



Mining, Minerals and
Sustainable Development

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Report of the Experts Meeting on Human Rights Issues in the Mining and Minerals Sector

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I Introduction

Over 20 experts from mining companies, non-governmental organisations, international institutions and the academic world attended the experts meeting on human rights issues, hosted by the Mining, Minerals and Sustainable Development (MMSD) Project. Participants came from as far afield as Australia, South Africa and Argentina.

To put the experts meeting in context, it followed earlier events organized by MMSD and the International Institute for Strategic Studies on 'Armed Conflict and Natural Resources' and an experts meeting on 'Corruption Issues in the Mining & Minerals Sector'. Issues discussed at these meetings included the mining sector's 'social licence to operate'

Independent consultant Simon Handelsman delivered the opening background presentation, before more detailed presentations on the role of international law, mining company case studies and ways to promote partnerships between governments, mining companies and human rights organisations.

The broad aim of the experts meeting was to identify the critical issues surrounding human rights in the mining and minerals sector and to suggest what action would lead to policy solutions.

Specific objectives of the experts meeting were to:

- Discuss a draft paper prepared for the MMSD project on human rights issues in the minerals sector
- Understand the range of perspectives on issues related to human rights in the minerals sector
- Identify existing policy initiatives and current options
- Clarify further research and information needs and potential follow up activities

2 Background to Human Rights Issues in the Minerals Sector

As one participant pointed out, companies today ignore the human rights issues and problems of weak institutions at their peril, endangering the sector's 'social licence to operate'. Awareness of human rights issues has grown steadily since the 1980s.

Mining concessions are increasingly located in some of the most dangerous parts of the world. According to one speaker, 80 per cent of the economy in Kosovo is reliant on mining. Mining is also important in Colombia, which has a severe problem with political violence against trade union activists. Cambodia has suffered battles between gold-miners and the police, in Burma there are documented cases of forced labour and human rights abuses have been widely reported in Indonesia. Following the Cold War, it is increasingly accepted in the international sphere that national sovereignty no longer shields leaders who have violated the human rights of those living within their borders.

Other trends associated with globalisation include demands for greater transparency and accountability from the business and political leaders and a growing interest in the concerns of different stakeholders. There has also a breakdown in public trust in companies' decision-making processes. Decentralised business units, a practice common in the minerals sector, has made it hard for civil society groups to know where and how to exert pressure.

In addition, the competition for foreign direct investment (FDI) is feared to have led to a lowering of standards as countries compete for FDI in a 'race to the bottom'.

Mining companies run up against human rights issues at four key stages of their production cycle:

- Exploration – involving access to land, and the need to pay adequate compensation
- Development – impact on the community; distortion of the local economy
- Operations – workers' rights, employment opportunities, training requirements, community development, share of economic rent, use of security forces
- Closure – the impact on the community, and the promotion of a sustainable economy

The issue of human rights in the minerals sector is therefore extremely complex, where competing interests at the local, regional, national and international level and issues such as who speaks for whom, who wants what, all need to be explored and reconciled.

Some mining companies have pledged their commitment to human rights and endorsed the Universal Declaration of Human Rights but the gap between rhetoric and reality is still considerable. Despite some innovative projects, companies often remain uncomfortable with issues of a political nature. In addition, the role of trade unions and the right to freedom of association remains contentious for some. Many have some way to go in reconciling their own internal and external behaviour. Others behave differently according to the regime in which where they operate. There is still a lack of benchmarks to monitor company performance on these points.

That said, companies are sensitive to the need to maintain a good reputation. And, in a climate of increasing competition for access to capital, companies are more responsive to pressure from shareholders and the public. They are also acutely aware of the need to gain the ‘social licence to operate’. Such a licence could be won by convincing civil society (including the affected community) that corporations would operate according to mutually understood and accepted norms, encompassing high social and environmental standards.

