the oil companies do with the communities. We want them to train community members in the areas of negotiation and economic empowerment. We will even want them to help the community share what the oil companies give to the community to avoid the violence we have been facing.” Kula

“If they, the oil company X and the government will listen to us, for me, I welcome them.” Dodo River

2. A dedicated civil society working group that sides with the communities would be welcomed to facilitate a constructive VP dialogue in the Niger Delta. A platform where grievances can be openly laid on the table was suggested as a suitable starting point for VP led dialogue process, next to making an inventory of existing security practices and comparing those with VPs requirements. Other roles mentioned were monitoring and early warning; providing a channel of communication; and offering emergency response mechanisms.

4. The failure of the new GMOUs process to address previous grievances⁹ was often mentioned as a factor undermining their chances for success. To stem animosity between communities and oil companies it is imperative to address the perception of consistent failures to uphold and deliver on MoU's¹⁰. A VPs civil society working group could, for instance, tackle the issue of ghost projects, which could be a quick and cost effective step in reducing tensions while signalling a significant change in approach to security in the Delta.

⁹ “If with the new MoU, which is a tripartite agreement, if they can fail to do them, we too, after filling all documents with them, will still fail them in the field.” Member, Dodo River RDC.
“They will not have the feeling of the community. Now many problems are coming because we have grievances that are not settled.” Paramount Ruler Dodo River

¹⁰ One would need to work out best practice terms of reference for community engagement to make sure not worsening local tensions and supporting one group over another.

Annex 1: Background on the six surveyed communities

Dodo River

Dodo River is in Ekeremor Local Government Area of Bayelsa State. It is about two hours boat ride from Bessu Waterside in Warri Delta State. Dodo River is the collective name given to Amatu 1 & 2, Bilabiri and Besangbene. The people of Dodo River are Ijaw by ethnic grouping. Dodo River is a conglomerate of communities comprising Bilabiri 1&2, Amatu 1 & 2, and Ezetu. The research was carried out in Bilabiri 1. Bilabiri shares all the characteristics of the core Niger Delta in demography, topography, and ecology.

Dodo River has an elaborate governance structure. At the apex of the governance pyramid is His Royal Majesty. Under him are His Highness and other chiefs. There is also the Community Development Committee (CDC). They have the women and youth groups. From the outside the people seemed untouched by modernity for according to them, “there are no representatives of government from Dodo River.”

The people mainly fish; there is almost no land for farming. Most of their carbohydrate needs are obtained from neighbouring communities in exchange for fish. Life revolves around the sea and, like most Ijaw communities, the people of Dodo River worship the sea. But their mystical attachment to the sea is unravelling as oil pollution, illegal bunkering and heavy sea transportation is demystifying the awe of the waters.

Idama

Idama is located close to the San Bartholomew and Sombriero Rivers in Akuku-Toru local Government Area of Rivers State of Nigeria off the Atlantic coast. Idama is about 45 kilometers from Port Harcourt the state capital and 10 nautical miles from Abonnema the headquarters of the local government. Idama is bounded in the north by Abonnema community, in the northeast by Obonoma, in the northwest by Soku and southwest by Kula. The Idama are of the Ijaw ethnic nationality. They speak Kalabari language.

Like other core Niger Delta communities, Idama is situated on one of the wetlands of the Niger Delta and has freshwater swamp forest and rich biological diversity. It has a difficult topography. Idama lacks basic infrastructural facilities. Like Ugborodo community it is located within the zone said to have an average population of about 5,000 people, even though the people argue that they are about 12, 000. Like the other communities surveyed, Idama has experienced inter community conflict with her neighbors, especially Kula.

The main occupation of the people is fishing and farming. But according to the people, their livelihood systems have been disrupted by oil exploration activities. However other economic activities such as petty-trading, sewing, weaving and carving are also prevalent. Community governance structure of Idama is based on a diffused and

hierarchical order of several groups. At the apex is the Council of Chiefs and Elders. There are also the women and youth groups. But with the advent of oil, such structures as the Regional Development Council (RDC) and the Community Development Council (CDC) have been introduced by oil companies and governments.

