



We assist communities around the world to defend their environmental and human rights. We hold corporations and international institutions accountable for abusive practices through our dual approaches: direct support to communities and policy advocacy.

Serving Communities: This summer, we are busy serving clients in ten countries around the world. As ever, our approach is to assist our clients -- at their request -- to voice their



concerns about human rights and environmental abuses. Our clients in **Liberia** and **India** are challenging abusive agribusiness projects, while in **Bangladesh, Mongolia, the U.S.** and **Russia**, our clients face harm from mining, oil and gas projects.

In **Panama, Nepal** and **Kenya**, we are working with groups facing involuntary

displacement and environmental problems caused by infrastructure projects, and in **Malawi**, our clients face a World Bank project denying them access to water.

In each of our cases, our clients are voicing their demands for accountability directly to the responsible actors -- with dramatic effect.



In our policy advocacy, we are participating in formal notice and comment periods at a number of

institutions, feeding lessons from cases into advice for improvement, and providing thought leadership on the uptake of the UN's Guiding Principles for Business and Human Rights.

We are growing! In July 2013, we welcomed our fourth employee, **Associate Director, Alyson Finley**.

She joins our team as we continue to multiply our impact on a lean budget through close collaboration with *pro bono* law

firms, law school clinical programs, and our student Law Fellows and Interns.



Systemic Change Through Policy Advocacy

Updates on Accountability Policy Reviews

EBRD - On May 29, 2013, Accountability Counsel submitted comments to the European Bank for Reconstruction and Development (EBRD) as part of the review of its accountability mechanism. Our comments focused on improving the process of assessing complaints, transparency, and independence. Six other organizations joined our comments.

IDB - On May 31, 2013, the Inter-American Development Bank (IDB) appointed a consultant to conduct a review and propose the restructuring of its accountability mechanism. We look forward to providing comments based on our experience with the mechanism and research into its cases and operations.

OPIC - Our 2012 campaign succeeded in securing a commitment by the Overseas Private Investment Corporation (OPIC) to conduct a public and transparent review of its accountability mechanism. After waiting nearly a year for a concrete timeline for the public portion of the review, our June 2013 letter, joined by 12 other organizations, prompted OPIC to commit to releasing a timeline in July 2013.

UN Guiding Principles

Mazars/ Shift - On June 26, 2013, we provided input into Mazars/Shift Project's creation of guidelines for corporate reporting on human rights policies and procedures, stressing the need for reporting on outcomes, transparency and stakeholder inclusion.

Oil and Gas Comments - On February 1, 2013, we provided comments to the European Union as it develops Guidance on Human Rights for Oil and Gas Sector companies, offering a framework to strengthen impacted communities' access to remedy.

Dutch National Contact Point (NCP) Advocacy

On June 21, 2013 Accountability Counsel, as a member of OECD Watch, submitted a critique of the Dutch NCP to the Organisation for Economic Cooperation and Development's (OECD) Annual Meeting of NCPs. We argued that the Dutch NCP's poorly reasoned decision rejecting our complaint against Shell for harm caused by the Sakhalin II project in Russia risked undermining implementation of the OECD Guidelines for Multinational Enterprises.

International Advocates' Working Group

Accountability Counsel has launched an initiative to convene groups around the world working to support communities in their complaints to accountability mechanisms. The Working Group will be a forum to share experience and collaborate on improving accountability mechanisms. More information on our policy work is online at www.accountabilitycounsel.org/policy/.

Supporting Nomadic Herders in Mongolia:

Negotiating with a Mining Company through the World Bank Group's Ombudsman

For over a year, Accountability Counsel has supported the struggles of nomadic herders experiencing serious harm from Rio Tinto's enormous Oyu Tolgoi copper and gold mine in Mongolia's South Gobi desert.



The \$13.2 billion project is the largest foreign investment in Mongolia and is supported by the World Bank Group's International Finance Corporation (IFC) and Multilateral Insurance Guarantee Agency (MIGA), as well as a host of other international public and private investors.

Herders are concerned that the project will destroy the fragile South Gobi ecosystem, as well as their traditional way of life.

In December 2012, Accountability Counsel and an international coalition of groups published a detailed critique of the project's social and environmental impact assessment, pointing out Rio

Tinto's failure to comply with fundamental World Bank rules that should have been protecting the nomadic herders.

In early 2013, Accountability Counsel's Sarah Singh supported a nomadic herder who travelled from Mongolia to Washington to personally testify to World Bank officials about the project's devastating impacts on herders' traditional way of life, including impacts to vital water resources and pastureland.

In April 2013, Sarah and an Accountability Counsel Law Fellow traveled to Mongolia, at the request of herders, to provide training on how to negotiate with Rio Tinto through the dispute resolution process triggered by the herders' complaints to the IFC and MIGA's accountability mechanism, the Compliance Advisor Ombudsman (CAO).

The obvious power imbalance between the herders and Rio Tinto at the negotiating table requires our assistance at a variety of levels. We are working to support the herders to meet the challenge of voicing their concerns through the CAO's process as negotiations with Rio Tinto continue.



Demanding Accountability in Nepal

Complaint to the World Bank Inspection Panel Seeks a Halt to Human Rights Abuses Associated with High Voltage Transmission Line

Human Rights Abuses of Indigenous Villagers

In Nepal, Accountability Counsel assists indigenous villagers challenging a World Bank-funded high voltage transmission line being constructed without concern for the rural villages that will be razed in its path. When communities attempted to peacefully protest against problems with the transmission line, armed Nepalese security forces beat, tortured, and detained them -- many of the violent attacks were against unarmed women.