Many mining companies, especially multinationals, are increasingly alerted to their responsibilities in the arena of human rights by the work of pressure groups such as non-governmental organisations (NGOs) and media coverage. In parts of the world where governance is very weak, multinationals often end up providing basic services for areas such as healthcare, education and infrastructure. Company representatives at the experts meeting were keen to point out that as non-elected bodies, companies have no desire to replace government. There is a need for partnership between companies and governments – not least to plan ahead for the day when a mine closes.

However, in many cases governments lack the capacity to provide structured co-operation. Many speakers emphasised the need for capacity building in government as a key theme throughout the experts meeting. While most governments have ratified the 1948 Universal Declaration of Human Rights, real government support tends to correlate with the type of governance structures in place. It is stronger in more democratic regimes, and often problematic in military regimes or ‘failing’ states.

As pointed out by one company participant, working with a weak government raises many moral and practical dilemmas. While companies cannot change the practices of governments, they can assume a proactive role to help minimise human rights violations. One example comes from the oil sector, where a company lobbied host governments for the release of political prisoners.

Although a few leading companies are addressing the human rights agenda in the mining industry, the majority are still fearful of the enormous responsibilities it presents. The area of environmental rights has also remained contentious, for companies and governments alike.

3 International Human Rights Norms and Regulations

Human rights NGOs traditionally focus on political and civil rights, and campaign against gross violations of human rights by governments. Increasingly, their focus has turned to the impacts of globalisation and economic policies, hence the increasing scrutiny of multinational enterprises.

International human rights law primarily applies to states and not private sector corporations (the relevant OECD Guidelines are non-binding). For that reason many human rights NGOs have sought to define and codify norms for companies. Amnesty International (AI), for example, has been influential in reporting and codifying understanding of good practice, and has encouraged companies to become more open and transparent. AI has also attempted to outline the areas of human rights relevant to the minerals industries. (See Annex I.) However, as non-elected bodies, NGOs cannot enforce the norms. Some NGOs have found that some companies have become their unlikely bedfellows. There have been broad agreements on what human rights are, and the kind of principles towards which companies should be working.

At present there are not enough mechanisms for holding multinational enterprises to account. Specific performance indicators are needed as well as codes to assist companies on how to implement human rights law in practice. Yet many companies feel uncomfortable about specific indicators and there are also worries about code overload. One participant suggested it would be helpful if industry could come up with a collective position.

Many participants felt that in order to supplement the international legal framework for human rights, there needs to be more effective participation from civil society on the issue of rights. While participation should take place at local, national and international levels, in many areas, especially where many minerals operations take place, it will be difficult to ensure participation and consensus building. Some NGOs, for example, may never reach the negotiating table.

A distinction also needs to be drawn between community-level organisations made up of members of a given community and international organisations that work on behalf of that community.

Linked to the discussion on participation is the question of the right to say no to mineral development. One example mentioned concerned an indigenous community in Canada who refused permission for a mining operation to go ahead (although they have been re-considering their position). Another was the case of a community in Ecuador that decided to say no until they had the capacity to make an informed decision. These examples fed into a broader discussion of what 'informed' means, and who decides when a community is ready to make a decision. On this point, it is important to recognise that a 'no' decision may not mean 'no – forever' because significant changes to family structures, economic needs etc. can occur.

4 The Need for Capacity-Building

Lack of capacity at all levels was highlighted throughout the experts meeting as a key issue. Many governments lack adequate structures or the correct information to operate effectively, or may be beset with corruption. It was agreed that civil society groups need to work with government and share information to help tackle this problem. Unfortunately, in many cases, the relationship between government and civil society is often characterised by mistrust, which makes it difficult to establish strong working ties. It was agreed that training programmes would be needed to build government capacity and to enable government institutions to interact more effectively with NGOs and civil society.

However, capacity building can be labour intensive and produce poor results. Different organisations have different strengths in this area. While some NGOs fulfil a strong advocacy role, this does not mean they necessarily have all the answers. Similarly, while companies say they are keen to work in partnership with NGOs, few examples of these partnerships exist in practice. Although the World Bank has attempted to define and provide guidelines for NGO-company partnerships, these are commonly fraught with problems. Some NGOs may find it more fruitful to work on their own, as it is easier for them to stick to agendas that will protect their reputation. In addition, in some countries, companies may find it problematic to work with certain NGOs that are deemed unacceptable to the government because of their political or ideological agendas.

