

Appendix 1: Case Studies Illustrating the Human Rights Implications of Large-Scale, Internationally-Financed Projects¹

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Ahafo Gold Mine. This open-pit, cyanide processing gold mine is being developed in Ghana. Source: Bank Information Center.

Allain Duhangan Hydroelectric Project. This project is a planned 192 MW hydroelectric power plant, with an associated transmission line, to be built on the Allain and Duhangan tributaries of the Beas River in the state of Himachal Pradesh in India. Source: IFC Compliance Advisory Ombudsman.

Antamina Mine. Antamina is the largest greenfield mine in Perú, and one of the largest in the world. The mine is the country's leading producer of zinc and the second largest copper and molybdenum producer among Peruvian mining companies. Source: IFC Compliance Advisory Ombudsman.

¹ **Note:** The case studies in this appendix illustrate projects where specific human rights have been *implicated*. This does not necessarily imply that the project has *violated* this human right, but rather identifies situations where the right might apply. The human rights implications described in this appendix were drawn from various secondary sources, and have not been independently verified through factual investigation by the authors. Accordingly, the examples of alleged human rights implications are included in this appendix only to illustrate the nature and frequency of such allegations in large-scale, internationally-financed projects. Moreover, the alleged human rights implications included in each example may not be exhaustive. For example, this appendix does not address the differentiated impacts of these projects on women. For a discussion on how mining projects have a differentiated impact on women, see Oxfam Australia, "Women and mining," <http://www.oxfam.org.au/campaigns/mining/women>.

Aracruz pulp mills and plantations. Aracruz is the world's largest producer of bleached eucalyptus pulp. The company has three pulp-making plants in Brazil, and is making efforts to build another mill in Guaíba in southern Brazil. Source: BankTrack Dodgy Deals.

Asia Pulp and Paper forestry. Asia Pulp & Paper (APP China) produces over 3.3 million tons per year from pulp mills in Indonesia and China, and its paper and packaging materials amount to over seven million tons per year. The company planned to expand the capacity of the Yunjing Lizhi Group pulp mill in Yunnan, China. There were concerns that this mill would place great pressure on surrounding natural forest resources. APP China also cleared large areas of natural forest, including in protected areas, for the Jinhai pulp mill on Hainan Island, China. Source: BankTrack Dodgy Deals.

Baku-Tbilisi-Ceyhan (BTC) Pipeline. The Baku-Tbilisi-Ceyhan (BTC) Main Export Pipeline project involves the development of a dedicated 1,760-kilometer crude oil pipeline system to transport oil from the existing Sangachal oil terminal near Baku, Azerbaijan, through Georgia (near Tbilisi, the capital city) to an export terminal at Ceyhan, Turkey, on the Mediterranean Sea. Source: IFC Compliance Advisory Ombudsman.

Belene nuclear power plant. The Belene nuclear power plant is planned to be sited along the Danube River on the border of Bulgaria and Romania. The power plant has long been planned, but the government halted the project in 1990. A new contract was signed in January 2008. The power plant will feature two units of 1000 MW light-water reactors with a projected lifespan of 60 years. Source: BankTrack Dodgy Deals.

Bujagali Hydroelectric Project. The Bujagali Hydropower Project in Uganda is one of a series of hydroelectric dams planned on the Ugandan portion of the White Nile River that are touted by the Government of Uganda as the solution to the country's persistent energy problems. The power plant at Bujagali Falls in Jinja province, Uganda will sell electricity to Uganda Electricity Board (UEB), the state utility. Source: IFC Compliance Advisory Ombudsman.

Bulyanhulu Gold Mine. The Bulyanhulu Gold Mine is a mine and mill complex in Tanzania. IFC explored the possibility of investing but ended its involvement in the project in June 1999. The Multilateral Investment Guarantee Agency (MIGA) continued its involvement. Source: IFC Compliance Advisory Ombudsman.

Buyat Bay Mine. This mine at Buyat Bay, Indonesia uses a submarine tailing disposal system, which has allegedly caused a great deal of environmental harm. Source: Jaringan Advokasi Tambang (NGO).

Camisea LNG project. The Camisea project is designed to exploit a gas field in the Peruvian Amazon. The project consists of an extraction platform, two pipelines to the coast of Peru, and a distribution and export system on the coast. The first stage of the project (Camisea I) is completed. The second stage of the project (Camisea II) will include construction of the second pipeline, a new port, and a liquefied natural gas fractionation plant at the coast. Source: Bank Information Center, BankTrack Dodgy Deals.

China Datang. China Datang Corporation is one of China's largest, state-owned power corporations. Most of its plants are coal-fired. Five of the corporation's plants in Hebei province were flagged by China's Ministry of Environmental Protection for outdated pollution controls and excessive smog. The corporation also plans to construct two 1000 MW nuclear power plants in Fujian province. Source: BankTrack Dodgy Deals.

CNPC in Sudan. China National Petroleum Corporation (CNPC) is China's largest producer and supplier of crude oil and natural gas, and is a major producer and supplier of refined oil products and

petrochemicals. CNPC is active in oil exploration, production, transport, and refining in Sudan. Source: BankTrack Dodgy Deals.

COMSUR Don Mario Mine. The Don Mario mine is a small mine in Bolivia combining an underground and open air pit. Sources: IFC Compliance Advisory Ombudsman, Bank Information Center.

Dikulushi Copper / Silver Mine. This mine is located in the Democratic Republic of the Congo (DRC). Source: National Post (Canada).

Didipio Gold and Copper Mine. This is a proposed gold and copper mine in Barangay Didipio, North Central Luzon, Philippines. Source: Oxfam Australia Mining Ombudsman.

ExxonMobil Operations in Aceh, Indonesia. ExxonMobil operates the massive Arun natural gas deposits and an associated liquefied natural gas (LNG) plant located in Lhokseumawe, Aceh's industrial center on the northeast coast. The project yields about 1.5 billion cubic feet of gas per day. Source: Jaringan Advokasi Tambang (NGO).

Freeport McMoRan Copper and Gold. New Orleans-based Freeport McMoran Copper and Gold, Inc. operated mines in West Papua, Indonesia. Source: Jaringan Advokasi Tambang (NGO).

Groupe George Forrest & OM Group. This Belgian company had mining operations in Congo. The UN Panel on the Democratic Republic of Congo cited the company for supporting armed conflict and slave labor. Source: UN Panel on the Democratic Republic of Congo.

Gunns Pulp Mill Tasmania proposal. Australian company Gunns Limited plans to build a pulp mill in Tasmania, which would consume over 4 million tons of logs annually, including old-growth forests. Source: BankTrack Dodgy Deals.

IHC Caland. IHC Caland was involved in building a drifting oil storage system 180 km off the coast of Burma. Natural gas comes from the sea via pipelines and is transported from southern Burma overland to Thailand. Source: OECD National Contact Points.

Iisu Dam Project. This 1200 MW dam would be located on the Tigris river in southeast Turkey, 50km away from the border to Syria and Iraq. This is part of the Greater Southeast Anatolian Project, which consists of 22 dams and 19 hydropower plants in southeast Turkey. Source: BankTrack Dodgy Deals.

Ivanhoe Mines Ltd. Ivanhoe Mines Ltd is a joint venture with a government enterprise in Burma operating the copper mine S&K. Source: OECD National Contact Points.

Jordan Gateway Project. The Jordan Gateway project is an industrial park project on 65 hectares on the Israeli-Jordanian border along the Jordan River. The project included infrastructure, offices, and factories for high-tech and high value added industries. Source: IFC Compliance Advisory Ombudsman.

Kalahari Diamond Mine. The Kalahari project is a diamond mine in Botswana. The project sponsor received licenses to prospect for diamonds over a wide area in Botswana during 2002-2005 including in a game reserve. Source: IFC Compliance Advisory Ombudsman.

Karachaganak Oil & Gas Condensate Field. The Lukoil Overseas Project in Kazakhstan is an investment in the Karachaganak Oil and Gas Condensate Field in the Western Kazakhstan Oblast. IFC

provided loans to project consortium member Lukoil. Construction activities were completed in 2004. Source: IFC Compliance Advisory Ombudsman.

Kashagan Oil Project. This is an offshore oil project in the north Caspian Sea, and is part of the North Caspian Sea Production Sharing Agreement, a 40-year contract signed by the Government of Kazakhstan in 1997 regarding the development of eleven offshore blocks. Kashagan holds an estimated 13 billion recoverable barrels of crude. Source: BankTrack Dodgy Deals.

Keyelekera Uranium Mine. This is a proposed mine in Malawi, Central Africa. Source: BankTrack Dodgy Deals.

Kingamyambo Musonoi Tailings (KMT) Mining Project. This project in Congo is for the re-treatment of processed oxide tailings from the Kolwezi concentrator, located in Katanga province, which began operations in the early 1950's. The project consists of two dams containing 112.8 million tons of oxide tailings, and is believed to have the potential to host one of the world's largest and lowest cost cobalt producers. Source: Bank Information Center.

Konkola Deep Mining Project. Konkola Copper Mines plc (KCM) is the largest copper producer in Zambia, exporting copper and cobalt cathodes. One of the company's major projects involves deep mining at Konkola. IFC exited from the project, and local communities were concerned about the continuing of resettlement obligations of the project sponsor upon exit. Source: IFC Compliance Advisory Ombudsman, OECD National Contact Points.

