



THE PERMANENT MISSION
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

June 7, 2024

Carlos Salazar Couto

Chair-Rapporteur of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination
Geneva, Switzerland

Robert McCorquodale

Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises
Geneva, Switzerland

Aua Baldé

Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances
Geneva, Switzerland

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions
Geneva, Switzerland

Mama Fatima Singhateh

Special Rapporteur on the sale, sexual exploitation and sexual abuse of children
Geneva, Switzerland

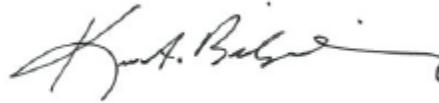
Reem Alsalem

Special Rapporteur on violence against women and girls, its causes and consequences
Geneva, Switzerland

Dear Mandate Holders,

Please find enclosed the U.S. response to your communication dated April 22, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Billingsley". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kelly Billingsley
Deputy Permanent Representative
Human Rights

U.S. response to communication AL USA 10/2024

Thank you for your letter dated April 22 regarding alleged human rights abuses committed by security forces, including private security contractors (namely SGA Security and Nguvu Moja) paid to secure the North Mara mine operated by the Barrick Gold Corporation. The United States is deeply concerned about the allegations in your letter, including reported killings and security related deaths, arbitrary arrests and detentions, violence against women and girls, torture and inhumane treatment in police custody, intimidation of human rights defenders, bribery and collusion, and exposure to sound bombs, tear gas, and unsafe toxins in the air in residential areas.

The United States expects businesses to respect human rights in line with the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. This includes conducting human rights due diligence and addressing adverse human rights impacts (including taking adequate measures for their prevention, mitigation and, where appropriate, remediation) which they cause, contribute to, or are directly linked to.

The United States is currently chairing the Voluntary Principles Initiative on Security and Human Rights (VPI) and is a founding government member of the initiative. Barrick Gold Corporation is also a member of the VPI and has thus committed to faithfully implementing the Voluntary Principles on Security and Human Rights. Companies which join the VPI commit to uphold and implement these principles and respect human rights in the provision of security for their operations. Members also commit to engage in open dialogues to help peers to identify security-related human rights risks in their operations around the world and take meaningful steps to address them.

On May 14, during the Annual Plenary Meeting of the VPI, the United States convened a private, multistakeholder dialogue with Barrick Gold Corporation to discuss these allegations and whether Barrick Gold Corporation has acted in compliance with the voluntary human rights commitments they have committed to uphold as a VPI corporate member.

Separately, upon receiving the Joint Communication referenced here, the United States forwarded it to the International Code of Conduct for Private Security Providers' Association (ICoCA), as SGA security, an ICoCA member company, is named in the Communication. The United States is a longstanding member of ICoCA, a multi-stakeholder initiative comprising of seven governments, 51 NGOs, and 127 private security companies established in 2013. ICoCA's mission is to raise standards of private security companies (PSCs) to respect human rights and international humanitarian law through implementation and oversight of the International Code of Conduct for Private Security Service Providers ("the Code"). ICoCA is committed to verifying that its member and affiliate companies act in line with the Code through their monitoring and certification process, and by providing guidance and training on relevant themes (e.g., the prevention of sexual exploitation and abuse and the handling of complaints and remedy.) We look forward to ICoCA sharing its findings regarding SGA Security.