



Useful
Resources and
Further Reading

Community
Protocols
Toolbox

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This Booklet sets forth several additional resources under different categories that may be relevant to communities in the context of extractive industries. Links to these resources are provided should communities and facilitators desire more information about relevant issues, whether it is specifically for purposes of developing a community protocol or for further learning.

The first three categories are focused on information communities can use to respond to or interact with extractive activities while the next three categories provide background information on the global system of trade and investment that supports extractive industries.

1. Guidance on Grievance and Corporate Accountability Mechanisms

These resources are helpful for understanding options at the regional and international level for obtaining redress, such as the grievance mechanisms of development finance institutions (e.g. the Inspection Panel of the World Bank).

International Federation for Human Rights (FIDH):

Corporate Accountability for Human Rights Abuses: A Guide for Victims and NGOs on Recourse Mechanisms, 2012 at:

<https://www.fidh.org/en/issues/globalisation-human-rights/business-and-human-rights/Updated-version-Corporate-8258>

Provides a practical tool for victims and their representatives, NGOs and other civil society groups (unions, peasant associations, social movements, activists) to seek justice and obtain reparation for victims of human rights abuses involving multinational corporations.

Accountability Counsel:

Accountability Resource Guide, 2015 at:

<http://www.accountabilitycounsel.org/resources/arg/>

The Accountability Resource Guide addresses tools for redressing human rights and environmental violations by international financial institutions, export promotion agencies and private corporate actors.

Centre for Research on Multinational Corporations (SOMO):

Specific information on human rights and grievance mechanisms at:

<http://grievancemechanisms.org/resources>

This website is for individuals, workers, communities and civil society organisations who need information and tools to file complaints against a company, business or multinational corporation to address corporate human rights abuses, seek justice and/or obtain reparation.

Economic, Social and Cultural Rights Network (ESCR-Net):

Database on case law from different countries on corporate accountability, among other issues, at: <https://www.escr-net.org/caselaw>

This database includes case law from different countries on the issue of economic, social and cultural rights, including corporate accountability. The database includes domestic, regional and international case law.

2. Human Rights and Rule of Law Assessments

These resources are helpful for gaining a general overview of the human rights and rule of law situation in many different countries. This information can be useful to develop strategies for addressing challenges posed by extractive industries.

Amnesty International:

Human Rights by Country at: <https://www.amnesty.org/en/countries/>

Individual country assessments by amnesty international and a constantly updated list of news reports on human rights violations in individual countries.

Human Rights Watch:

World Reports, country chapters, at:

<http://www.hrw.org/world-report/2013/essays/without-rules>

Detailed analysis of human rights situations in countries around the world.

International Bar Association:

Rule of Law report series, by country, at: http://www.ibanet.org/Human_Rights_Institute/HRI_Publications/Other_HRI_Publications.aspx

Country reports on the rule of law in individual countries, often responding to emerging crises.

World Justice Project:

Rule of Law Index of different countries, at:

<http://worldjusticeproject.org/rule-of-law-index>

The index provides data on the experience of rule of law in different countries across the world based on 8 different factors, including absence of corruption, fundamental rights and civil and criminal justice.

United Nations Human Rights Office of the High Commissioner:

Rule of Law Indicators prepared by the UN, 2011 at:

http://www.un.org/en/peacekeeping/publications/un_rule_of_law_indicators.pdf

3. Community Development Agreements

Communities may take a decision to negotiate with companies and governments in regard to extractive activities. If that decision is made, these resources can provide guidance on negotiation strategies and what to expect.

Fair Mining Collaborative:

Negotiating Agreements, at: <http://www.fairmining.ca/guide/negotiating-agreements/agreements-between-first-nations-and-mining-companies/>

An online guide for Canadian First Nations on negotiating mining agreements. It provides information on different kinds of agreements, including Access / Exploration Agreements and Impact Benefit Agreements. Also provides guidance on other information such as mineral tenure, mineral prospecting, and environmental impact assessments.

IBA Community Toolkit:

Negotiation and Implementation of Impact and Benefit Agreements, 2015, at: <http://gordonfoundation.ca/publication/669>

A detailed toolkit for communities on negotiation community development agreements in the mining sector. It focuses on an extractive industry lifecycle analysis and a comprehensive legal assessment of Canada's relevant legislation. While most of it will not be applicable to other countries, it is useful as it provides for a good structure for

initial legal reviews and for potential reactions to participation information or consultation rights.

World Bank:

Community Development Agreements Source Book, 2012, at: <http://www.eisourcebook.org/cms/Mining%20Community%20Development%20Agreements%20Source%20Book.pdf>

Geared toward investors and governments, provides guidance on negotiating community development agreements in the context of extractive industries. Useful for communities as well because it provides interesting insights on common practices for interacting with communities, including on ‘classifications’ of ‘qualified communities’ and on consultation approaches. Details individual steps throughout the life cycle of an investment.

EI Resources Book:

Extractive Industries Resources Book, at: <http://www.eisourcebook.org/>
Although this resource is geared toward policy makers and their advisers in resource-rich developing countries, it contains useful information for communities as well. It outlines a number of policy considerations for developing extractive industries, ordered along six levels: sector policy and law, contract and regulation; sector organisation and administration; fiscal design; revenue management; transparency and accountability; and sustainability in the sense of environmental and social management and the linkages of these activities to broader impacts across the economy.

