

Corporate Social Responsibility and the Extractive Sector

As the only law firm in the United States with a **Corporate Social Responsibility and Risk Management Practice**, Foley Hoag is singularly equipped to help clients put human rights principles and aspirations into practice in a manner that minimizes uncertainties and maximizes business opportunities. To this end, we assist clients in managing legal risks, safeguarding corporate reputations, and turning the challenges of globalization into a competitive advantage.

Companies in the oil, gas, and mining industries face the complex challenge of conducting their operations in a manner that not only respects national and international laws, but also observes voluntary standards and industry guidelines concerning social and environmental issues. This challenge is exacerbated by the fact that exploration and extractive activities around the world present increasing legal and reputational risks in the areas of human rights, labor rights, security practices, and the rule of law.

Foley Hoag's Corporate Social Responsibility Practice helps companies in the extractive industries to identify risks and understand the implications and requirements of a wide range of international guidelines and standards. We work with clients to monitor and benchmark their efforts against the relevant standards applicable to the extractive sector, as well as industry best practices, and to develop strategies to manage business risks. Key standards that impact the industry include the Universal Declaration of Human Rights, the International Labor Organization's Conventions, the Voluntary Principles on Security and Human Rights, the United Nations Global Compact, and the Extractive Industries Transparency Initiative.

Our attorneys are experts in advising corporate leaders on how best to guide their operations to achieve both business objectives and the highest levels of compliance with critical human rights

standards. We also assist companies in building effective channels of communication and positive relationships with key stakeholders, including non-governmental organizations, the media, unions, socially responsible investor groups, and indigenous communities. In addition, we help clients establish partnerships with international organizations that foster social and marketplace stability in the developing countries in which they operate.

Specifically, Foley Hoag's Corporate Social Responsibility Practice Group:

- Creates legal strategies and business policies that incorporate respect for human rights, comply with existing laws and voluntary codes, and "close the gap" between a company's commitment and its business activities;
- Conducts periodic monitoring of extractive projects to ensure compliance with the local and national laws, company standards, and fundamental human rights, especially with regard to workers, local communities, and the nexus of security concerns and human rights protection;
- Undertakes human rights risk assessments and corporate social responsibility due diligence reviews of current and potential projects to evaluate legal and reputational risks;
- Analyzes conflicts with local communities, and designs plans and programs to minimize risks and maximize mutual benefits;
- Helps to incorporate key corporate social responsibility standards into the prevailing legal regimes and related contracts used in extractive projects;
- Establishes processes to ensure that corporate human rights initiatives are developed with constructive input from key stakeholders and conducted in as transparent a manner as possible; and

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- Develops standardized response plans to ensure that companies are prepared to respond quickly and effectively to allegations of human rights abuses or poor human rights practices.

We recognize that corporate social responsibility issues often emerge within the context of other legal matters. Accordingly, we work in a coordinated manner with other Foley Hoag practices to offer counsel tailored to best address the range of our clients' needs. Related practice groups include:

- Alternative Dispute Resolution
- Environmental Corporate Responsibility
- Government Strategies
- International
- Investment Management
- Labor & Employment
- White Collar