Ugborodo

Ugborodo is one of the small islands in the Niger Delta found in the Warri South Local Government Area of Delta State. It is one of the islands of River Escravos along the Gulf of Guinea. The people of Ugborodo belong to the larger group of Itsekiris. Ugborodo community is situated on one of the wetlands of the Niger Delta and has freshwater swamp forest and rich biological diversity. It has a difficult topography and belongs to the zone said to have an average population of about 5,000 people, even though the people argue that they are about 350,000.¹¹ Ugborodo community is made up of six villages namely Ogidigben, Madagho, Ajidigho, Imaghagho and Iyala and Ode-Ugborodo. Infrastructure and social services are generally deplorable in the area, and vastly inadequate. Human development index (HDI) is as low as 0.564.¹² Thus the area is faced with abject poverty in the midst of plenty.

Azuzuama

Azuzuama is found in Southern Ijaw Local Government of Bayelsa State of Nigeria. The headquarters of the local government council is at Oporoma. Azuzuama is made up of five villages but has more than 20 other settlements. They are Ijaw. Azuzuama is about two and half hours speed boat ride from Yenagoa the state capital. The major occupation of the people is fishing. They are found within the core Niger Delta and share their characteristics and woes.

Finima

Finima is a small community in the Bonny Island. It is of the Ibani ethnic group, a variant of the Ijaw. But this is not pronounced. The Kingdom is also known and called Bonny Kingdom. Finima hosts literally all oil companies in Nigeria and is also the "primary host community of the Nigeria Liquefied Natural Gas Project (NLNG). The people of Finima were resettled from the "old Finima" to the New Finima Town. This accounts for the relative modern look of the community, even though the indigenes still complain of the lack of fulfilment of the promises made by the government for the relocation.

Finima is found in Bonny Local Government Area of Rivers State of Nigeria. It is located at the southern tip of Rivers State close to the Atlantic coast. Finima has about nine other settlements that make up the Finima Community. It is made up of 34 chieftaincy

¹¹ UNDP Niger Delta Human Development Report, Niger Delta Development Master Plan and our field interview with Chief Pullen Rowland, the PRO of the Ugborodo Elders' Council

¹² For details see NDDC, Niger Delta Regional Development Master Plan, 2006, UNDP Niger Delta Human Development Report, 2006

Houses. Only four of these Chieftaincy Houses is considered “Dwari” meaning- the founding house. The Major Houses are fourteen, while the remaining are sub or minor houses. Finima has had its share of oil related conflicts. According to our respondents, the conflict over land acquisition by oil companies and the sharing of oil revenue has brought a lot of conflict among the chiefs that the youth have taken over the daily running of the community for the past 15 years.

Kula

Like the Idama, Kula speaks Kalabari and are of the Ijaw ethnic stock. However, there are sprinkling of Ogoni, Nembe, Adoni and Igbo. In a sense, Kula could be said to be multi-ethnic with the majority Ijaw ethnic group providing leadership for the rest. It is also in Akuku-Toru Local Government Area of present day Rivers State like Idama. It is about thirty-minute boat ride from Abonnema waterside which also is the local government headquarters. Kula is sandwiched somewhere between the Atlantic Ocean and one of the tributaries that dot the Niger Delta. Kula is made up of Kula, Gbelema, Boro and Ofoin-Ama communities. Other satellite communities that make up Kula include New Town, Opokula, Robert Kiri, Pipeline, Luckyland and Oluoakpoku. We were informed that Kula is made up of more than fifty communities which embrace most of the fishing settlements around the area. Kula according to the residents is a Kingdom of fourteen towns and villages with headquarters at Kula.

Kula shares all the ecological, geographical and topographical features of the other coastal communities of the Niger Delta and the social deprivations resulting from oil exploration. It experiences both communal and intra-community conflicts. They also share the same demographic characteristics with Ugborodo and Idama as being within the zone of about 5,000 people.

As mentioned in relation to Idama, Kula has conflict with Idama over Ekulama 1 & 2 and in January 2007 lost about 8 chiefs in internal conflict in the community. They complain of failure of government in the community and lament the use of the tactic of ‘divide and rule’ in the community by the oil companies. Kula like most other communities in the Niger Delta have a diffused community governance structure. At the apex of the pyramid is the Council of Chiefs and elders. Underneath the council of chiefs are compound leaders. Others include the women’s wing and the youth council. Kula has two governance institutions which represent the people before oil companies and governments. These are the Community Development Committees (CDC) and the Regional Development Council (RDC).