The experts meeting also discussed the idea of international NGOs' helping to build capacity at the local level through collaboration with local NGOs. One participant from South Africa reported difficulties in working with local civil society. In many areas, civil society is non-existent, spread too thinly.

While it may be conceivable that the UN could use its convening power to help with this issue, it was noted that the UN had been criticised by NGOs for its involvement with the private sector, borne out of many NGOs' distrust of the private sector corporations. The need for NGOs and companies to build up a level of trust to enable them to work together was clearly evident.

It was also pointed out that often those who are tasked with capacity building frequently lack capacity themselves. Many UN funds and agencies, for example, are often short of funds and other resources themselves – even though they run capacity building programmes for the minerals sector. It was hoped that the UN foundation would begin to open up funding opportunities for work in this area. Some mining companies and the World Bank have also been actively discussing the need for guidelines on public consultation and frameworks for integrating mining and sustainable development issues.

A case of good practice was discussed to demonstrate how capacity might be built. A company in Brazil with over 300 miners uses part of its profits to fund outside organisations to help upgrade skills and deal with problems such as drug rehabilitation.

Companies expressed a willingness to work with organisations such as the UN, whilst also working locally to build the capacity of governments to deal with human rights. In

Venezuela, partnership between the UN, the private sector and NGOs have led to an initiative to train the judiciary on human rights issues.

5 Working with Governments

Some of the difficulties of working with poor governance structures have already been outlined above. These include lack of capacity and lack of participatory structures for decision-making, as well as problems posed by national legal frameworks, including land rights, distribution of revenue and the use of military or security forces.

Under Indonesian law, for example, all minerals resources belong to the government. Since traditional land rights are not recognised by the government, land is leased through a system of informal land tenure. The government is not willing to lay open the Pandora's Box of renegotiating land rights. So before a mining operation goes ahead, the government recalls the land from the local community and invests a contractor with the right to exploit the minerals from that site. Compensation is paid, not in money, but by bringing improvements to the area. This is negotiated through a process of consultation between government, local people and the company.

Given that the Indonesian government regards all surface and sub-surface mineral rights as state property, it also believes that it has the right to defend them. Security measures can be, however, extreme. The military, which has been given the role of protecting sovereign interests and safeguarding the country's development, are often under-resourced and poorly trained. They are often sent, reluctantly, to areas where they do not understand the issues. The human rights abuses of the military in many areas should therefore be seen not simply as the failings of government policy but as a result of a lack of capacity – symptomatic of wider structural problems.

Not all the companies represented had policies in place for employees to report human rights violations. One company participant stated that it was policy for all employees in his organisation to report cases of all known violations, and that the company was very open with the government and the local military on this issue. Others said their companies were less active, but were looking at ways of becoming more involved.

Revenue sharing is often another serious source of conflict. In Indonesia where royalties are collected and distributed by central government, funding is shared between 32 provinces, eight of which generate far more revenue than they receive back. Up to 80 per cent of the total revenue from mining comes from Kalimantan, Sumatra and Papua (formerly Irian Jaya). Mines are often at the centre of local protests concerning the perceived lack of benefits from the mine to the local community, and the mine's presence may also exacerbate social tensions and human rights violations, including social conflict.

Local resistance against a centralised authority raises serious questions for mining companies, specifically:

- What can be done to ensure mining revenues flow back to the local community?

- Does the institutional capacity exist at the regional level to manage mineral wealth?
- Can trust funds provide a meaningful alternative?
- How should a company empower local communities when the political will to build capacity is absent?