Lapindo Brantas Oil & Gas. The Wunut gas field, operated by Lapindo Brantas, is located in East Java, Indonesia. In May 2006, a mudflow began to gush out of the ground near the operation and has continued to disrupt the area. Source: BankTrack Dodgy Deals.

Lom Pangar Dam. The proposed Lom Pangar dam in the East Province of Cameroon is designed to regulate the flow of the Sanaga River in order to increase energy production from downstream hydroelectric plants feeding the country's southern electricity grid and its single largest energy consumer, the Alucam aluminum smelter. Jointly owned by the government of Cameroon and the Canadian-based aluminum company Alcan, Alucam plans to more than double its production using the energy provided by the dam. Source: Bank Information Center.

Madsa Mining. Madsa is a Belgian company with mining operations in Congo. The UN Panel on the Democratic Republic of Congo cited Madsa for supporting armed conflict and slave labor. Source: UN Panel on the Democratic Republic of Congo.

Marcopper Mine. The Marcopper mine in the Philippines has been operational since 1967 under various owners. Following poisoning of local populations from the mine and several accidents, the Philippines Government closed the mine in 1996. Source: Oxfam Australia Mining Ombudsman.

Marlin Gold & Silver Mine. The Marlin gold and silver mine in Guatemala is the first major open-pit mine to exist in Guatemala in over 20 years. Source: IFC Compliance Advisory Ombudsman.

Mountain Top Removal Coal Mine. Several coal companies in the United States, including Massey Energy, Arch Coal, Alpha Natural Resources, and International Coal Group, have engaged in "mountain top removal" coal mining in the Appalachia Mountains region of eastern United States. This process leads to significant destruction of the mountains from which coal is extracted. Source: BankTrack Dodgy Deals.

Nam Theun 2 Dam. Nam Theun 2 is a dam and reservoir being built in Laos that will supply energy to Thailand. Source: International Rivers (NGO) factfinding mission.

Newcrest Gold Mines. Newcrest operates two controversial gold mines in Indonesia on remote Halmahera island, in the Molucca chain. Source: Jaringan Advokasi Tambang (NGO).

NHPC dams. National Hydroelectric Power Corporation is owned by the Government of India. NHPC has been involved in many controversial dams, such as the Indira Sagar and Omkarehwar projects. Source: BankTrack Dodgy Deals.

Orion and Celulosas de M'Bopicua Pulp Mills. The Orion project is a greenfield eucalyptus kraft pulp mill. The site for the mill is in Fray Bentos, a town in western Uruguay near the Uruguay River.. The Celulosas de M'Bopicua (CMB) project is also a greenfield eucalyptus kraft pulp mill located 12 km north of Fray Bentos. In October of 2003, the installation of the pulp mill was authorized by the Uruguayan government. Source: IFC Compliance Advisory Ombudsman.

Pagrisa Ethanol Project. Pagrisa runs an ethanol facility in the municipality of Ulianópolis, in the Brazilian state of Pará. The company also controls associated sugar cane plantations in the surrounding area. In July 2007, a Brazilian government anti-slavery taskforce freed 1,108 workers from one of the sugar cane plantations owned by the company. Source: BankTrack Dodgy Deals.

Pangué Hydroelectric Project. The project is a 450 MW dam on the Bio Bio River in Chile, completed in September 1996. IFC exited the project on 12 July 2002. Source: IFC Compliance Advisory Ombudsman.

Phulbari Coal Project. This is a proposed open pit mine that would extract 15 million tons of coal/year from Phulbari, a key rice producing area of Bangladesh. The project has fueled a strong grassroots movement in the Phulbari area and has raised major environmental, social and human rights concerns for both the indigenous and local residents of Phulbari. A 500 MW powerplant at the mine site is also proposed. Source: Bank Information Center.

Rapu Rapu Mine. The Rapu Rapu Polymetallic Project on Rapu Rapu island in southeast Philippines is an open mine for copper, zinc, gold, and silver. It has been fully operational since 2007 after initial attempts were aborted in 2005 due to two cyanide spills. Source: BankTrack Dodgy Deals.

Rio Madeira dam project. The Madeira River project consists of two dams, Santo Antonio with a capacity of 3150 MW, and Jirau with a capacity of 3300 MW. The project is part of the Initiative for the Integration of South American Infrastructure (IIRSA), and the cornerstone of the Brazil-Bolivia-Peru hub. The project will open a 4200 km industrial waterway for barges to transport goods from the Amazon to ports on the Atlantic and Pacific oceans. Source: BankTrack Dodgy Deals.

Rosia Montana gold mine. Canadian mining company Gabriel Resources is planning to develop an open cast cyanide-leach gold mine in the Rosia Montana valley in Romania. The mine will extract 500,000 tons of rock per week, using between 13-15 million kilograms of cyanide per year. Source: BankTrack Dodgy Deals.

Sakhalin Oil and Gas Project. The Sakhalin II project in the Russian Far East involves three offshore oil and gas platforms and sub-sea pipelines. The oil and gas will then be transported through 800km of onshore pipelines to one of the world's largest natural gas liquefaction and export terminals at Prigorodnoye, in southern Sakhalin, The project sponsor's applications for financing from several public institutions, including the UK Export Credit Guarantee Department, the U.S. Export-Import Bank, and the

European Bank for Reconstruction and Development have been withdrawn. Source: BankTrack Dodgy Deals.

Samling logging project. Samling Global Ltd. is a Malaysian logging company oversees approximately 4 million hectares of forest concessions in Malaysia, Guyana, and New Zealand. Samling has particularly been criticized for destruction of forests in Sarawak, Malaysia on the island of Borneo, a site of biological diversity and indigenous peoples. Source: BankTrack Dodgy Deals.

Sinopec Oil and Gas. China Petroleum Chemical Corporation (Sinopec) allegedly explored for oil and gas in Myanmar in collaboration with the military regime's Myanmar Oil and Gas Enterprise. Projects under development include an oil pipeline from Arakan to Yunnan, onshore exploration in Sagaing and Magwe Divisions, and pipelines that would run 2380km from Arakan to the Chinese cities of Kunming or Chongqing. Source: BankTrack Dodgy Deals.

Tangguh LNG Project. The Tangguh Liquefied Natural Gas (LNG) Project is located in the Berau-Bintuni Bay region of Teluk Bintuni Regency in West Papua, Indonesia's easternmost territory. The project is operated by BP Indonesia. The Tangguh gas fields contained 14.4 tcf of certified proved natural gas reserves. Source: Tangguh Independent Advisory Panel.

Tintaya Copper Mine. In the 1980s, the Peruvian government expropriated land to develop the Tintaya open-pit copper mines in the Andes Mountain region. Mining company Xstrata has owned the mine since 2006. Source: Oxfam Australia Mining Ombudsman.

Toka Tindung Gold Mine. The Toka Tindung open pit gold mines are located in the Indonesian province of North Sulawesi, close to several protected areas. Source: BankTrack Dodgy Deals.

Tolukuma Gold Mine. The Tolukuma Gold Mine in Papua New Guinea is an open pit and underground mine. The mine has been criticized for dumping waste into Papua New Guinea's Aupa-Angabanga river system. Source: Oxfam Australia Mining Ombudsman.

Vatukoula Gold Mine. The Vatukoula Gold Mine is located on the Fijian island of Viti Levu. The mine has been criticized for unsafe working conditions for local laborers as well as the environmental harm caused by its operations. Source: Oxfam Australia Mining Ombudsman.

Vedanta Resources. Vedanta Resources is an Indian mining company that produces aluminum, copper, lead, and zinc in India, Zambia, Australia, and Armenia. In the Niyamgiri forest in India, Vedanta Resources allegedly illegally cut down hectares of forest. In 2004, Vedanta faced censure from the Indian High Court for dumping toxic waste at a mine in Tamil Nadu, India. Source: BankTrack Dodgy Deals.

West Africa Gas Pipeline. The West Africa Gas Pipeline (WAGP) project will transport natural gas across 680 km from Nigeria to markets in Benin, Togo, and Ghana. Source: Bank Information Center.

Wilmar Group. The Wilmar Group is an Indonesian company whose primary activities include palm oil production, refining, and trade. Wilmar's oil palm plantations encompass over 570,000 hectares in Indonesia, Malaysia, and Uganda. Source: BankTrack Dodgy Deals.

Yacyretá Hydroelectric Project. The Yacyretá Hydroelectric Project, funded by the Inter-American Development Bank (IDB) and World Bank, is a massive dam on the Paraná River, which forms part of the border between Argentina and Paraguay. Originally begun in 1983, the construction of Yacyretá and its associated infrastructure involved numerous delays, and billions of dollars of cost overruns. Source: Inter-American Development Bank Independent Investigation Mechanism report.

Yanacocha Gold Mine. The largest gold mine in Latin America, Yanacocha is comprised of six open pit mines, four leach pads and three processing facilities. The Yanacocha gold mine began operations in Cajamarca, Peru in 1993. The mine property covers a total land area in excess of 30,000 hectares and lies within four major watersheds spanning the continental divide. Yanacocha was conceived as relatively short-life mine, projected to operate for 10 years. Due to tremendous exploration successes, however, the company has continued operations. Source: IFC Compliance Advisory Ombudsman.