Annex 2¹³: Joint communiqué of the Awareness Creation Workshop on the Voluntary Principles on Security and Human Rights, 29-31 October 2007, Warri, Delta State, Nigeria

An Awareness Creation Workshop on the Voluntary Principles on Security and Human Rights was held on the 29th -31st October, 2007 at the Helenas Hotel, Warri, Delta State. The workshop was attended by representatives of civil society groups in the Niger Delta involving women, youths, indigenous and minority groups, the media and all others interested in discussions and activities aimed at promoting conflict prevention and the maintenance of peace particularly in the Niger Delta and Nigeria in general.

The objectives of the workshop amongst others included:

1. Creating awareness of the Voluntary Principles on Security and Human Rights (VPs) for civil society organizations (CSOs) in the Niger Delta.
2. Explore the possibility of the formation of a CSOs Working Group on the VPs .
3. Explore the possibility of CSOs mainstreaming the VPs in their programmes.
4. Explore the possibility of the CSOs monitoring the implementation of VPs.
5. Explore the possibility of CSOs advocating for the application of the VPs by oil companies, governments and communities.
6. For the CSOs to publicize the VPs.

The workshop identified several security and human rights issues and challenges facing the communities, businesses and governments operating in the Niger Delta and Nigeria at large which include amongst others:

1. Failure of governance at all levels in the Niger Delta.
2. Inadequate implementation of budgets at all levels of government in Nigeria.
3. Endemic corruption and pillage of public funds by government officials and political officers.
4. Increasing political and militia violence.
5. The failure of businesses especially the oil companies to keep to agreements and memorandum of understanding reached with host communities.
6. The deliberate employment of the divisive tactics of divide and rule by businesses operating in the Niger Delta which had perpetually kept our communities divided.
7. The complete absence of basic infrastructures such as electricity, hospitals, access roads, schools, etc.
8. Insecurity of lives and property.
9. Growing unemployment, increasing hunger and poverty.
10. Environmental degradation and pollution.

¹³ The Warri meeting has been a Nigerian civil society event without participation from members of the VPs Plenary. This communiqué therefore expresses the opinion of its participants only.

11. Absence of rule of law and limited access to justice.
12. Discriminatory security highhandedness.

After considering the constructive contributions and deliberations that took place amongst participants, the workshop adopted a number of resolutions:

1. The workshop welcomes the collaboration between governments, businesses, and civil society that led to the adoption of the Voluntary Principles on Security and Human Rights which recognizes the increasing constructive and beneficial role that collaboration between these actors can play in the promotion and protection of human rights in the Niger Delta in particular and Nigeria at large.
2. The workshop appreciates the prominence given to partnership with local communities by businesses and governments in the principles.
3. The workshop affirms that the Voluntary Principles on Human Rights and Security is capable of maintaining the safety and security of operations of businesses in the Delta if the former develops the necessary will and courage to keep faith with the principles.
4. The workshop participants note that as the Voluntary Principles emphasize, security is not only a human right but everyone's business, they therefore urged the various levels of government and oil companies to involve the people in the design and implementation of security strategies and policies.
5. The workshop participants decry the situation where the elite acted as if security was the exclusive preserve of the "high and mighty".

Specific Groups / Concerns

Businesses in Nigeria

6. The workshop notes with concern that though most of the oil companies in the Niger Delta especially Shell, Exxon Mobil, Chevron etc have signed on to the Voluntary Principles, it is regrettable that much is not yet on the ground to match their activities and actions with their expected commitment under the Voluntary Principles.
7. The workshop strongly condemns this attitude of the oil multinationals.
8. The workshop therefore calls on the companies to consciously and urgently put in strategies for the genuine implementation of the Principles.
9. The workshop calls on the companies to elaborate a comprehensive process of mainstreaming human rights and security in their day to day operations.
10. The workshop calls on oil companies especially those that have not signed on the Voluntary Principles to do so as a sign of their commitment to conflict and violence prevention in the Niger Delta.

11. The workshop urges those oil companies that have signed on the Voluntary Principles to ensure that they apply them in their relationship with the communities and with their suppliers.
12. The workshop emphasizes the need for continuous training and awareness creation among oil companies and government.

