



Transcript of the video “Shell and Human Rights”

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Featuring: Professor John Ruggie, UN Special Representative on Business and Human Rights; Dr Margaret Jungk, Business and Human Rights Project; and Mike Wilkinson, Vice President Sustainable Development, Royal Dutch Shell plc.

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Wilkinson: If we are going to be respected around the world as a company that can deliver big complex projects in challenging environments successfully, having excellent practice in human rights area is going to be an important element in that.

What are Human Rights?

Jungk: They are often grouped into a set of three rights, which are fundamental human rights, designed for the bodily security of a person, and then civil and political rights and economic, social and cultural rights.

Ruggie: Well project engineers understand risk management. And the company needs to be aware, make itself aware of the adverse consequences that it can have on the surrounding community. So community issues, security issues and labour-related issues are areas that come up quite frequently when you look across the world at the extractive industry.

Jungk: So you had a very strong camp of human rights activists and a very strong camp of business proponents and there was almost no common ground in between. And in this, almost war zone, John Ruggie was appointed as the Special Rapporteur on Human Rights and Business.

Ruggie: This past June, I presented a report to the UN Human Rights Council, which outlined a framework for understanding and managing the business and human rights space, if you will.

Wilkinson: We've really welcomed the work of John Ruggie over the last 2-3 years and in fact, we've been very involved in a number of his consultations that he's had.

The Ruggie Mandate: Protect, Respect and Remedy

Ruggie: It consists of 3 core principles: Number one that states have a duty to protect citizens, others, from corporate related human rights abuses. And they need to discharge that obligation effectively. Secondly, that the companies themselves are expected to respect human rights in their operations. That is to say, not to harm others as they go about doing their business. And thirdly that there need to be far more numerous and more effective grievance mechanisms.

Jungk: When John Ruggie speaks, human rights people as well as business people listen.

Wilkinson: And his concept that the role for companies is to respect human rights is one that we welcome and indeed it is one that sits very comfortably with our own Shell General Business Principles.

Society's Changing Expectations

We have seen society's expectations in this area raising steadily over the years. You see that in the growth of NGOs who are interested in this area, groups like Amnesty International, Human Rights Watch. We see it equally though in the way that for example lending institutions now have got quite high standards about human rights issues when they are considering whether or not to lend to a project. Similarly investors now also have ethical standards, which they want to bring into their investment decisions.

Ruggie: The 'routine' way -and I put routine in quotation marks- is campaigns against companies, or lawsuits. And that is not very productive.

Human Rights and Communities

Jungk: I think that there is a particular challenge around the extractives being part of that community and not undermining it as well. I've seen extractives go in and completely drain the heart out of a community, but I've also seen them go in and do it right and become an essential part of the community too.

Ruggie: Companies don't respond to small problems, therefore you have to create big ones. Communities can make life very difficult for you or they can work in partnership with you. And what you will see is that if you have relations of trust and understanding with the communities in which you operate, the community itself will often become an ally in this issue of "can a small minority stand in the way of a project that everybody else wants."

Security and Human Rights

Jungk: The extractives, they tend to have to use security forces and often armed security forces to guard pipelines or to guard company installations. So there is a challenge in making sure that those security forces aren't too closely affiliated with the governments and to make sure that they are using their arms properly, particularly when they are dealing with community protestors.

Wilkinson: The Voluntary Principles on Security and Human Rights is a set of principles that are supported by a number of governments, a number of NGOs, and a number of companies. How can you best use necessary security in difficult areas, but be sure that you are not impinging on people's human rights? The Voluntary Principles need to be embedded. So for example over the last few years, we have trained over 1500 people in Nigeria, in helping to understand a whole range of human rights issues. And for the people involved in security work there, we have provided specific training.

Impact Assessments

Wilkinson: Our impact assessments generally are about assessing potential risks that we will need to look at and then manage, whether they are environmental risks or whether they are societal risks.

Ruggie: I very much believe that companies need to do human rights impact assessments, but I don't see a fundamental reason why they have to be separate and distinct from other forms of impact assessments as long as the substance is there as long as the expertise is brought in, the human rights experts are brought in as part of the impact assessment team.

Shell's Portfolio

Jungk: Depending on the areas where Shell is operating, it has to be particularly concerned about high-risk human rights issues in those areas. So for example, when Shell's operating in North America, in parts of Canada, you have very big indigenous people's risks in terms of making sure you're not interfering in their right to cultural life and also making sure that you're recognising their rights to control over their own natural resources.

Wilkinson: Increasingly we are putting emphasis on assessing the human rights environment in which we may be going and making decisions as to whether that's a country that we can happily operate in, or whether it is one that is really just too challenging and we would not be able to operate in line with our own principles.