Yusufeli dam. This proposed dam will be located on the Coruh River in Turkey as part of the 13-dam Coruh River Development Plan. Source: BankTrack Dodgy Deals.

** In the following tables, “N/A” indicates that the authors did not find a case study to illustrate the associated category.*

Right to Adequate Food

20	<p><u>Employees Paid a Living Wage</u></p> <p>Didipio Mine: The company allegedly promised to employ local community members, but local communities claimed they were not aware that employment would end after one year when the construction period finished.</p> <p>Vatukoula Mine: Mine workers and Emperor Mines Ltd. (and predecessors) have been in dispute since 1991. Workers have protested unsafe labor conditions and low wages, and at least 370 workers have been dismissed.</p> <p>Wilmar Group, Indonesia: Local people claimed that they were paid extremely low wages for working on the project.</p>
21	<p><u>When Selling Land, Company Ensures Future Use Compatible with Agricultural Needs</u></p> <p>N/A</p>
22	<p><u>Before Selling Land, Free from Contaminates and Suitable for Agriculture</u></p> <p>N/A</p>
23	<p><u>Operations Do Not Pollute Land, Destroying its Use for Production of Food</u></p> <p>Antamina: CAO complaint expressed concern that the facility discharged waste water and spilled metal concentrate into the bay.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that the project destroyed more than 50,000 hectares of Atlantic forest. Aracruz was fined by IBAMA, Brazil's environmental protection agency, for planting in protected areas.</p>

BTC: CAO complaints alleged that the construction company for the project caused widespread flooding that resulted in crop loss, and that the pipeline also posed risks to traditional economic activities such as beekeeping and fishing.

Bujagali: A CAO complaint alleged that the project will impact the health of Lake Victoria, which supports over 30 million people, and will also directly affect the livelihoods of about 6,800 people, impact fisheries, and submerge highly productive agricultural land and islands of high biodiversity.

Bulyanhulu: A CAO complaint alleged that the mine refused to allow people to grow crops. The CAO found that these families faced insecurity as they expected to be moved again in the near future and therefore were disinclined to plant and cultivate.

Camisea: Civil society groups claimed that Camisea caused deforestation, erosion and the loss of fish and game populations on which local communities depend.

COMSUR: Communities expressed concern about potential contamination of surface and ground water through the cyanide heap leach process used to extract the gold and potential failure in the tailings dam as well as impacts on wildlife if they came into contact with the pregnant solution or contaminated water from waste dumps.

Exxon Mobil in Aceh: Civil society groups alleged that chemical spills and industrial waste polluted rice paddies and fish ponds.

Freeport McMoran Copper and Gold Mine: Civil society groups claimed that Freeport dumped 230,000 tons of pollutants into the Aghawagon river daily, and that it is now almost impossible for the local population to use the river for fishing or drinking water.

Kashagan Oil Project, Kazakhstan: Civil society groups claimed that the project threatened the livelihoods of millions of residents of the Caspian region who mostly relied on tourism and fishing.

Keyelekera Uranium Mine, Malawi: Civil society groups claimed that Paladin proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local communities continued to use the adjacent streams and rivers for water and food gathering.

Marcopper Mine: Local communities claimed that from 1975 to 1991, over 200 million tons of mine tailings were pumped at sea surface level into the Calancan Bay in the Philippines, and over 20,000 people rely on these waters for their food and livelihoods. Fishermen alleged that they must now travel further out to sea to catch fish.

Marlin mine: Communities claimed that the project will reduce their access to local water supplies, and result in contamination of local waterways. The CAO's assessment discovered that the company failed to adequately assess the potential impacts on communities living downstream of the tailings dam.

Nam Theun 2: Civil society groups alleged that the project will dramatically lower downstream flow on a major river, destroying fish habitats. Additionally, if biomass is not cleared from the Nakai reservoir, these groups claimed that decomposing vegetation will cause serious water quality problems and kill fish. They also claimed that the project will have adverse impacts on fisheries on the Theun River and the Xe Bang Fai.

National Hydroelectric Development Corporation dams, India: Civil society groups claimed that farmers were affected by the destruction of their fields and fish farms as a result of NHPC's Loktak

	<p>project.</p> <p>Orion and Celulosas Pulp Mills: CAO complainants claimed that air and water emissions from these two mills would be highly toxic, noxious, and incompatible with scenic tourism and agricultural productivity.</p> <p>Rapu Rapu Mine, Philippines: The island has a population of 10,000 people, mostly agricultural and fishing communities, which almost exclusively depend on the natural resources for their livelihoods. Communities claimed that environmental and social assessments have not been adequate. Previous spills were alleged to have endangered the health, life, and food sources of the local communities.</p> <p>Rio Madeira dams, Brazil: Civil society groups argued that a reserve used by people who extract natural forest products will be flooded by the dams. They claimed that the decline in fisheries will seriously affect commercial and subsistence fishermen, and that thousands of people living downstream will face declining crop yields as a result of the loss of the annual deposition of fertile silt on the flood plains.</p> <p>Sakhalin II: Communities and civil society groups claimed that the over 1000 km pipeline crossed rivers, damaged salmon spawning beds, and caused erosion. They alleged that the project reduced the number of fish, a major source of food for local communities.</p> <p>Samling, Malaysia: Communities claimed that the company is responsible for ongoing destruction of the tropical rainforest on which they rely.</p> <p>Tangguh LNG: Local communities expressed concern that the project traverses through the world’s second largest mangrove ecosystem. Communities relying on fishing as an income claimed to have seen a decrease in income due to seismic activities.</p> <p>Tolukuma Gold Mine: Civil society groups and local communities claimed that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies were destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. Communities also claimed that the mine’s activities changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean water.</p> <p>West Africa Gas Pipeline: Local fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets so that they were no longer able to catch fish in the area. Many people in the area depend on fisheries for their livelihoods.</p>
24	<p><u>People Relocated are Provided with Alternative Access to Food</u></p> <p>Bulyanhulu mine: A complaint to the CAO asserted that the mine refused to allow people to grow crops. The CAO found that there was insecurity within these families as they expected to be moved again in the near future and were disinclined to plant and cultivate.</p> <p>Konkola Copper Mines: CAO found that cash compensation to resettled peoples was insufficient to subsist on until the next growing season. Furthermore, they were owed three yearly installments, but had received only one.</p> <p>Nam Theun 2: Civil society groups claimed that Nam Theun 2 would forcibly resettle more than 6,200 indigenous people to smaller areas of less fertile land. They claimed that communities will be forced to</p>

	<p>grow vegetables to sell in a market that has not yet been identified. Communities argued they have been promised bountiful fish in the new reservoir, but the company has no plans to clear the reservoir vegetation.</p> <p>Yusufeli Dam, Turkey: People to be resettled by the project claimed that the designated resettlement areas are uninhabitable due to lack of water, space for sufficient agricultural land and lack of fertile soils.</p>
25	<p><u>Ensure the Participation of All Parties, including Women, in Negotiations for Purchase of Agricultural Land</u></p> <p>N/A</p>
26	<p><u>Company Ensures that it Does Not Purchase the Last Agriculturally Viable Land in the Area</u></p> <p>Yusufeli Dam, Turkey: Civil society groups claimed that people in Yusufeli were informed that the location of the new, resettled Yusufeli town will be 400 meters above Tekkale village on a rocky steep slope without sufficient water or adequate soil.</p> <p>Bujagali dam: Civil society groups argued that the project will directly affect the livelihoods of about 6,800 people, impact fisheries, and submerge highly productive agricultural land and islands of high biodiversity. They claimed that resettlement of villagers had poor results.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups alleged that Aracruz built its first mill on the site of a Tupinkim village and forced approximately 7000 families to move, while not providing compensation to everyone. Since 1979 indigenous people of Tupinkim and Guarani have attempted to recover their lands from Aracruz, but have only received a small portion back.</p> <p>CNPC in Sudan: Civil society groups claimed that over a hundred villages have been emptied, and the natural environment has been severely damaged and polluted.</p> <p>Iisu Dam Project, Turkey: Civil society groups alleged that the dam will force the involuntary resettlement of 25,000 people, the majority of them ethnic minority Kurds – and will affect a further 11,000.</p> <p>National Hydroelectric Development Corporation dams, India: According to civil society groups, this 92 meter high dam will displace over 200,000 people and will inundate more land than any other hydro project in India.</p> <p>West Africa Gas Pipeline: Civil society groups and local communities claimed that the Project provided inadequate compensation for people who lost land, trees, income, and other assets, and expressed their concern regarding the compensation rates and valuation methods. They also complained that there is a lack of mechanisms to secure long-term employment for local communities.</p> <p>Yacretá Hydroelectric Project: Because of flooding associated with the impoundment of the reservoir, the Inter-American Development Bank’s Independent Investigation Mechanism cited the potential for the project to displace over 50,000 people, and to constrain the livelihoods of countless others concentrated in two major urban areas in Argentina.</p>
27	<p><u>Avoid Inflating Local Food Prices, Unaffordable for Low Income Populations</u></p>