6 Companies' Experiences

Working in undemocratic or failing democratic countries where human rights abuses are sanctioned by government poses a number of dilemmas for companies. In particular, what companies should do:

- If soldiers and police abuse people supposedly in defence of company interests?
- If governments spend tax revenues to fund wars or oppression?
- If mining companies are offered the power to veto indigenous people should they decline permission for the operation to go ahead? Is it practical or right for a western multinational to have a say over such issues?

When companies make an honest attempt to grapple with such issues much can be achieved. For example, Rio Tinto now has internal guidelines on human rights issues in relation to communities and security. They oblige Rio Tinto to screen for security and commit the company to operate in ways that respects human rights.

Placer Dome has also been keen to examine what a commitment to the principles of sustainable development would mean to the company, both internally and externally. In particular, what effect would this have on their operations and in the minds of those interacting with the company at the operational level? The process proved relatively straightforward until the company broached the issue of human rights, which quickly became political and led to lots of problems over definitions and concepts. This was because in some languages there is no established concept that equates directly to the concept of human rights. While any issue can be included in the sustainable development agenda as a 'right', it has been a very difficult area for companies to deal with, highlighting the need for more broadly agreed principles.

Company viewpoints around the table ranged from an unswerving support for rights, to a willingness to test the usefulness of this approach, to a preference for ignoring rights altogether. One participant said that while his company has been keen to progress with stakeholder engagement on issues concerned with political and civil rights, it continues to regard economic and social rights as aspirational. Another participant noted the dichotomy of opinion that exists between the head office and the site level.

At the operational level, the question of indigenous rights (economic, social, land and so on) remains unresolved. While ILO convention 169 accords certain rights to indigenous peoples to participate in consultation processes, few countries have ratified it. A question was raised whether companies should distinguish between states that have ratified ILO 169 and those

that haven't. It was noted that one problem with this is the definition of 'indigenous', which is often ambiguous and contested.

For indigenous peoples, the concept of 'human rights' includes the relationship between indigenous peoples, land and resource use. It confers a positive obligation on state signatories to maintain and protect indigenous culture based on principles of equality. And it commits them to supporting indigenous peoples' social development and political participation through providing the legal means for them to assert their rights. A legacy of injustice, environmental degradation, displacement and allegations of corporate complicity in human rights violations have occurred around mine areas. As a result, many indigenous peoples regard a human rights approach as fundamental to their equal and just treatment.

In an environment of accelerating change, the relationship between indigenous peoples and the mining sector poses a unique challenge to the sector, specifically on issues relating to:

- The collective rights of indigenous communities
- Cultural norms
- Compensation
- Intra- vs. inter-generational equity
- Community control

In Canada, negotiations with aboriginal communities were conducted on the basis of principles rather than rights, even though rights were implied. The language of rights is often problematic for governments particularly on the question of land and resource rights, since it has far-reaching constitutional implications.

For companies, negotiating agreements directly with communities also raises concerns of legitimacy. Agreements may be signed at one level that contravene existing regulations at either the local or the national level.

South Africa is another jurisdiction where the language of 'rights' is often used. For example, HIV is seen not as a health issue, but as a rights issue. Property rights are also highly complex. It is difficult for corporations to internalise the notion of rights, which raises a number of key questions. Should they be implemented on humanitarian grounds, in terms of a sustainable development approach or from a more legalistic perspective? And is there a hierarchy of rights? The Global Compact helps to some extent, but there is still much to be done.

In December 2000 BHP Billiton formally recognised fundamental human rights in its integrated Health, Safety, Environment and Community (HSEC) Policy. BHP Billiton is working towards raising the bar on its current performance, which includes ensuring that social impact assessments are included in all its studies. BHP Billiton has also:

- Publicly committed itself to Universal Declaration of Human Rights
- Introduced HSEC Standards on: human rights and indigenous affairs; communication, consultation and participation

- Brought in auditing, assessment protocol and targets
- Introduced human rights analysis and site monitoring
- The effect of this strategy has been to raise expectations within the global community, particularly international and southern NGOs, local communities and the media. In addition, the company has achieved an ethical investment fund listing, which in turn has raised expectations among its employees, shareholders and communities. Corporate incentives are key drivers of internal change. With human rights rising up the agenda a laissez faire approach is no longer tenable, particularly when companies operate in developing countries.
- Only a minority of companies are leading the way in developing human rights policies. There was a feeling among experts meeting participants that companies could do more to extend their sphere of influence, and that their involvement in human rights largely hinged on the participation of an interested CEO. A CEO summit that was planned but failed to take place, reflects, perhaps the ambivalence felt across the industry.