The Nigerian Government

13. The workshop appreciates the meeting between the Nigeria government and the Secretariat of the Voluntary Principles on Security and Human Rights in June 2006 at Abuja, Nigeria.
14. The workshop reiterates that the Nigeria government has not shown enough enthusiasm towards supporting the activities and processes of the Voluntary Principles on Security and Human Rights at the local level.
15. The workshop therefore calls on the Nigeria government to give more support to this initiative by taking a leading role in participating in the process and providing support to groups especially civil societies involved.
16. The workshop calls on the Federal Government of Nigeria to sign on the Voluntary Principles as part of the overall strategy of building peace and development in the Niger Delta.

The Diplomatic Community

17. The workshop expresses its appreciation to the joint initiative of the government of the United States of America and the United Kingdom who had been visiting Nigeria since 2001 to brief top officers of the Nigeria government on the principles and the need for them to convene interested companies to address ways to integrate the Voluntary Principles into their country policies and practices.
18. The workshop calls on the diplomatic community to put more pressure on their home companies to comply with tenets of the Voluntary Principles.
19. The workshop also appeals to the diplomatic community to continue to engage with the Nigeria governments on this issue.
20. The workshop also appeals to the government of the United States of America, The Netherlands, Norway and the United Kingdom to provide the necessary technical support and capacity to the civil society groups in Nigeria who are involved in monitoring compliance with the Principles.

Security Agents

21. The workshop notes with concern the present militarization of the Niger Delta.
22. The workshop strongly condemns the highhandedness and arbitrariness of security agents operating in the Niger Delta which has led to large- scale violation of human rights.
23. The workshop expresses its dissatisfaction with the present approach to

security in the Niger Delta stating that it cannot address the issues of conflict in the area.

24. The workshop recommends that the only approach that can conduce to peace and security in the Niger Delta is the Human Security Approach which recognizes the people's right to food, right to clean and accessible water supply, right to health, right to adequate housing, right to a safe and healthy environment, job security etc.

25. The workshop calls on the Nigeria authorities to include the teaching of human rights and training of security officers on human rights and humanitarian issues as core part of the training curriculum of security officers in the country.

26. The workshop calls on the Nigeria government to repeal all anti people laws which militate against building a civil security force in the country.

The Media

27. The workshop recognizes the critical role of the media in building an informed society and a new order.

28. The workshop reiterates that it continue to partner with the media in creating awareness and monitoring the implementation of the Voluntary Principles on Security and Human Rights.

29. The workshop calls on the leadership of the media to develop procedures of mainstreaming security and human rights reporting in their media outfits.

30. The workshop calls on the authorities concerned to continue to build the capacities of media practitioners through training on human rights and security issues.

The Civil Society Community

31. The workshop recognizes the important role that civil society groups and local communities can play in promoting the implementation of the Voluntary Principles on Security and Human Rights.

32. The workshop participants reaffirm their commitment to the pursuit of the goals of the Voluntary Principles on Security and Human Rights.

33. The workshop calls on CSOs to intensify their effort in the mobilization of their constituencies and communities, conducting capacity training, awareness creation, supervision and monitoring of the implementation of the Voluntary Principles and establishment of whistle-blower mechanisms

34. The workshop participants agree to set up a CSOs Working Group that will monitor compliance with the provisions of the Voluntary Principles on Security and Human Rights in Nigeria.

35. The workshop participants resolve to implement the resolutions at the workshop through a community-led approach.

36. The workshop participants call for more community involvement in security.

37. The workshop participants note with appreciation the support provided by

IKV Pax Christi and thank the Stakeholder Democracy Network (SDN) and Centre for Social Corporate Responsibility (CSCR) for organizing the workshop 38. Finally, the workshop participants call on the National and State assemblies to explore the possibility of enacting a legislation based on the provisions of the Voluntary Principles to regulate relationship between oil companies and communities.