4. Resources Focused on Extractive Industries

There are numerous resources available providing a broad variety of information about extractive industries. The resources below include guidance for communities on engaging with extractive industries, as well as understanding the extractives sector in specific countries and on a global level.

Library of Community Toolkits:

Collection of guides for mining-affected communities, at: <http://communitiesfirst.net/toolkits/>

The Library of Community Toolkits has links to several community-focused guides on issues such as learning about the mining process,

mobilizing and seeking community cohesion, learning about rights, dialogue and negotiation, among others.

Business & Human Rights Resource Centre:

Extractives resources, at <http://business-humanrights.org/en/node/86750>
This section of the Business & Human Rights Resource Centre’s website provides links to several types of relevant resources, including guidance by governments, NGOs, and companies, as well as links to toolkits by industry and multi-stakeholder associations.

EITI: Extractive Industries Transparency Initiative, at:

<https://eiti.org/eiti>

The EITI promotes open and accountable management of natural resources. Countries implementing the EITI disclose information on tax payments, licences, contracts, production and other key elements around resource extraction. This information is disclosed in an annual EITI Report which allows citizens to see for themselves how their country’s natural resources are being managed and how much revenue they are generating.

Chatham House:

Resources Future, 2012 at:

<http://www.resourcesfutures.org/#!/introduction>

Resources Future is both an interactive web-based tool and a comprehensive report. It assesses the contemporary political economy of the world’s integrated resources market. It analyses trends in the production, trade and consumption of key raw materials and predicts future resources insecurities and areas of conflict and contention.

World Economic Forum:

Mining and Metals section, at:

<http://www.weforum.org/communities/industry-partner-mm>

Provides information on industry projects, as well as research, including Mining Scenarios 2030, 2010 at:

http://www3.weforum.org/docs/WEF_Scenario_MM2030_2010.pdf

The WEF’s sector scenarios are developed for industry actors to explore the future of the targeted sectors, and the different factors that influence market behaviour. They are meant to provide tools to improve strategic decision-making, contributing to the sustainability of the global mining and metals sector.

Land Matrix:

Database on land acquisition, available at:

<http://www.landmatrix.org/en/>

This interactive website serves as a database for collecting and visualizing detailed information about large scale land acquisition, including for industrial purposes. Details are provided by purpose of investment, target countries and other categories.

5. Trade Statistics and Policy Information

Because fuels and mineral are heavily traded commodities, information about trade can be very relevant to extractive industries issues. These resources provide information on trade statistics and policies that can help give communities a picture of a country's trade activities.

UN Statistics:

Commodities trade statistics database, at: <http://comtrade.un.org/>

For all trade statistics, always search for imports from a country rather than exports of a country. Most developing countries struggle to maintain data on their exports, while the importers of natural resources (usually industrialised countries) are fairly advanced in trade data collection. Thus, if you need to find out whether African country X has any trade in copper, search for imports from African country X from ALL WORLD, instead of looking for exports by African country X to all.

WTO: *Country Trade Policy Reviews (TPRs)* by country, at:

http://www.wto.org/english/tratop_e/tpr_e/tpr_e.htm

TPRs are periodically conducted and consist of an analysis of a country's trade policies conducted by the WTO Secretariat, and a matching report from the country. The reports identify the main actors in a country, main policy approaches, recent policy reforms and trade priorities.

OECD: *Publications on trade statistics*, at:

<http://www.oecd-ilibrary.org/trade>

Books, policy papers and statistics on trade A gateway to statistics, policy reviews, global reviews and country, sector and case studies. Outlines all relevant export restrictions on raw materials and the policy reasoning for their adoption. Provides some interesting reviews of mining sector developments and the impact of strategic policies.

IFC: *The World Bank Group in Extractive Industries*, by year, at:

http://www.ifc.org/wps/wcm/connect/Industry_EXT_Content/IFC_External_Corporate_Site/Industries/Oil,+Gas+and+Mining/Development_Impact/Development_Impact_Extractive_Industries_Review/

These reports detail the World Bank's activities in extractive industries. The annexes that outline country level projects financed by the World Bank, including project specific 'development forecasts' are most relevant as they can detail the status of a project or future aspirations.

World Bank: *Private Participation in Infrastructure Database*, at:

<http://ppi.worldbank.org/customquery>

The PPI database identifies and disseminates information on private participation in infrastructure projects in low- and middle-income countries. The database highlights the contractual arrangements used to attract private investment, the sources and destination of investment flows, and information on the main investors. Searches can be made by sector, country, type of project, or combination of all three.

6. Foreign Direct Investment Trends and Policy

Foreign direct investment (FDI) is investment from one country into another (normally by companies rather than governments) that involves establishing operations or acquiring tangible assets, including stakes in other businesses. FDI can be an important source of capital for supporting extractive activities.

UNCTAD: *World Investment Reports*, by year, at: <http://unctad.org/en/Pages/DIAE/World%20Investment%20Report/WIR-Series.aspx>

The most comprehensive reports on foreign direct investment flows and related policies. See in particular the report from 2007 (Transnational Corporations, Extractive Industries and Development, 2008 (Transnational Corporations and the Infrastructure Challenge, and 2012 (Towards a New generation of Investment Policies).

UNCTAD: *Investment Policy Reviews*, by country, at:

<http://investmentpolicyhub.unctad.org/IPR/Index>

Interactive database of country specific investment policy reviews that spell out the current policy trends, main actors and strategies.



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