7 The Way Forward

There is plenty of scope for companies to work on human rights issues. Two main points of action were identified:

- Exchange experience and best practice to develop new innovative and strategic solutions
- Speak with a single voice

A starting point for companies is always one motivated by self-interest. An important distinction was drawn between what companies need to do and what they feel obliged to do. To what extent should companies be expected to intervene on these human rights issues with host governments? Clearly there are a number of important steps companies can take in addressing human rights issues connected with the protection of the health and safety of their employees and security guards. But where the issues are more complex – such as indigenous rights, government spending of mineral revenues to finance military expenditure and acts of violence – then the underlying causes of these problems need to be addressed. Here, the role of companies is much more complicated.

The need to develop country-specific and project-specific guidelines was recognised, since practices that work in one country may not necessarily translate into good practices in other areas.

8 Voluntary Initiatives

Voluntary initiatives, though still regarded by many NGOs with scepticism, received some support among companies as a way forward in tackling issues of human rights and security. Freeport-McMoran, for example, is currently experimenting with a policy to create specific codes of conduct on human rights and security, with deliverables. This is not legally binding or industry wide, but it is public and verifiable.

Placer Dome was one of the first mining companies to sign up to the Global Compact, which has a set of nine principles covering topics in human rights, labour and the environment. The Global Compact does not have compliance mechanisms, although companies are required to demonstrate that they are working towards achieving the nine principles. They post concrete examples or lessons learnt through the implementation of the nine principles on the Compact website. Beyond its nine principles, it also invites companies to engage in partnership with other UN bodies to widen its reach beyond the direct sphere of influence of a company.

There needs to be greater credibility, more substantive outcomes, and clearer demonstrations that voluntary solutions are possible. If voluntary approaches continue to be perceived as ineffectual, civil society will call for more binding approaches and regulations. It was suggested that companies need to show their commitment by attending meetings and providing funding assistance for NGO participation.

Another process that has been in place is the Voluntary Principles on Human Rights and Security, involving nine companies, nine NGOs and two governments. (The Dutch government has since joined the process.) This process was originally convened by the US State Department and the UK Foreign and Commonwealth Office in the early 2000s, after allegations of complicity in human rights violations. Its purpose is to address the issue of human rights and security for the extractive industries. Some companies were concerned about their reputations and requested guidance on human rights and on handling difficult decisions. The initiative has been criticised on the grounds that the analysis of rights used here referred only to freedoms and not economic issues, and for being a US/UK led initiative, rather than a global one.

These kind of initiatives will only succeed if they are perceived to be useful for companies and NGOs alike. It is hoped that the governments of, for example, Australia, Canada, and Norway will join soon, and that some developing economies will participate. The involvement of NGOs and governments is regarded as critical to ensure open and direct dialogue. However, because of the sensitivity of these issues, it is sometimes difficult to engage certain governments in this process. In Colombia and Nigeria, for example, dialogue is taking place through the US and UK embassies. A number of companies have also joined forces to talk about human rights and security issues in the presence of security officials and embassies.

A speaker suggested possible enriching elements that could be considered including risk assessments, and for NGOs to build capacity of security staff. The speaker felt that there was a real opportunity for companies and NGOs to work together on this front.

The Voluntary Principles are aspirational, non-binding, ambitious, and can contribute to raising standards. They can also be relevant to other industries. The key to making them *the* standard is to ensure that they are properly implemented, and that their impacts are monitored on the ground. Much can be achieved by working together; managers need to refer to these principles and NGOs need to have confidence in the effectiveness of this standard. Media scrutiny means the human rights agenda is likely here to stay. Shifts in media coverage can be important indicators of change.