Participants

s/n	Name	Organisation	Email	Phone
1	Mrs Rose N. Egwuteai	Ideal Women Advancement Initiative, Warri	rejelinvestment@yahoo.com	08033977878
2	Kate Clifford	Environmental Right Action.PH	kezzyclifford@yahoo.com	08037593883
3	Hon. Mrs Unity Ototo	Man & Water SurvivalFoundation, Bayelsa	mawas_foundation@yahoo.com mwsp_org@yahoo.com	08036682030
4	Mrs Bridget Nimi Afrah	Ideal Women Advancement Initiative, Warri	fountainofgrace4me@yahoo.com	08066194733
5	Mr Saro Pyagbara	MOSOP,PH	MOSOP-legbosi88@hotmail.com	08033392530
6	Mr Monovie Ekpeku	Greenlife Foundation,Bayelsa	monoku2000@yahoo.com	08036770849
7	Animam Ifeanyi anyiam	Organza Consult	animamifeanyi@yahoo.com	08024582297
8	Mary Fuludu	Niger Delta Women Forum,Warri	ndwf2002@yahoo.com	08036234236
9	Patrick E. Enyogai	Impact for Change & Development.Asaba	patrickantme@yahoo.com ;mails4impact@yahoo.com	08023128026
10	Jimoh B. John	Self Help & Rural Dev. Association.Warri.	sherdo2005@yahoo.co.uk ; alambaha2007@yahoo.com	08059254721
11	Nneka Okafor	Initiative for Community Dev, Warri	icd-ngo@yahoo.com	08075615576
12	Florence Patrick	CSCR,Warri	etimflorencep@yahoo.com	08037509084
13	Austin Onuoha	CSCR, Warri	austinonuoha@yahoo.com	08032554402
14	Mr	SDN,PH	pauliokoro@yahoo.com	08037446766

	Paulinus Okoro			
15	King sly Kpegbara	CBO-Comm. Dev.PH	pillex@yahoo.com	08063585508
16	Chukuji Nnamadi A.	JDPC,PH	austinchukouji@yahoo.com	08033387469
17	Nnelly Umoren	CSCR, Warri	Nnelly123@yahoo.com	08028520123
18	Okolo-Gift Ishioma	The Sun	lsioma12@yahoo.com	08059276521

CSCR



Security is Everyone's Business

**Guidelines for communities,
Companies and security providers**

**Voluntary Principles
on Security and Human Rights**

www.voluntaryprinciples.org
www.stakeholderdemocracy.org
www.cscronline.org

Index

What are the Voluntary Principles?

What do the Voluntary Principles say?

I. The Voluntary Principles on Security and Human Rights in your community

II. Company Guidelines

III. The role of security providers

IV Issues related to Companies and Private security

V. Know your Human Rights

What are the Voluntary Principles?

The VP were collectively developed by the governments of the United States, the United Kingdom, Norway, and the Netherlands, plus companies operating in the extractive and energy sectors and non-governmental organizations, all with an interest in human rights and corporate social responsibility. The VP are endorsed by major oil companies including Shell and Chevron.

The VP were created 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**”.

The VP recognise that maintaining security while upholding human rights is the joint responsibility of communities, companies and governments.

What do the Voluntary Principles say?

- The VP recognizes that security is a fundamental need for individuals, communities, businesses and governments alike.
- The VP promotes respect for human rights.
- The VP recognises the value of engaging with civil society and host and home governments to contribute to the welfare of the local communities.
- The VP seeks to prevent conflict where possible.
- The VP seeks to ensure that force is only used when necessary.

I. The Voluntary Principles on Security and Human Rights in your community

The VPs lay out clear principles by which the employers should conduct their security operations. Under the VPs, the companies and their security providers are committed to the following:

Conflict / Violence Prevention

- Companies should engage in regular dialogue regularly with your local community about the impact of their security arrangements.
- Companies should use this consultation to understand what potentially could lead to violence and human rights abuses in your community.

Oil Company Security

- The number of security forces deployed in your community should be appropriate and proportional to the risk.
- The type of security forces deployed in your community should be appropriate and proportional to the risk.

When Force is used?

- Security forces should attempt to use non-violent means to resolve issues before using force and firearms.
- Before using force, security operatives must warn you and give you sufficient time to heed that warning.
- Where force is used, medical aid should be provided to all injured persons.
- In cases where physical force is used by security personnel, such incidents should be reported to the appropriate authorities and to the Company.

Responses to Human Rights Abuses

- If individuals are charged with a criminal offence, they must receive a free and fair public trial.
- If there has been security incidents involving oil security personnel in your community, companies should actively monitor the status of investigations and press for their proper resolution.