	<p>Ahafo Gold Mine: Civil society groups and local communities alleged that the company’s operations reduced food production in the area drastically, while the population in the area has doubled, raising the cost of living in the area. Many communities claimed they did not receive crop compensation.</p>
28	<p><u>Community Not Deprived of Clean, Usable Water as a Result of Company’s Usage</u></p> <p>Ahafo Gold Mine: The Environmental and Social Impact Assessment determined that the river Subri would dry up after the dam is built. The river Tano (the main river in the area) will lose water because of the project sponsor’s pumping from the river.</p> <p>Allain Duhangan: People living in the Himachal Pradesh region filed a complaint to CAO in October 2004 alleging that water supplies will dry up due to the project's diversion of the Duhangan River. The villagers also expressed concern about damage to water supplies during the construction of an access road.</p> <p>Aracruz pulp mills and plantations, Brazil: Local communities complained that the water level in creeks, ponds and lakes was significantly lower than before this company started its operations.</p> <p>BTC: Complaints to the CAO alleged that in May 2004, erosion from a BTC pipeline right-of-way caused increased sedimentation in the spring that serves as the domestic water supply for Tsemi and three other villages. In Tsemi village, residents said they were without water for nearly six months, before and during construction of the new head facility.</p> <p>COMSUR: The communities feared contamination of surface and ground water through the cyanide heap leach process used to extract the gold and potential failure in the tailings dam.</p> <p>Didipio Mine: Community members expressed concerns about pollution, flooding, loss of water, and loss of access to water, as a result of the mine’s drainage tunnel.</p> <p>Ilisu Dam Project, Turkey: Civil society groups argued that the Ilisu dam’s reservoir will vastly reduce the ability of the Tigris to purify itself, resulting in a sharp reduction in water quality and potentially causing major health problems in the major towns nearby.</p> <p>Keyelekera Uranium Mine, Malawi: Civil society groups claimed that the project sponsor proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local communities continued to use the adjacent streams and rivers for water and food gathering.</p> <p>Konkola Copper Mine, Zambia: Complaints to the CAO and OECD alleged that in November 2006 the entire district of Chingola faced a water crisis because Vedanta had polluted the Kafue river. Seventy five thousand people are dependent on this river, which turned a poisonous blue when it was polluted with copper sulphate.</p> <p>Marcopper Mine: Local communities claimed that continual run-off and silt from the mine led to heavy pollution of the Mogpog River. They claimed that levels of cadmium, copper, lead, manganese, nickel and sulphate were hazardous to humans, and that acid and metal levels were high enough to kill most aquatic animals.</p> <p>Marlin mine: In March 2005 a CAO complaint raised concerns that the project will reduce access to local water supplies, and result in contamination of local waterways.</p> <p>Phulbari Coal Project: Civil society groups alleged that the mine area would have to be “de-watered”</p>

	<p>(sinking of the water table below the open-pit) and would therefore lead to water scarcity in the surrounding areas.</p> <p>Tintaya Copper Mine: Local communities claimed that the mine led to pollution of water sources, including high levels of selenium and nitrates. As a result, the company agreed to provide drinking water to affected communities.</p> <p>Toka Tindung Goldmine, Indonesia: Civil society groups alleged that the mine will have devastating impact on the water supply by causing a substantial drawdown of groundwater.</p> <p>Tolukuma Gold Mine: Local communities claimed that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies were destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. They also claimed the mine’s activities have changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean water.</p> <p>Vatukoula Mine: Local communities claimed that the drinking water provided for Vatukoula mine workers was not treated or chlorinated. In 1994 Emperor confirmed that there were unsafe levels of mercury and cadmium in the water supply. Communities were not warned not to drink untreated water.</p> <p>Yanacocha: A complaint to the CAO alleged that Minera Yanacocha’s waste rock contained minerals that create acid and metals. According to the complaint, when rain fell on the waste rock dumps, the rainwater leached metals and acid, and two rivers were affected by the acid seepage.</p>
29	<p><u>Operations do not Negatively Affect Farming, the Marine Environment, or Local Wildlife in the Area</u></p> <p>Ahafo Gold Mine: Local communities alleged that the river Subri will dry up after the dam is constructed. They claimed that the river Tano, the area’s major river, will lose water from Newmont’s pumping, and that the water quality of the Awonso stream, a key water source for local communities, is likely to be impacted.</p> <p>Antamina: CAO complaint alleged that the port facilities negatively impacted the marine environment at Huarmey Bay, and expressed concern that the facility discharged waste water and spilled metal concentrate into the bay.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups alleged that Aracruz destroyed more than 50,000 hectares of Atlantic forest.</p> <p>Asia Pulp and Paper project, China: Civil society groups reported that because of its negative effects on forests, the Chinese government ordered APP to cease its purchase of the state-owned forests. They claimed that APP planted eucalyptus on Hainana Island including in protected conservation areas.</p> <p>BTC: CAO complaint alleged that the pipeline crosses the watershed of the Borjomi National Park, an area of mineral water springs in Georgia.</p> <p>Bujagali: Local communities expressed concern about the dam’s impact on the health of Lake Victoria, which supports millions of people and extensive biodiversity. They claimed the project will also directly affect the livelihoods of about 6,800 people, impact fisheries, and submerge highly productive agricultural land and islands of high biodiversity.</p>

Buyat Bay: A report, written by more than a dozen technical specialists, found that fish from the bay were laced with enough arsenic to make them dangerous for consumption, particularly for children. It also found that Newmont deposited the tailings waste in waters shallower and warmer than it had pledged in its initial environmental impact assessment.

Camisea: Civil society groups claimed that Camisea caused deforestation, erosion and the loss of fish and game populations on which local communities depend. They alleged that three of the four drilling wells of Camisea's first phase are located inside a state reserve intended to protect some of the last indigenous communities still living in isolation in the Amazon basin.

COMSUR: The communities feared contamination of surface and ground water through the cyanide heap leach process used to extract the gold and potential failure in the tailings dam as well as impacts on wildlife if they come into contact with the pregnant solution. The area is located close to the Pantanal protected area.

Didipio Mine: The environmental impact statement (EIS) indicated that the mine will include a tailings dam in the Upper Dinaoyan Valley. The EIS identified the possibility of uncontrolled release of tailings due to leakage from the tailings delivery pipeline, and the company gave no indication that it addressed this concern.

Exxon Mobil in Aceh: Civil society groups claimed that natural gas flaring and chemical spills caused a range of health problems in nearby villages and industrial waste polluted rice paddies and fish ponds.

Freeport McMoran Copper and Gold Mine: In 1995, OPIC determined that the mine's tailings management and disposal practices severely degraded rainforests, and that the mines also made rivers unusable for local inhabitants.

Gunns Pulp Mill Tasmania proposal: Civil society groups claimed that the mill proposed to use chlorine bleaching, and is likely to consume massive tracts of native forests.

IHC Caland in Burma: A complaint to the OECD alleged that to lay the two pipelines, the company cleared trees to provide corridors through the primary forests of Tenasserim, in which live elephants, tigers, tapirs and bears. Other problems such as erosion, water pollution and the build-up of silt deposits in the streams were also common.

Ilisu Dam Project, Turkey: Civil society groups argued that over 400 square kilometers of the Tigris valley and its confluents will be affected, with detrimental effects for endangered species like the Euphrates Turtle.

Karachaganak: CAO complainants contended that the proximity of Berezovka to the oil fields and the emissions from its facilities, caused residents to suffer adverse health effects including disorders of the upper respiratory tract, cardiovascular system, allergies and cognitive difficulties, including memory loss.

Kashagan Oil Project, Kazakhstan: Civil society groups argued that the Kashagan oil field was located within a protected territory—the shallow nature reserve zone of the Caspian Sea. They claimed that winter ice floes threatened the integrity of project infrastructure and cause large-scale spills.

Keyelekera Uranium Mine, Malawi: Civil society groups reported that the project sponsor proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local

communities continued to use the adjacent streams and rivers for water and food gathering.

Lom Pangar dam in Cameroon: Civil society groups claimed that the Lom Pangar project will flood over 319 square kilometers of some of the last remaining hardwood forests in Central Africa, including portions of the protected Deng Deng reserve which provides refuge to threatened primates.

Marcopper Mine: A complaint to Oxfam Australia's Mining Ombudsman claimed that from 1975 to 1991, over 200 million tons of mine tailings were pumped at sea surface level into the Calancan Bay in the Philippines. Over 20,000 people rely on these waters for their food and livelihoods. Fishermen alleged that they must now travel further out to sea to catch fish.

Marlin mine: A CAO complaint raised concerns that the project will reduce access by the community to local water supplies and result in contamination of local waterways.

Mountain Top Removal Coal Mines, United States: Civil society groups claimed that hundreds of mountains were flattened in Appalachia first by clearing the forest and then blowing the top layer of rock, more than one million acres have already been lost to mountain top removal and that more than 1,200 miles of streams have been buried by valley fills.

Nam Theun 2: Civil society groups argued that the project is located in and adjacent to one of the largest remaining tropical forests in mainland Southeast Asia, and that the project will dramatically lower downstream flow on the Theun River and increase water levels along the Xe Bang Fai, destroying fish habitat, impeding migration patterns and potentially causing the extinction of native fish communities.

National Hydroelectric Development Corporation dams, India: Local communities alleged that NHPC's Loktak project, commissioned in 1983, had severe ecological impacts on the surrounding areas, including the destruction of the largest freshwater lake in the Indian subcontinent. They claimed that the construction of NHPC's Lower Subansiri HEP on the border of Arunachal Pradesh and Assam in Northeast India has repeatedly disrupted the area's wildlife. The Indira Sagar dam, once finalized, will submerge 91,000 hectares of land.

