



PROSPECTING FOR SOLUTIONS

Recommendations by members of civil society organisations to governments, companies, International Financial Institutions and the United Nations concerning the impacts of oil, mining and logging on development.

Issued at the World Social Forum, Nairobi, 23 January 2007 by CIDSE and partner organisations from across the globe.

PREAMBLE

We the undersigned members of civil society organisations believe that a country's natural resources belong to its citizens and should be used in the best interests of the people. These natural resources are God given and should serve all humankind and future generations.

We are deeply concerned that rather than benefit from their natural resources, local people in areas of natural resource exploitation, such as oil, gas, mining and logging, experience increased poverty. We note the loss of livelihoods, violent conflict, persistent human rights violations, environmental degradation and corruption, with particularly adverse consequences for women. The competition for limited natural resources threatens human security worldwide.

WE THEREFORE CALL

On Governments

- to develop and ensure compliance with clear policies and legal frameworks to control extractive industries effectively. Such policies and legislation should be in line with international human rights and environmental standards, including the International Covenant on Civil and Political Rights, the International Covenant on Social, Economic and Cultural Rights, the Convention on the Elimination of all Discrimination against Women, indigenous peoples' human rights safeguards and the ILO Core Labour Standards;
- to hold companies accountable for their extractive activities, wherever they operate.
- to require independent environmental, social and human rights impact assessments and publish the results at an early stage and in a form that is accessible and comprehensible to the population affected. Such impact assessments should form the basis of an informed decision by all stakeholders as to whether extractive projects are in the best interests of the people.

We particularly call on governments of the South

- to include in their legal frameworks a guarantee for the genuine participation of local communities at all stages of extractive projects;
- to only grant licences for extractive industries' operations with the free, prior and informed consent of the local community;
- to allow for renegotiation of contracts which are not in the best interests of affected communities;
- to improve transparency with regard to revenue management by signing up to the Extractive Industries Transparency Initiative (EITI) and to guarantee a fair and equitable distribution of such revenues, in order to serve poverty reduction;
- to immediately end all harassment and intimidation of individuals advocating against corruption, human rights violations and environmental destruction associated with natural resource exploitation.

We particularly call on governments of the North

- to implement mechanisms necessary to change patterns of consumption of their populations and promote the sustainable use of energy and other natural resources;
- to deny export credits and investment guarantees to those companies that do not meet internationally accepted standards including the OECD guidelines for multinational enterprises, the ILO Core Labour Standards and Extractive Industries Transparency Initiative (EITI) reporting criteria.

On Transnational Corporations and Other Business Enterprises

- to respect their contracts with host governments, which must be in line with national laws and international human rights and environmental standards, as detailed above;
- to obtain the free, prior and informed consent of indigenous people and local communities before operations commence and to respect the right of such communities to say “No” to projects that are not in their best interests. Such free, prior and informed consent must be a condition of any contract signed with the host government;
- to sign up to the EITI and ensure publication of all payments and contracts made to governments;
- to ensure that their operations do not cause or exacerbate conflict. Where it does, to suspend operations until it is clear that those operations can be conducted in conditions of peace and justice.

On International Financial Institutions

- to end their policies of wholesale liberalisation and privatisation of the extractives sector. International Financial Institutions, such as the International Monetary Fund, World Bank and Regional Development Banks should consider the particular circumstances of each country and the right of its population to determine their own development;
- to insist on mandatory independent monitoring of projects which recognize the full participation of civil society;
- to observe a moratorium on the funding of extractive projects to evaluate the costs and benefits of extractive industries, taking into consideration the economic, social and environmental impacts, including loss of biodiversity and climate change;
- specifically the World Bank should enforce the implementation of the original recommendations of the Extractive Industries Review report which includes the need to secure the free, prior and informed consent of local people.

On the United Nations

- We call on the Special Representative of the United Nations Secretary General on Business and Human Rights to develop an effective mandatory regulatory human rights framework for Transnational Corporations and other business enterprises that allows for sanctions in severe cases of non-compliance.
- We call on the General Assembly and on all UN member states to support the approval of the Draft Declaration of Indigenous Peoples’ Rights, including their right to free, prior and informed consent, and to extend this right to all affected local communities.

As we make these demands on the stakeholders identified above and as we set up strategies and mechanisms to hold them accountable to the highest standards, we want to state here that we ourselves (CIDSE and other Civil Society organisations) are constantly reviewing our development paradigms and are determined to change our patterns of behaviour wherever such impede wholesome human development, or where they are found to contradict our commitment to human rights, human dignity, lasting peace and solidarity.