9 Partnerships Between Companies and Human Rights Organisations

Fund for Peace is a small but well-established organisation based in Washington DC. Traditionally a think-tank, it is now more advocacy-based, dealing in conflict prevention based on regional response and humanitarian intervention. In the midst of accusations of human rights abuses or complicity for companies, Fund for Peace set up a round-table meeting with mainstream human rights NGOs, development and environmental organisations to discuss ways and means for building trust.

The first step was education. NGOs were surprised at the number of different approaches to corporate governance, and corporations understood that human rights organisations were not conspiratorial. After two years, the group decided to take concrete action and formed work groups looking at human rights in Indonesia and Nigeria. By taking a case-study approach, specific problems can be brought to the table for advice and action. However, it remains to be seen what the long-term effectiveness of this kind of approach will be.

To conclude, it was suggested at the experts meeting that more needs to be done to define the meaning of human rights in the context of the mining and minerals sector. This might take the form of a series of goals or objectives rather than a prescriptive approach. However, most of the people running mining operations are engineers and geologists, and are not especially qualified to pronounce on political or ethical matters. In view of that fact, some felt MMSD did need to be prescriptive. In addition, the following policy innovations were argued for:

- Codes to assist companies to implement human rights law in practice
- Performance indicators – although these are problematic for companies
- Training programmes to build government capacity in building trust with, and to relate more effectively with civil society. The UN could use its convening power to help with this
- Good practice case study material to show how capacity might be built at different levels
- Joint effort between companies and other parts of civil society to tackle the human rights agenda

Annex I: List of Human Rights

Presented by Rory Sullivan

Amnesty International summarises the minerals industry's responsibilities to protect human rights as:

- Protecting human rights within all of their areas of operation (including not only direct employees but also contractors, suppliers, family members, local communities and other parties affected by the company's activities), and
- Supporting and promoting the protection of human rights in society.

In addition to these general responsibilities, Amnesty International's view is that minerals companies also have specific responsibilities in the following areas:

- **Discrimination:** Individuals are entitled to equal treatment and companies must not distinguish between individuals on the basis of race, caste, national origin, disability, age, colour, gender, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.
- **Life and liberty:** Every individual has the right to life, liberty and security of the person and companies must ensure that their activities do not infringe any of these fundamental rights in relation to any individual or group of individuals.
- **Slavery:** No individual should be held in slavery or servitude of any kind.
- **Torture:** No individual should be subjected to torture, physical mistreatment or to cruel, inhuman or degrading treatment or punishment
- **Security of person:** No individual should be subjected to arbitrary arrest, detention or exile.
- **Privacy:** All individuals are entitled to protection against arbitrary and unjustified interference with their privacy and the privacy of their families.
- **Property:** All individuals have the right to own property and to access common resources, either alone or in association with others. Any deprivation of property and/or access to common resources for the purposes of the company's business must only be carried out by a government authority, be on just terms (including the payment of prompt, adequate and effective compensation) and be for the benefit of the public. In the specific context of local communities, this requires that companies not only respect the fundamental rights of these communities but also respect the principles of self-determination, including economic self-determination.
- **Religion:** All individuals have the right to freedom of religion, where that religion does not impinge on the fundamental human rights of other individuals, and companies must ensure that their activities do not infringe this fundamental right or condone or promote infringement by any other person. This includes allowing individuals the right of assembly and the right to maintain practices of worship and observance.
- **Freedom of opinion:** All individuals have the right to freely hold ideas and opinions, where those ideas and opinions do not impinge on the fundamental human rights of other individuals, and to hold those ideas or opinions without interference from the state or other individuals. Companies must not limit the ability of individuals to hold

ideas or opinions, or, where compatible with the normal operation of their business, to freely express such ideas or opinions.