Orion and Celulosas Pulp Mills: CAO complainants believed air and water emissions from these two mills will be highly toxic, noxious, and incompatible with scenic tourism or agricultural productivity.

Rapu Rapu Mine, Philippines: Civil society groups expressed concern that the island on which the project is located has a particularly vulnerable population of 10,000 people, mostly agricultural and fishing communities, which highly and almost exclusively depend on the natural resources.

Rio Madeira, Brazil: The affected region is officially classified as a priority hot spot for biodiversity, supporting the life of an estimated 750 fish species and 800 bird species. Civil society groups claimed the dams will flood at least 700 sq. km of floodplains and forests. Local communities claimed that the decline in fisheries will seriously affect commercial and subsistence fishermen.

Rosia Montana gold mine, Romania: Civil society groups and local communities expressed concern that the gold/silver deposit is situated in and around the inhabited valley of Rosia Montana. The adjacent inhabited valley of Corna is to become the tailings pond facility; holding 195 million tons of cyanide-laced heavy metal tailings.

Sakhalin II: Civil society groups alleged that the project sponsor installed the new oil platform adjacent to critical feeding grounds of the approximately 120 critically endangered Western Gray

	<p>Whales. They claimed that the pipeline crosses hundreds of rivers, damaging salmon spawning, and causing erosion.</p> <p>Samling, Malaysia: Civil society groups claimed that this company is responsible for ongoing destruction of tropical rainforest and violations of human rights of the local communities. The company is allegedly involved in illegal logging.</p> <p>Tangguh: Local communities expressed concern that the project traverses the world’s second largest mangrove ecosystem. Additionally, communities relying on fishing as an income claimed to have seen a decrease in income due to seismic activities.</p> <p>Toka Tindung Goldmine, Indonesia: The North Sulawesi’s Bunaken marine National Park has been nominated for World Heritage status. Civil society groups expressed concern with the project because the natural reserves of Tangkoko and Dua Saudara adjacent to the mining area are home for many endangered species of mammal, bird and reptile. The Sulawesi is home to many endangered mammal, bird and reptile species.</p> <p>Tolukuma Gold Mine: A complaint to Oxfam Australia’s Mining Ombudsman claimed that Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies have been destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. They claimed that the mine’s activities also changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean water.</p> <p>Vatukoula Mine: A complaint to Oxfam Australia’s Mining Ombudsman alleged that the drinking water provided for Vatukoula mine workers has not been treated or chlorinated. In 1994 Empire confirmed that there were unsafe levels of mercury and cadmium in the water supply. Communities alleged that they have not been warned not to drink untreated water.</p> <p>Vedanta resources, India: Vedanta faced censure in 2004 for dumping toxic waste from the Tuticorin copper smelter in Tamil Nadu.</p> <p>West Africa Gas Pipeline: Fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets such that they were no longer able to catch fish in the area. They indicated that this was an especially serious concern because many people in the area depended upon fisheries for a livelihood.</p> <p>Wilmar Group, Indonesia: The subsidiaries of the Wilmar Group were sued by the Indonesian authorities for intentional and systematic burning with intention to clear the land for plantation development.</p> <p>Yanacocha: CAO reported that in 2000, an estimated 151 kg of mercury leaked from a flask on a truck and was spread along a 40 km section of highway that passed through three villages. In the following days and weeks between two to three hundred villagers were positively identified as having some level of exposure to mercury with varying degrees of illness.</p>
30	<p><u>Company Refrains from Endorsing, Supporting or Benefiting from Government Violation of the Right to Food</u></p> <p>N/A</p>

Right to Adequate Housing

34	<p><u>Pay a Living Wage to Cover Living Expenses</u></p> <p>Didipio Mine: The company promised to employ local community members, but local communities claimed they were not aware that employment would end after one year, when the construction period finished.</p> <p>Vatukoula Mine: Mine workers and Empire Mines Ltd. (and predecessors) have been in dispute since 1991. Workers have protested unsafe labor conditions and low wages, and at least 370 workers have been dismissed.</p> <p>Wilmar Group, Indonesia: Local people claimed they are working on project for extremely low wages.</p>
35	<p><u>When Purchasing Land in the Area, Ensure that it is Not the Last Habitable Piece of Land in Area</u></p> <p>Phulbari Coal Project: A report commissioned by the Government of Bangladesh found that over 129,000 persons would be directly affected and 220,000 persons would be indirectly affected by the project.</p> <p>Yacyretá Hydroelectric Project, Argentina: Because of flooding associated with the impoundment of the reservoir, the Inter-American Development Bank’s Independent Investigation Mechanism reported that the project has the potential to directly displace over 50,000 people, and to constrain the livelihoods of countless others concentrated in two major urban areas. After resettlement, the mechanism found that there was a lack of sources of employment: the previously productive activities lost due to dam construction were not replaced by others.</p> <p>Iisu Dam Project, Turkey: Civil society groups claimed that the dam will force the involuntary resettlement of 25,000 people, the majority of them ethnic minority Kurds – and will affect a further 11,000.</p> <p>National Hydroelectric Development Corporation dams, India: Local communities alleged that this 92 meter high dam will displace over 200,000 people and will impound more land than any other hydro project in India. Villagers claimed they were forced to accept small amounts of cash instead of the land-based compensation to which they are legally entitled.</p>
36	<p><u>Does Not Benefit from Improper Forced Relocations, All Persons Receive Adequate Housing or Compensation</u></p> <p>Antamina: A claim to the CAO alleged that management of resettlement at the mine site by the operation has caused considerable tension, which despite substantive efforts for remediation, has soured community relationships.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that Aracruz built its first mill on the site of a Tupinkim village and forced approximately 7000 families to move, while not providing the compensation to everyone.</p> <p>Bulyanhulu: In a complaint to the CAO, small scale miners claimed that they were not adequately</p>

compensated when they were forced to vacate their land. The CAO did not want to address the issue of compensation, saying “The issue of compensation paid to small scale miners at the time of the order to vacate the land in 1996 is one between the [Government of Tanzania (GOT)] and the small scale miners and falls within the GOT’s exclusive jurisdiction.”

CNPC in Sudan: Civil society groups claimed that over a hundred villages were emptied, and the natural environment was severely damaged and polluted.

COMSUR: A complaint to CAO alleged that indigenous organizations and populations living in the area affected by the project were not consulted and provided with information in a timely and adequate manner, there were no Indigenous People's Development Plans, and there were no compensation measures for the profound social and environmental impacts of the project.

Didipio Mine: The sponsor intended to relocate local residents from the proposed mining area. Local communities expressed concern to the Oxfam Australia Mining Ombudsman about the lack of information about the proposed relocations.

Iisu Dam Project, Turkey: Civil society groups alleged that no consultation with the affected population took place, and up to 78,000 people will be resettled. Local communities claimed they were not offered a suitable resettlement land package and received only minimal cash compensation.

Konkola Copper Mines: According to CAO’s interviews with affected peoples at Ming’omba during its assessment visit, cash compensation to allow villagers sufficient subsistence until the next cropping season was promised in three yearly installments. Instead, only one installment was provided. CAO complaint alleged that IFC never consulted on or publicly disclosed to the affected communities its decision to exit the project and mitigation plan, in contradiction with its policy on public consultations and disclosure.

Nam Theun 2: Civil society groups alleged that Nam Theun 2 will forcibly resettle more than 6,200 indigenous people to smaller areas of less fertile land. They claimed the project will also devastate a river system on which more than 120,000 people depend for their fishing and farming-based livelihoods. According to local communities, they were promised bountiful fish in the new reservoir, but the company had no plans to clear the reservoir vegetation, which could kill the fish. If this results, they claim they will be forced to sell vegetables in a market that has not yet been identified.

Lom Pangar dam in Cameroon: Civil society groups alleged that the project will displace hundreds of farmers and herders in one of Cameroon’s poorest regions.

National Hydroelectric Development Corporation dams, India: Local communities and civil society groups claimed that this dam will displace over 200,000 people and will impound more land than any other hydro project in India. They alleged that NHPC used intimidation, threats and Special Armed Forces against people in the project area. Villagers were forced to accept small amounts of cash instead of the land-based compensation they are legally entitled to. Those who tried to complain were told that this would result in a loss of their right to any compensation. People were allegedly evicted at gun point and with the use of bulldozers.

Rio Madeira, Brazil: Civil society groups claimed that 3,000 people will be forced to move from their homes.

