

TRAINING

promoting human rights

When a democratically-elected Venezuelan government began to encourage the country's judges to take more account of human rights issues, Statoil supported those efforts by helping to create a cross-sector partnership that provides training for the judiciary throughout the country

Venezuela may not be in the best of political health right now, but it is still clinging on to democracy, and for a South American country that has had its fair share of coups and military dictatorships, that is something to be thankful for.

The task of protecting Venezuela's fragile grip on democratic stability has fallen to all sectors of society in recent times – including the corporate world. Three years ago, when the newly-elected government of president Hugo Chavez introduced judicial and constitutional reforms to improve the country's patchy record on human rights, one business in particular – the Norwegian oil company Statoil – felt it could make a contribution.

In essence, the 2000 and 2001 reforms abandoned an inquisitorial legal code which required that people accused of crimes be considered guilty until proven innocent. The reformed judicial system was supported by new legislation to promote human rights, together with a more liberal penal code.

But changing the law was not the end of the matter. Venezuelan judges unaccustomed to observing international conventions on human rights needed considerable help to adapt to the new legal framework.

To aid with this re-education, Statoil Venezuela helped set up a partnership with the local branch of the United Nations Development Programme (UNDP), the local chapter of Amnesty International, and the branch of the Venezuelan judiciary responsible for training and administration: the Consejo de la Judicatura, now known as Tribunal Supremo de Justicia.

In the first phase of the partnership, which began in 2002, 25 criminal court judges in the capital Caracas received training in the new legal system and how to incorporate human rights considerations into their judgements.

The partnership then played a part in helping these 25 judges to provide guidance to 65 of their colleagues in the two big and populous states of Zulia to the west and Anzoategui in the east. In the third phase, which is now under way, the partnership hopes to provide guidance to the remainder of Venezuela's 1200-strong judiciary.

Ensuring that each partner has a clearly defined role that suits their skills has been important to the partnership's success. Tribunal Supremo de Justicia has organized the training, Amnesty International provides interactive sessions and presentations on

the company

Statoil, based in Stavanger, Norway, is one of the world's largest net sellers of crude oil and a substantial seller of natural gas in Europe. With more than 16,500 employees worldwide, it has oil operations in 25 countries and runs around 2000 service stations in nine countries. It:

- co-financed the upgrading of the Azerbaijani election code to international standards
- is supporting the Norwegian Refugee Council's Human Rights Education Project in Azerbaijan, which trains teachers in basic human rights so they can include the subject in the curriculum
- published its first corporate social responsibility report in 2002
- has an in-house human rights awareness and training programme for staff that is provided by Amnesty International.

the background

In 1998, less than one per cent of Venezuelans said they had confidence in the country's legal system.

■ 25 criminal court judges in Venezuela's capital, Caracas (below), where Amnesty International has highlighted human rights abuses, received training funded by Statoil on how to incorporate human rights considerations into their judgements



NANCY BUNDT/STATOIL

human rights issues, and the UNDP co-ordinates the entire project, which Statoil supports through a financial contribution. Throughout the programme, the company has deliberately kept a low profile.

‘The key has been that the non-governmental actors such as Statoil have supported the efforts of the authorities rather than replaced them,’ says Ricardo Tichauer, local representative of the UNDP. ‘The authorities were, and still are, leading the project, as they must to make it legitimate and sustainable.’

This delicate balance has affected the pace of the project, which Statoil admits has ‘hit some bumps in the road’ over the past couple of years. Most notably, it was severely disrupted by a comprehensive review of the judicial system which led to the suspension or dismissal of several hundred judges and public defenders on suspicion of corruption or incompetence.

Nonetheless the work, which has so far cost Statoil \$180,000 (£120,000, €165,000), has been well received and is likely to be extended to other countries.

The United Nations wants to use it as a model in other Latin American countries seeking to modernize their legal structures. More generally, it has also spurred the UNDP to begin exploring how the corporate sector can play a bigger part in helping to promote human rights.

Statoil’s involvement in this programme places it squarely in a political arena that many businesses, particularly in a sensitive sector like oil, would fear to enter, but the company feels the partnership has been an opportunity to show its commitment to corporate engagement in human rights without overstepping its role as a commercial organization that operates in society.

‘We feel that it is ethically right to manifest our values,’ says Staffan Riben, president of Statoil Venezuela. ‘We can’t stand passively by when these rights are breached or international law is ignored in countries where we have operations.’ Statoil has been particularly mindful of human rights issues since it became embroiled, like several other oil companies, in controversy over its presence in Nigeria, where it did business under a military dictatorship.

Of course, there are business benefits for the company too, and these have influenced Statoil’s decision to continue support for the partnership.

The company wants good governance in all areas of the societies in which it operates, and a country where people have confidence in the law is a more stable business environment. Statoil produces roughly 30,000 barrels of oil per day in Venezuela, which is one of the world’s leading oil exporters, and

does not want to see its business interests there threatened by instability. ‘A project like this with a capacity-building character can contribute to political stability and economic development, and therefore improve a company’s framework conditions,’ says Riben.

Statoil also believes reputational benefits will flow from its involvement with the other cross-sector partners. The company’s support has raised its standing in the country, and has helped to attract into its workforce high-calibre young Venezuelans who have become aware of how Statoil is working to improve human rights in their country.

‘While it is difficult to measure the direct economic results of such a project for a company, the most tangible of them is the positive effect it has on our reputation,’ says Riben.

For the other partners there have been rewards too. ‘The project generated a lot of enthusiasm on all sides, and seems to be a win-win situation,’ says Tichauer.

‘For the authorities it offers the opportunity to become more accountable to the needs of the electorate, for Amnesty International it strengthens the local chapter by making use of its understanding of local conditions, and for the UNDP it offers a brokering role and a chance to promote development’, he adds.

Whatever the benefits to the partners, however, the hope is that Venezuelan society will be the biggest winner. ‘The most important long-term result is the partnership’s contribution to a change of mind-set in the legal community,’ says Fernando Fernandez of the Venezuelan chapter of Amnesty International.

‘A project and an alliance of this kind were unthinkable five years ago. The fact that different actors are now concentrating their efforts in this direction is a very important step forward.’

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Venezuelan authorities lead the human rights project, as they must to make it legitimate



**comment
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Businesses – just like citizens – prosper in stable, just and transparent societies. Many countries are still struggling to learn this lesson. This partnership is one example of how a company can help catalyze social and economic development to benefit society as a whole, by changing public sentiment and improving trust, transparency and justice.

features of interest:

- capacity building is a key element of this partnership. Its implications may well reach far beyond the immediate scope of the project
- allotting each partner a clear role and responsibility has helped to make the partnership more transparent, which benefits partners, target groups and stakeholders alike
- it appears that the partnership is systematically transferring its experiences and knowledge to other organizations – such as the United Nations. This should extend its impact beyond national borders.

FLEMMING SCHULTZ, THE COPENHAGEN CENTRE