- Freedom of association: All individuals have the right of association with other individuals and to bargain collectively.
- Labour standards: Companies must recognise that all of their employees are entitled to a safe, healthy and clean workplace and to a fair and just wage in the context of the social environment within which the company operates. Companies must not require any employee to work under conditions that do not meet the standards set out in the Conventions of the International Labour Organisation. Furthermore, companies must comply with the requirements of the International Labour Organisation's Convention on Child Labour and the UN Convention on the Rights of the Child.
- Bribery: Companies must comply with the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

In addition to these basic responsibilities, the human rights responsibilities of companies are increasingly being recognised as including:

- Respect for national sovereignty: Companies shall recognise and respect the national laws, regulations, values, development objectives, and the social, economic and cultural policies of the countries in which they operate, in so far as these do not conflict with international human rights standards.
- Fair and adequate compensation: Companies shall provide workers with remuneration that ensures a lifestyle worthy of human existence for workers and their families.
- Respect for local communities: Companies shall respect the rights to health, adequate food and adequate housing and shall refrain from actions that obstruct the realisation of these rights. Companies shall also respect other economic, social and cultural rights such as the right to primary education, rest and leisure and participation in the cultural life of the community and refrain from actions that obstruct the realisation of these rights.
- Protection of the environment: Companies shall carry out their activities in accordance with national laws, regulations, administrative practices and policies relating to the preservation of the environment of the countries in which they operate. Companies shall pay due regard to relevant international agreements, principles, objectives and standards relating to the environment as well as to human rights. Companies shall take due account of the need to protect the environment, public health and safety and shall conduct their activities in a manner that contributes to the wider goal of sustainable development.

These obligations apply not only directly to the activities of organisations but they also impose an obligation on companies to ensure that they do not condone or promote the infringement of these rights by other parties.

Source: Rory Sullivan and Peter Frankental, Amnesty International (UK) Business Group

Agenda

Experts Meeting on Human Rights Issues in the Mining and Mineral Sector

Transparency International, Berlin, September 6 2001

Coffee and Welcoming Remarks: 9:00 am
Richard Sandbrook, MMSD

Session One: 9:15 am - 10:30 am
Human Rights and the Minerals Sector

Speaker: Simon Handelsman to give an overview

Coffee

Session Two: 10:45 am – 12: 15pm
What is the Role of International Human Rights Law?

Speaker: Rory Sullivan (Amnesty International) on the role of international law
David Lowry (Freeport-McMoran) on the case of Indonesia

Lunch

Session Three: 1:45pm – 3:30 pm
Practical Experience of the Companies

Speakers: Daniel Litvin to give an overview
Jim Cooney (Placer Dome)
Deanna Coles (BHP Billiton)

Coffee

Session Four: 3:45 pm- 5:30pm

The Way Forward

Speakers: Bennett Freeman on the Voluntary Principles on Human Rights and Security
Lauryn Beer (Fund for Peace) on partnerships between companies and human rights organisations

List of Participants

1. Bela Arora Warwick University, UK
1. Lauryn Beer Fund for Peace, Washington DC
2. Edward Bickham Anglo-American, UK
3. Deanna Coles BHP Billiton, Australia
4. Guy Collis MMSD
5. Jim Cooney Placer Dome, Canada
6. Harriet Fletcher International Business Leaders' Forum, London
7. Gabriela Flores-Zavala MMSD
8. Bennett Freeman independent consultant, Washington DC
9. Simon Handelsman independent consultant, New York
10. Csaba Kiss EMLA, Hungary
11. Bernice Lee MMSD
12. Daniel Limpitlaw Wits University & MMSD Southern Africa
13. Daniel Litvin independent consultant, London
14. David Lowry Freeport-McMoran, USA
15. Gary MacDonald Newmont, USA
16. Ian Marshall Transparency International, Canada
17. Victor Ricco Centro de Derechos Humanos y Medio Ambiente, Córdoba, Argentina
18. Richard Sandbrook MMSD
19. Miguel Schloss Transparency International
20. Casper Sonesson UNDP, New York
21. Rory Sullivan Amnesty International, London
22. Jong-Gil Woo UN High Commission on Human Rights