Vatukoula Mine: A complaint to Oxfam Australia’s Mining Ombudsman alleged that the mining company did not provide adequate housing for workers. The sponsor allegedly refused to provide

	<p>accommodations for women workers. Communities claimed the houses provided by the sponsor were in sub-standard condition.</p> <p>West Africa Gas Pipeline: Local communities asserted that the project provided inadequate compensation for people who lost land, trees, and other assets. Moreover, communities expressed their concern regarding the compensation rates and valuation methods. They also asserted a lack of mechanisms to secure long-term employment for affected members of their communities.</p> <p>Yacretá Hydroelectric Project: Because of flooding associated with the impoundment of the reservoir, civil society groups expected the project to directly displace over 50,000 people, and to constrain the livelihoods of countless others concentrated in two major urban areas. There were delays in the execution of titles, failure to assess the size of the affected population, and delays in transfer of the affected population. After resettlement, there was a lack of sources of employment. Civil society groups argued that public consultation was minimal to non-existent and that compensation and relocation packages for affected peoples were inadequate.</p> <p>Yusufeli Dam, Turkey: Civil society groups claimed that the majority of affected people were not informed about resettlement sites, nor about compensation or income generations schemes. People in Yusufeli were informed that the location of the new Yusufeli town will be 400 meters above Tekkale village on a rocky steep slope without sufficient water and complete lack of soil. They claimed that no information was given about how people will be able to survive on the designated land and what they should live off as agriculture will not be possible.</p>
37	<p><u>Decommissioned Land is Left in a Habitable Condition</u></p> <p>N/A</p>
38	<p><u>Community Not Deprived of Services Like Water or Electricity Due to Company's Demands</u></p> <p>Ahafo Gold Mine: Local communities alleged that the water quality of the Awonso stream was likely to be impacted. According to the environmental and social impact assessment, the Awonso is used as a water source by people living in small hamlets within the watershed.</p> <p>Allain Duhangan: People living in the Himachal Pradesh region filed a complaint to CAO in October 2004 alleging that water supplies will dry up due to the project's diversion of the Duhangan River. Communities expressed concern that these supplies could be damaged during the construction period when an access road is built.</p> <p>Aracruz pulp mills and plantations, Brazil: Local communities argued that the water level in creeks, ponds and lakes is significantly lower than before the company started operations.</p> <p>BTC: Complaints to the CAO alleged that in May 2004, erosion from a BTC pipeline right-of-way caused increased sedimentation in the spring that serves as the domestic water supply for Tsemi and three other villages. Residents said they were without water for nearly six months, before and during construction of the new head facility.</p> <p>COMSUR: The communities feared contamination of surface and ground water through the cyanide heap leach process used to extract the gold, and potential failure in the tailings dam.</p> <p>Didipio Mine: Community members expressed concerns about pollution, flooding, loss of water, and loss of access to water as a result of the mine's drainage tunnel.</p>

	<p>Ilisu Dam Project, Turkey: Civil society groups claimed that Ilisu dam’s reservoir will vastly reduce the ability of the Tigris to purify itself. They claimed this will jeopardize water quality and potentially cause major health problems in the major towns.</p> <p>Keyelekera Uranium Mine, Malawi: Civil society groups argued that the project sponsor proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local communities continued to use the adjacent streams and rivers for water and food gathering.</p> <p>Konkola Copper Mine, Zambia: Complaints to the CAO and OECD alleged that in 2006 the entire district of Chingola faced a water crisis because Vedanta had polluted the Kafue river. Communities claimed that 75,000 people are dependent on this river, which was polluted with copper sulphate.</p> <p>Marcopper Mine: In June 2004, a complaint to the Oxfam Australia Mining Ombudsman alleged heavy pollution of the Mogpog River due to continual run-off and silt from the mine. The subsequent report found that levels of cadmium, copper, lead, manganese, nickel and sulphate were hazardous to humans. Acid and metal levels were high enough to kill most aquatic animals.</p> <p>Marlin mine: A CAO complaint raised concerns that the project will reduce access by the community to local water supplies, and result in contamination of local waterways.</p> <p>Phulbari Coal Project: Local communities claimed that the mine area would have to be “de-watered” (sinking of the water table below the open-pit) and would therefore lead to water scarcity in the surrounding areas.</p> <p>Toka Tindung Goldmine, Indonesia: Civil society groups alleged that the mine will have devastating impact on the water supply, since the gold mine will use large amounts of water.</p> <p>Tolukuma Gold Mine: A complaint to Oxfam Australia’s Mining Ombudsman alleged that the Tolukuma Gold Mine annually dumps more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies have been destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. The mine’s activities also changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean water.</p> <p>Vatukoula Mine: A complaint to Oxfam Australia’s Mining Ombudsman alleged that the drinking water provided for Vatukoula mine workers was not treated or chlorinated. In 1994 the sponsor confirmed that there were unsafe levels of mercury and cadmium in the water supply.</p> <p>Yanacocha: CAO complaint alleged that the project affected the quality of water downstream. Quebrada Encajón and Río San José were both affected by acid seepage from waste rock dumps. Communities claimed that mining operations caused more than a 10% decrease in the quantity of water in nearby rivers.</p>
39	<p><u>Avoids Undertaking Disruptive Activities Near Residential Areas and Fully Mitigates All Negative Impacts on Inhabitants</u></p> <p>BTC: CAO complainants contended that the construction company, during camp construction in Tsalka caused flooding of the complainants’ houses. Another complaint focused on the impact of vibration from heavy construction traffic on the structural integrity of local dwellings.</p>

	<p>National Hydroelectric Development Corporation dams, India: Communities claimed they were not informed that the swelling waters of the reservoir would flood their houses – they survived only by climbing nearby trees.</p> <p>Rosia Montana gold mine, Romania: Civil society groups alleged that in November 2007, the project sponsor unlawfully demolished over 100 houses.</p>
40	<p><u>Company Refrains from Benefiting from, Supporting, or Endorsing Government Policies that Violate this Right</u></p> <p>N/A</p>

Right to an Adequate Standard of Living

51	<p><u>Company Pays Living Wage</u></p> <p>Didipio Mine: The company allegedly promised to employ local community members, but local communities claimed they were not aware that employment would end after one year, when the construction period finished.</p> <p>Vatukoula Mine: Mine workers and Empire Mines Ltd. (and predecessors) have been in dispute since 1991. Workers have protested unsafe labor conditions and low wages, and at least 370 workers have been dismissed.</p> <p>Wilmar Group, Indonesia: Local communities claimed they are working on project for extremely low wages.</p>
52	<p><u>Company Does Not Purchase Land if Community Depends on it for Their Basic Needs or Safeguards Their Access to it</u></p> <p>Ahafo Gold Mine: According to the environmental and social impact assessment, the Awonso is used as a water source by people living in small hamlets within the watershed. Civil society groups claimed that those living near the dam are likely to experience pollution of water because of sedimentation and heavy metals.</p> <p>Antamina: Residents of Puerto Grande, a community of several hundred residents located in close proximity to the port facilities, raised health and safety concerns to the CAO team. In particular, there were concerns with the water and sediment quality in Huarmey Bay.</p> <p>Asia Pulp and Paper project, China: Civil society groups claimed that since 1997, the company has cleared large areas of forest in Wuzhishan Natural Reserve for eucalyptus plantations.</p> <p>BTC: The pipeline crosses the watershed of the Borjomi National Park, an area of mineral water springs in Georgia. The mineral water is a major export commodity, and draws tourists from around the region and world. A complaint to the CAO alleged that in May 2004, erosion from a BTC pipeline right-of-way also caused increased sedimentation in the spring that serves as the domestic water supply for Tsemi and three other villages.</p>

Bujagali: Civil society groups expressed concern about the dam's impact on the health of Lake Victoria, which supports millions of people and extensive biodiversity. They also claimed that the project will directly affect the livelihoods of about 6,800 people, impact fisheries, and submerge highly productive agricultural land and islands of high biodiversity.

Buyat Bay: A report, written by more than a dozen technical specialists, found that fish from the bay were laced with enough arsenic to make them dangerous for consumption, particularly for children.

Camisea: Civil society groups alleged that Camisea caused deforestation, erosion and the loss of fish and game populations on which local communities depend.

COMSUR: While the mine has a small footprint, its proximity to areas that are managed for their ecological specificity and value, and the risks perceived in the processes used for mining, were of deep concern to local people.

Freeport McMoran Copper and Gold Mine: Civil society groups and local communities alleged that the project created unreasonable or major environmental, health or safety hazards with respect to the rivers impacted by the tailings, the surrounding terrestrial ecosystem, and the local inhabitants.

Ilisu Dam Project, Turkey: Civil society groups claimed that over 400 square kilometers of the Tigris valley will be affected, with detrimental effects for endangered species like the Euphrates Turtle.

Karachaganak: Local communities claimed that the proximity of the town Berezovka to the project and the emissions from project facilities have caused residents to suffer adverse health effects, including disorders of the upper respiratory tract, cardiovascular system, allergies and cognitive difficulties including memory loss.

Keyelekera Uranium Mine, Malawi: Civil society groups complained that the project sponsor proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local communities continued to use the adjacent streams and rivers for water and food gathering.

KMT Mining in Congo: There was a significant presence of artisanal miners in the area in which KMT is located. Civil society groups argued that KMT did not adequately clarify how it will manage conflicts with artisanal miners currently working in and around its concession.

Marlin mine: A CAO complaint alleged that the project was developed without adequate consultation and in violation of the rights of indigenous people and that the mine exacerbates social tensions, violence and insecurity.

Nam Theun 2: Civil society groups claimed that the project will dramatically lower downstream flow on the Theun River and increase water levels along the Xe Bang Fai. They argued that this will destroy fish habitat, impede migration patterns and could lead to the extinction of native fish communities. Additionally, they claimed that if biomass was not cleared from the Nakai reservoir, decomposing vegetation would cause serious water quality problems and result in massive fish kills in both the reservoir area and the Xe Bang Fai.