II. Guidelines

Security Arrangements

- You should consult regularly with host governments and local communities about the impact of your security arrangements on those communities where you operate.

Deployment and Conduct

- The number of security forces deployed in a community should be appropriate and proportional to the threat.
- The type of security forces deployed in a community should be appropriate and proportional to the threat
- In cases where physical force is used, it should be properly investigated and reported to the Company.
- In cases where physical force is used you should refer the matter to local authorities and/or take disciplinary action where appropriate.

Responses to Human Rights Abuses

You should actively monitor the status of investigations into events where force has been used and press for their proper resolution.

Consultation and Advice

You should support efforts by governments, civil society and multilateral institutions to provide human rights training and education for all of your security personnel.

III. The role of security providers

Whilst performing your duties you should be aware of the following:

- If you have been implicated in human rights abuses you cannot be employed to provide security services.
- Your fitness to perform your duties should be periodically reviewed.
- Companies should continuously and thoroughly train their security staff. Your training should include:
 - ◆ issues of ethics and human rights
 - ◆ alternatives to the use of force and firearms
 - ◆ the peaceful settlement of conflicts
 - ◆ understanding of crowd behaviour
 - ◆ methods of persuasion, negotiation and mediation
 - ◆ Proficiency testing in the use of force and firearms.

All of this training should be provided with a view to limiting your need to use force and especially your firearm.

Remember: Carrying out your role:

- Be aware that security is everyone's business.
- You should always first seek non-violent measures to resolve problems.
- If using your weapon will not achieve its intended result do not use it.
- Before using force or firearms you should warn of your intentions and give sufficient time for compliance.

- Where force is used, your company must provide medical aid to all injured persons.
- In cases where physical force is used, such incidents should be reported to your superiors, who will report it to the appropriate authorities and to the Company.

IV. Issues related to Companies and Private Security

- Companies should ensure that their private security maintain high levels of technical and professional proficiency, particularly with regard to the local use of force and firearms.
- Private security should have policies regarding appropriate conduct and the local use of force (e.g., rules of engagement).
- Companies should ensure that private security personnel are adequately trained to respect the rights of employees and the local community.
- Companies should seek to employ private security providers that are representative of the local population.
- Companies should include the principles outlined in the VP's as contractual provisions.
- Private security contracts should permit termination of the relationship by your Company where there is credible evidence of unlawful or abusive behaviour.

V. Know your Human Rights

Your basic Human Rights

You should be aware of the fundamental rights of all people according to the United Nations Universal Declaration on Human Rights.

1. Right to life, liberty and security

Article 3: "Everyone has the right to life, liberty and security of person."

What does this mean for you?

You should not threaten community members right to life, freedom or security.

In turn you should not feel that your life, freedom or security is being threatened by the community.

2. Freedom of opinion and expression

Article 19: "Everyone has the right to freedom of opinion and expression."

What does this mean for you?

All community members have the right to publicly express their feelings about the impacts of oil company security arrangements in their community.

3. Freedom of peaceful assembly

Article 20.1: "Everyone has the right to freedom of peaceful assembly and association."

What does this mean for you?

Community members have the right to form non-violent associations and to protest peacefully in groups.

4. Arbitrary arrest

Article 9: "No one shall be subjected to arbitrary arrest, detention or exile."

What does this mean for you?

No one has the right to arrest or detain anyone without the legal grounds or legal authority to do so.

5. Fair and public hearing

Article 10: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal."

What does this mean for you?

If charged with a criminal offence, you have the right to a free and fair public trial.

Remember, carrying out your role:

- Be aware that security is everyone business.
- You should always first seek non-violent measures to resolve problems.
- If using your weapon will not achieve its intended result do not use it.
- Before using force or firearms you should warn of your intentions and give sufficient time for compliance.
- Where force is used, medical aid should be provided to all injured persons.
- In cases where physical force is used, such incidents should be reported to your superiors, who will report it to the appropriate authorities and to the Company.

Annexe 1¹⁴: The Constitution of the Federal Republic of Nigeria 1999, Chapter 4 on Fundamental Rights.

Annexe 2: African Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), *entered into force* Oct. 21, 1986.

Annexe 3: Voluntary Principles on Security and Human Rights.

¹⁴ The text of these annexes have not been added to this report.