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IN MOZAMBIQUE *BULLETIN*

PLATFORM FOR DIALOGUE ON BUSINESS, SECURITY AND HUMAN RIGHTS IN CABO DELGADO

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Conference on private security companies and human rights in Cabo Delgado

- On July 27, 2023, the Center for Democracy and Human Rights (CDD), in partnership with the Ministry of Justice, Constitutional and Religious Affairs, and with technical support from DCAF, held in the city of Pemba, Cabo Delgado Province, the conference on Private Security and human rights, within the scope of the project to implement the Voluntary Principles on Security and Human Rights in Mozambique. The Voluntary Principles on Security and Human Rights are a set of good practices that aim to ensure that activities in the extractive sector are carried out safely and with respect to human rights.





Participants at this conference had the opportunity to share their experiences, perspectives and perceptions on the human rights challenges faced in the context of security operations.



This conference aimed to promote a comprehensive understanding of private security providers operating in Cabo Delgado and the role of other actors in promoting respect for human rights. By focusing on these issues, the conference aimed to identify effective strategies and practical solutions that can be implemented to promote responsible business

practices and safeguard human rights in the context of security operations. Participants at this conference had the opportunity to share their experiences, perspectives and perceptions on the human rights challenges faced in the context of security operations.



In her speech, Graça Nhate, representative of the Ministry of Justice, Constitutional and Religious Affairs, emphasized that the Government is committed to promoting the effective implementation of the Voluntary Principles on Security and Human Rights in Mozambique.

Furthermore, Graça Nhate emphasized the importance of the conference in promoting a comprehensive understanding of the role of private security companies operating in Cabo Delgado. "This conference also highlights the importance of collective responsibility in the protection of human rights within the private security sector", said Graça Nhate.

The conference takes place at a time when the Government is still preparing the National Business and Human Rights Plan. "This plan will integrate the Voluntary Principles on Security and Human Rights and the UN Guiding Principles on Business and Human Rights."



On behalf of the Ministry of the Interior, Sifuená Anenge highlighted the Decree n.º 9/2007, of 30 April, which grants that Ministry the competence to grant licenses to private security companies. "In Cabo Delgado, there are 31 private security companies. The worrying fact is that five of these companies do not have proper offices, they operate from outposts." The lack of central offices makes it difficult for the PRM to carry out inspections.

Furthermore, Sifuená Anenge expressed concern that some private security companies possess weapons not registered by the authorities, which constitutes a violation of applicable law. She revealed that last week it was discovered that certain companies had unregistered weapons, which is strictly prohibited by decree number 9 of April 30, 2007.

"Responsibility for the movement of weapons is reserved only for the Defense and Security Forces. Private security companies must not have access to unauthorized weapons. In our interactions with private security companies, we consistently advise that they familiarize themselves with decrees no. 8 and no. 9/2007, both of April 30th. Mastery of these regulations is crucial for them to remain informed and compliant", emphasized Sifuená Anenge.



Annie Burdzy, a DCAF representative, emphasized the challenges posed by the private security industry to human rights, highlighting the lack of alignment between government regulatory processes and efforts to promote responsible business conduct within this sector.

“In the security realm, the role of private security can present particular human rights challenges. As an impartial actor, DCAF strives to bridge the gap between private security practices and regulatory processes, recognizing the vital importance of having a solid regulatory framework,” emphasized Annie Burdzy.

Furthermore, she underscored the importance of regulating private security companies, given the sector’s substantial global wealth, which exceeds \$100 billion annually. In Africa, foreign investment in the extractive industry has fueled demand for private security companies, creating potential risks to sustainable development and human rights. The lack of adequate training and standards in local companies is also of concern, and the arrival of transnational companies can negatively affect local communities and security providers. “Transnational corporations employing foreign agents can create conflicts with local communities and undermine local security providers.”



Stravos Yiannakis, representing Gardaworld Mozambique, highlighted the significant work carried out by his private security company and emphasized compliance with international initiatives and standards, such as the International Code of Conduct for Private Security Companies (ICoCA), and compliance with rules and regulations of local authorities.