National Hydroelectric Development Corporation dams, India: Civil society groups alleged that NHPC's Loktak project, commissioned in 1983, had severe ecological impacts on the surrounding areas, including the destruction of the largest freshwater lake in the Indian subcontinent. They claimed the Indira Sagar dam will submerge 91,000 hectares of land, a third of which is Central India's largest remaining natural forest.

	<p>Orion and Celulosas Pulp Mills: CAO complainants expressed concern that air and water emissions from these two mills will be highly toxic, noxious, and incompatible with scenic tourism or agricultural productivity.</p> <p>Rapu Rapu Mine, Philippines: Local communities expressed concern about the impacts of the project on the island’s population of 10,000 people, mostly agricultural and fishing communities, which depend almost exclusively on local natural resources.</p> <p>Rio Madeira, Brazil: Protected areas, including a reserve used by people who extract natural forest products, will be flooded by the dams. Civil society groups claimed that a decline in fisheries will seriously affect commercial and subsistence fishermen, and that thousands of people living downstream will face declining crop yields as a result of the loss of the annual deposition of fertile silt on the flood plains.</p> <p>Tangguh: Communities relying on fishing as an income claimed to have seen a decrease in income due to seismic activities.</p> <p>West Africa Gas Pipeline: Fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets such that they were no longer able to catch fish in the area. They indicated that this was an especially serious concern because many people in the area depended upon fisheries for a livelihood.</p> <p>Wilmar Group, Indonesia: Civil society groups alleged that subsidiaries of the Wilmar Group commenced land clearing in customary rights land and other villagers’ lands without prior consultation and due land acquisition process in relevant areas and affected communities.</p>
53	<p><u>Company Has a Mutually Beneficial Agreement with Municipality Regarding Use of Resources, Services</u></p> <p>BTC: CAO found that BTC agreed to install a new head facility at a location chosen by the mayor, and approximately 3.7 km of new water pipe. Communities claimed that despite completion of the new head facility, the 2-kilometer section that runs from the reservoir fed by the head facility into the village itself is still contaminated with sediments. As a result of the sewage system installation for the workers’ camp and of company vehicle movement (despite restrictions to the contrary), the surface of Stalin Street was significantly damaged: there are many holes and on rainy days it was very difficult to walk on; and unbearable noise—workers’ shouting, vehicle movement, and 4 or 5 simultaneously operating diesel power generators. Before construction started, BP publicly announced that during the recruitment, priority would be given to the local workforce. However, communities continued to allege that most of the employees, even for menial jobs such as digging, were non-local workers.</p> <p>Marlin mine: Local communities, especially Sipacapa, perceived the allocation of benefits from the project have been inequitable.</p> <p>Bujagali: Local communities and civil society groups objected to the project as unsuitable for the needs of Uganda. Local environmentalists claimed the costly dam would harm Uganda’s chances to pursue more sustainable energy alternatives, and argued that this project would do nothing to help the 95% of Uganda’s population who are not connected to the national grid.</p> <p>Yacyretá Hydroelectric Project: A complaint to the Inter-American Development Bank’s Independent Investigation Mechanism alleged that during the resettlement process, many families were</p>

	<p>forced to live in extremely unsanitary conditions due to delays in providing compensatory housing. After resettlement, there was a lack of sources of employment.</p> <p>Camisea: Civil society groups contended that when the current and future needs of the country and present level of proven reserves were considered, exporting liquefied natural gas likely is to make Peru worse off than if the country used the gas itself.</p> <p>Wilmar Group, Indonesia: Local communities claimed they were working on the project for extremely low wages.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that the company did not provide medical services for workers, while many jobs were dangerous; moreover, injured workers lost their jobs.</p> <p>Rio Madeira, Brazil: Civil society groups expressed concern that an estimated 100,000 migrants were expected to move into the area, seeking work on the construction projects, with associated social costs, especially to indigenous groups.</p>
54	<p><u>Company Does not Benefit from Government’s Violation of Right</u></p> <p>N/A</p>

Right to Freedom from Forced Labor and Servitude

82	<p><u>If Company Hires from Correctional Facility, It Ensures that the Workers Have Consented, are Remunerated, and are Supervised Appropriately</u></p> <p>N/A</p>
83	<p><u>Company Ensures that Security Personnel are not Used to Force or Exact Labor</u></p> <p>Madsa Mining in Congo: The UN Panel on the DRC found that the company supported armed conflict in Congo and used forced labor.</p> <p>Groupe George Forrest: The UN Panel on DRC cited the company for use of forced labor.</p> <p>IHC Caland in Burma: A complaint to the OECD alleged that the local population was forced to participate in building shelter for the military and new infrastructure. The complainants alleged that they received little or no pay and in carrying out this difficult work, deaths were a regular occurrence, along with killings, torture and rape by the military.</p> <p>Ivanhoe Mines in Burma: According to the UN Panel on the DRC, this joint venture was allegedly involved in the use of forced labor to build a railway to supply the mine.</p>
84	<p><u>Company has Grievance Mechanisms Through Which Employees Can Complain About Coercion, Intimidation, or Threat</u></p>

	N/A
85	<p><u>Company Ensures that Supervisors Do Not Use Psychological or Physical Mistreatment Against Employees</u></p> <p>IHC Caland in Burma: A complaint to the OECD alleged that the local communities were forced to participate in building shelter for the military and new infrastructure. They claimed that workers received little or no pay and, in carrying out this difficult work, deaths were a regular occurrence, along with killings, torture and rape by the military.</p> <p>Pagrisa ethanol, Brazil: Civil society groups alleged that workers were kept in slave-like conditions, working for more than 13 hours a day and being paid as little as 4 Euros per day, undernourished, and often without drinking water, and were forced to exorbitant prices for food and essential medications.</p>

Right to Freedom from Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment

101	<p><u>Company Takes Steps to Ensure that No Acts of Torture are Committed, Condoned, or Initiated by Any Company Actor</u></p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts (although the CAO determined that this was a question for national authorities).</p> <p>Exxon Mobil in Aceh: The company was charged in U.S. courts for complicity in murder, torture, kidnapping, and sexual abuse by Indonesian soldiers. Until recently, Exxon's road was lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. Civil society groups alleged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups alleged that NHPC used intimidation, threats and Special Armed Forces against people in the project area. They also claimed that many were evicted at gun point and with the use of bulldozers. In April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Newcrest Gold Mine Indonesia: Several protests occurred at the Toguraci site, with local people occupying the mine for five weeks in 2003 and staging blockades in 2004. In 2004, one protester was shot and killed near the Toguraci mine.</p> <p>IHC Caland in Burma: A complaint to the OECD alleged that local communities were forced to participate in building shelter for the military and new infrastructure. They claimed to receive little or no pay and in carrying out this difficult work, deaths were a regular occurrence, along with killings, torture and rape by the military.</p> <p>Phulbari Coal Project: On August 26, 2006, Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p>
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<p>105</p>	<p><u>Company Ensures its Facilities are Not Located on Land Obtained Through Improper Coercion, Including Torture</u></p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that in January 2006, Aracruz was involved in a violent eviction of the villages with support of the government.</p> <p>Didipio Mine: Local communities alleged that the company has intimidated, harassed and forced them to give the company access to land, and to sell land at prices determined by the company. In particular, they claimed the company used military personnel to coerce access to land. Those serving letters were occasionally accompanied by armed soldiers, and there were allegedly two platoons serving in the area.</p> <p>Keyelekera Uranium Mine, Malawi: Local civil society groups claimed they have been subject to intimidation by companies including threats that they will be reported to the government and prosecuted.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that NHPC used intimidation, threats and Special Armed Forces against people in the project area. Villagers were forced to accept small amounts of cash instead of the land-based compensation they are legally entitled to. Those who tried to complain were told that this would result in a loss of their right to any compensation. Several members of local communities claimed they were evicted at gun point and with the use of bulldozers. Communities and civil society groups allege that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Yusufeli Dam, Turkey: Civil society groups alleged that local communities would not criticize the project for fear of losing their jobs. When representatives of the NGO Bern Declaration talked to the “Friends of Yusufeli” in Istanbul, in an office belonging to the municipality of Istanbul, one person was allegedly fired. They also claimed that a professor who had talked about the Coruh dams on television received death threats the same evening.</p>
<p>106</p>	<p><u>Company Refrains from Supporting or Endorsing any Government Violation of this Right</u></p> <p>Dikulushi Mine: Local communities claimed that in 2004, the Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians. A UN investigation found the copper-mining company lent a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: Until recently, Exxon’s road was allegedly lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. Civil society groups charged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians. Soldiers allegedly took cattle, burned food stalls, ransacked houses, and beat and killed people without cause.</p> <p>IHC Caland in Burma: A complaint to the OECD alleged that local communities were forced to participate in building shelter for the military and new infrastructure. They claimed that deaths, killings, torture, and rape by the military were common.</p> <p>Marlin mine: CAO reported that in early 2005, local people protested the establishment of the mine and blocked roads to prevent transportation of equipment through Solola and other towns on the way to the site. The military broke up the protests; 11 people were injured, one was killed.</p>