The World Bank's Problem Project

The project, called the Khimti-Dhalkebar 220 kV Transmission Line, will cover five districts of central Nepal. The World Bank approved funding for the project in 2003 as part of the Nepal Power Development Project (NPDP). Affected communities in the Sindhuli District fear that the transmission line's 30-meter right-of-way will clear a wide swathe of populated land, harming agricultural production and disrupting religious, historical, and cultural sites. The planned route covers residential and urban areas, as well as four schools. The project is slated to affect over 100,000 poor, marginalized, and indigenous villagers, resulting in widespread displacement of poor communities.

In violation of World Bank policy, villagers located directly under the planned route in Sindhuli District have not been given information about the project, were not consulted, and have not been resettled. Communities are also concerned about potential health and environmental impacts from the transmission lines.

Action to Date

Due in part to community resistance, completion of the transmission line has been delayed. In December 2012, the

Bank restructured the loan with the goal of completing the project by the end of 2013.

On February 18, 2013, Accountability Counsel and Kathmandu-based Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), supported the affected communities to send a letter of concern about the project to the World Bank President. This was followed by a meeting between World Bank management and community leaders on March 13, 2013, at which community leaders voiced their complaints to Bank management about the project planning and design, including violations of the World Bank social and environmental safeguard policies. They are still awaiting action from the Bank as a result of that meeting.



Meanwhile, in early April 2013, the Government of Nepal deployed armed police forces to Sindhuli District to ensure opposition to the project did not obstruct surveying and construction activities.

To date, attempts to address the issue in Nepalese courts and directly with the World Bank have failed. On July 10, 2013, Accountability Counsel and LAHURNIP assisted the villagers to file a complaint with the World Bank Inspection Panel, demanding an investigation and that the project halt until affected people are taken into account. The Inspection Panel complaint demands that the transmission line be re-routed through adjacent unpopulated areas, prioritizing the rights and needs of affected communities.

Our South Asia Director, Komala Ramachandra, is working closely with LAHURNIP as we monitor the human rights situation and assist local people with all stages of the Inspection Panel process.

Complaint Moves Forward in Bangladesh

Accountability Counsel supports the struggle of communities in Northwest Bangladesh who are opposing the Phulbari Coal Mine, a project of GCM Resources. The mine would displace up to 220,000 people and threaten one of the world's largest remaining mangrove forests and a UNESCO World Heritage site. Accountability Counsel assisted a coalition of organizations with a complaint to the United Kingdom's OECD National Contact Point regarding human rights abuses associated with the proposed mine. On June 14, 2013, the National Contact Point accepted the complaint and the case is moving forward.



WELCOMING ASSOCIATE DIRECTOR, ALYSON FINLEY!

We are thrilled to welcome our new Associate Director, Alyson Finley. Alyson comes to us with *pro bono* experience working on a number of our cases, including contributions to our case in Russia and extensive field work in Liberia.

Previously, Alyson worked with Lawyers Without Borders in Kenya as a faculty member for the organization's Trial Advocacy Training Program in Nairobi. For four years, Alyson was an associate attorney in New York at the international law firm Freshfields Bruckhaus Deringer LLP.

Alyson is a 2008 graduate of Cornell Law School, where she received an Award for Appellate Advocacy and assisted in the representation of an inmate on South Carolina's death row. She is fluent in French and has studied German and Arabic.

Please join us in welcoming Alyson!

Thanks to our *Pro Bono* Attorneys

In the past six months we have been proud to collaborate with the following *pro bono* partners:

- Skye Bougsty-Marshall
- Law Office of Gideon Kracov
- Covington & Burling LLP
- Wilson Sonsini Goodrich & Rosati, PC

Preview: Cases to Watch in Liberia, India, Malawi, and the United States

Liberia: Agribusiness

Accountability Counsel, along with Liberian partner Green Advocates International, is supporting the efforts of Liberians to address human rights and environmental abuses associated with an agribusiness project financed by a U.S. federal agency. Harm includes loss of livelihoods for small farmers and charcoal producers, contamination of water, harm to natural forests, workers' rights violations, and sexual abuse.



We are working with a coalition of groups to assist the complainants through an extremely challenging situation.

Malawi: Water Rights Along with Malawi-based Citizens for Justice, we support local people harmed by a World Bank water meter project that is

making water harder and more expensive to access. We are assisting with a complaint to the World Bank Inspection Panel that was filed in May 2013, but to date has not been registered, in violation of the

Panel's rules.

India: Tea Plantations

Accountability Counsel is providing support to tea plantation workers in Assam who have filed a complaint to the World Bank Group's Compliance Advisor Ombudsman (CAO) regarding abuses of workers' rights. Workers have faced intimidation and retaliation as a result of the complaint process.

US: Mountain Top Removal

In West Virginia, we are supporting a local community where mountain top removal mining is causing human rights abuses and environmental harm. The mining, financed by international banks, violates the OECD Guidelines for Multinational Enterprises.

Thanks to our Law Fellows & Intern

With us summer 2013 are Law Fellows **Imron Bhatti of Davis Law** (top left), **Christine Dutko of Berkeley Law** (bottom left), **Rebecca Gerome of NYU Law** (top right) and Intern **Amanda Swenson of Princeton University** (bottom right). Thanks also to our Fall 2012 and Spring

2013 Law Fellows and Interns: Caitlin Daniel, Julie Hunter, Scott Idiart, Sarah Jornsay-Silverberg and Jayna Sutherland, Libby Orrick and Esther Galan.

Engage:



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