Additionally, Stravos Yiannakis spoke of the positive impact private security can have on local communities when implemented responsibly. “By protecting economic and commercial operations, private security can create economic stability and generate employment opportunities for the local population”, he emphasized.



Frank Bruyns, from Gemfields, expressed concerns about the lack of regulation and oversight in the private security industry in Cabo Delgado, which could lead to human rights violations.

“The private security industry in Cabo Delgado lacks adequate regulation, running the risk of potential human rights violations. The absence of clear guidelines and standards can lead to abuses that harm the local population”, said Frank Bruyns.

Frank Bruyns argues for the importance of human rights training and accountability for private security company personnel. “This is essential to prevent violations and promote a culture of respect for human rights within its operations. Mechanisms must also be established to hold private security companies accountable for any human rights violations committed by their agents.”

For Frank Bruyns, private security companies, when managed responsibly, can contribute to the protection of human rights, promoting economic stability and generating employment opportunities for the local population. “Collaboration with local authorities can address security challenges and promote the well-being of communities,” he added.



Gabrielle Priklopilova from DCAF explained DCAF’s work with security service providers and their focus on implementing international regulatory frameworks and best practices. He emphasized three key documents: the Montreux Document for the State; the Voluntary Principles for multinational companies and the ICoCA for private security companies.

“Our work at DCAF involves implementing international regulatory frameworks and best practices to promote respect for human rights. We advocate for the adoption of the Montreux Document by states, the Voluntary Principles by multinational corporations and the ICoCA by private security companies. By joining these frameworks, security service providers can establish a culture of respect for human rights, promoting safer and more accountable operations,” explained Gabrielle Priklopilova.



Chris Galvin, representing ICoCA, defended his organization's importance in promoting responsible practices in the private security sector, highlighting the challenges facing the industry and opportunities for improvement.

"Our commitment revolves around upholding the International Code of Conduct for Private Security Companies and promoting responsible practices in the sector. We recognize the importance of addressing the challenges facing the private security industry while exploring opportunities to improve its standards", explained Chris Galvin.

For Chris Galvin, it is always important to hire private security companies that adhere to international standards and frameworks, companies committed to respecting human rights, following ethical guidelines and maintaining accountability.

"Hiring private security companies that prioritize compliance with international standards and frameworks is essential. It is through this commitment that organizations can effectively mitigate the potential risks associated with irresponsible security practices", highlighted Chris Galvin.



Júlio Bichete, Coordinator of the Palma Civil Society Platform, spoke about the issues faced by civil society and local communities in Palma regarding security. "Communities in Palma are struggling to distinguish between the roles of public security providers and private security companies. Some private security companies have uniforms similar to public security providers, while others do not."

Still on Palma, Bichete spoke of the negative impacts on human rights caused by private security companies. "Private security companies have been associated with worrying human rights violations, with practices such as sexual harassment and excessive use of force, which pose serious risks to the safety and well-being of local communities," said Júlio Bichete, recalling that the most aggravating factor is the lack of accountability mechanisms for private security companies.



Prof. Adriano Nuvunga contextualized the private security industry in Mozambique and Africa, highlighting the growing demand for private security companies due to the expansion of the extractive industry and the involvement of inter-

national humanitarian organizations. These companies have capabilities that often exceed those of the Mozambican state and even other African countries, making them attractive service providers.

“We are concerned about the limited capacity of African States to monitor and inspect effectively the private security companies. Due to weak monitoring capacity, human rights violations by private security companies are common”.

Prof. Adriano Nuvunga also pointed to the growing presence of private security companies on the African continent due to the increase in conflicts. And he defended the urgency of implementing regulations to make these companies responsible for their actions. “But the most important thing is to invest in strengthening public security providers, rather than relying too heavily on private security companies and external actors. By prioritizing public security providers, sustainable development and the protection of human rights can be better ensured”.






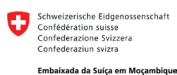
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