	<p>National Hydroelectric Development Corporation dams, India: In 2001, the police allegedly killed eight people protesting an NHDC hydropower project.</p> <p>Phulbari Coal Project: On August 26, 2006, Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p> <p>Tangguh: Some civil society groups alleged that a military repression in Wasior, in which ten people were killed, others disappeared and many homes burned down, was linked to the Tangguh project.</p>
107	<p><u>Company Ensures that its Security Personnel Refrain from Acts of Torture</u></p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts (although the CAO determined that this was a matter for the national government).</p> <p>Dikulushi Mine: Local communities alleged that Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians in 2004. A report by the UN peacekeeping force found the copper-mining company loaned a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: The company was charged in U.S. courts for complicity in murder, torture, kidnapping, and sexual abuse by Indonesian soldiers. Exxon's Road was allegedly lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. Civil society groups charged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>IHC Caland in Burma: A complaint to the OECD alleged that local communities were forced to participate in building shelter for the military and new infrastructure. They claimed that deaths, killings, torture and rape by the military were regular occurrences.</p> <p>Marlin mine: In a CAO complaint, local communities expressed concern about the presence of the military on the mine site. Given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military. CAO found that threats and intimidation tactics were used against people both for and against the mine and divisions increased within and among communities.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that NHPC used intimidation, threats and Special Armed Forces against people in the project area. Some community members claimed they were evicted at gun point and with the use of bulldozers. Communities claimed that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Newcrest Gold Mine Indonesia: Several protests occurred at the Toguraci site, with local people variously occupying the mine for five weeks in 2003 and staging blockades in 2004. In 2004, one protester was shot and killed near the Toguraci mine.</p> <p>Phulbari Coal Project: On August 26, 2006, Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p>

108	<p><u>Company Restricts Access to Security Weapons</u></p> <p>N/A</p>
109	<p><u>Company Trains Security Personnel to Refrain from Using Excessive Force</u></p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts (although the CAO found no evidence of this during its investigation).</p> <p>Dikulushi Mine: Local communities alleged that Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians in 2004. A report by the UN peacekeeping force found the copper-mining company loaned a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: The company was sued in U.S. courts for complicity in murder, torture, kidnapping, and sexual abuse committed by Indonesian soldiers. Exxon's Road was allegedly lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. Civil society groups alleged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>Marlin mine: In a CAO complaint, local communities expressed concern about the presence of the military on the mine site. Given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military. CAO found that threats and intimidation tactics were used against people both for and against the mine and divisions increased within and among communities.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that NHPC used intimidation, threats and Special Armed Forces against people in the project area. Many people claimed they were evicted at gun point and with bulldozers. Communities claimed that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Newcrest Gold Mine Indonesia: Several protests occurred at the Toguraci site, with local people variously occupying the mine for five weeks in 2003 and staging blockades in 2004. In 2004, one protester was shot and killed near the Toguraci mine.</p> <p>IHC Caland in Burma: A complaint to the OECD alleged that local communities were forced to participate in building shelter for the military and new infrastructure. Workers allegedly received little or no pay, and were subjected to killings, torture and rape by the military. Many deaths were said to result from carrying out this work.</p> <p>Phulbari Coal Project: On August 26, 2006, Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Three people from Phulbari were killed in the shootings, one was paralyzed, and several hundred were injured.</p>

Freedom of Movement

117	<p><u>Company Allows Nomadic People to Pass Over Company Land Over Which They Have Rights</u></p> <p>Kalahari Diamond Mine: In November 2004, Indigenous San people—a semi-nomadic, aboriginal hunter-gatherer group within southern Africa—filed a CAO complaint alleging they were illegally evicted from their traditional hunting grounds because of the project.</p> <p>Lom Pangar dam in Cameroon: Civil society groups claimed that the project threatens to displace hundreds of farmers and herders in one of Cameroon’s poorest regions.</p>
118	<p><u>Company Uses Land in a Way that Does Not Disrupt the Natural or Social Environment, Forcing People to Relocate</u></p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that Aracruz built its first mill on the site of a Tupinkim village and forced approximately 7000 families to move, while not providing the compensation to everyone.</p> <p>CNPC in Sudan: Civil society groups claimed that over a hundred villages were emptied, and the natural environment was severely damaged and polluted.</p> <p>Iisu Dam Project, Turkey: Civil society groups claimed that the dam will force the involuntary resettlement of 25,000 people, the majority of them ethnic minority Kurds—and will affect a further 11,000.</p> <p>National Hydroelectric Development Corporation dams, India: According to civil society groups, the dam will displace over 200,000 people and will impound more land than any other hydro project in India.</p> <p>Tolukuma Gold Mine: A complaint to Oxfam Australia’s Mining Ombudsman alleged that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies were destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. They also contended that the mine’s activities changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean water.</p> <p>Yacyretá Hydroelectric Project: Because of flooding associated with the impoundment of the reservoir, the Inter-American Development Bank’s Independent Investigation Mechanism reported that the project would displace over 50,000 people, and constrain the livelihoods of countless others concentrated in two major urban areas.</p> <p>Yusufeli Dam, Turkey: Local communities in rural areas claimed they were not informed about the project, and did not know about the planned resettlement areas. They claimed the designated resettlement areas are uninhabitable due to lack of water, space for sufficient agricultural land and lack of fertile soils.</p>
119	<p><u>Company Ensures Consultation with Indigenous and Local Peoples So That They are Not Relocated Against Their Will</u></p> <p>Ahafo Gold Mine: Civil society groups claimed that the communities and persons resettled were not part of the planning and design of the resettlement and were upset with the reduction of the number of</p>

	<p>rooms owned by resettled persons.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups reported that in January 2006, Aracruz was involved in a violent eviction of local villages with support of the government.</p> <p>CNPC in Sudan: Civil society groups alleged that over a hundred villages were emptied, and the natural environment was severely damaged and polluted.</p> <p>COMSUR: A complaint to CAO alleged that indigenous organizations and populations living in the area affected by the project were not consulted and provided with information in a timely and adequate manner, there were no Indigenous People's Development Plans, and there were no compensation measures for the social and environmental impacts of the project.</p> <p>Didipio Mine: A complaint to Oxfam Australia's Mining Ombudsman alleged that the company sought to circumvent regulations requiring consent from the local Barangay council. The Barangay publicly opposed the project. Communities also indicated that the company misrepresented the level of support that it had received from the council. One alleged tactic was to ask community members to sign a document, to which was later added additional text expressing consent for the project.</p> <p>Iisu Dam Project, Turkey: Civil society groups claimed that the sponsor did not consult with local communities, and up to 78,000 people will be resettled. They further claimed that affected people were not offered a suitable resettlement land package and received only minimal cash compensation.</p> <p>National Hydroelectric Development Corporation dams, India: Local communities claimed they were not informed that the swelling waters of the reservoir would flood their houses – and they survived only by climbing nearby trees.</p> <p>Vatukoula Mine: The Nasomo people claimed that they were dispossessed of 1,062 acres of their land in 1983. The Nasomo alleged that the mining company was given a lease on their land without their prior consultation, and despite written objections.</p> <p>West Africa Gas Pipeline: With regard to involuntary resettlement, local communities asserted that the project sponsor provided inadequate compensation for people who have or will lose land, trees and other assets, and expressed their concern regarding the compensation rates and valuation methods.</p> <p>Wilmar Group, Indonesia: Local communities claimed they were forced to give up their land for very little compensation.</p> <p>Yacyretá Hydroelectric Project: Civil society groups argued that public consultation was minimal to non-existent and that compensation and relocation packages for affected peoples were inadequate.</p> <p>Yusufeli Dam, Turkey: Local communities to be resettled claimed they were not informed about resettlement sites, nor about compensation or income generations schemes. Communities expressed concern that they will not be able to survive on the designated land where agriculture will not be possible.</p>
120	<p><u>Company Does Not Benefit, Endorse, Support Government Violation of this Right</u></p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that the project sponsor used intimidation, threats and Special Armed Forces against local communities in the project area, forcing communities to accept small amounts of cash instead of the land-based</p>

	compensation they are legally entitled to. Local communities claimed they were told they would lose any right to compensation if they complained to government authorities.
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Freedom of Opinion, Expression, Conscience, Thought and Religion

131	<p><u>Company Refrains from Purchasing or Disturbing Land Considered Sacred by Local or Indigenous Communities</u></p> <p>Bujagali: By drowning Bujagali Falls—which Ugandans consider a national treasure—the Busoga people claimed the dam will submerge a place with great cultural and spiritual importance.</p> <p>Camisea: Civil society groups claimed the project will affect ancestral lands of local indigenous communities in the Lower Urubamba river basin of southern Peru.</p> <p>COMSUR: The Bosque Seco Chiquitano and the Pantanal ecosystems are treasured by local communities for their cultural, economic and social value. While the mine has a small footprint, its proximity to areas that are managed for their ecological specificity and value, and local communities perceived the project to pose great risks.</p> <p>Ilisu Dam Project, Turkey: Civil society groups claimed the project would destroy land with important cultural heritage, including unexplored archaeological sites as well as the antique town of Hasankeyf.</p> <p>Jordan Gateway Project: Local communities expressed concern with the project’s impact on the Jordan River, which has special spiritual and cultural significance to the people of Israel, and at the time of the complaint was tentatively listed the river as a World Heritage Site.</p> <p>Kalahari Diamond Mine: A CAO complaint alleged that the sponsor’s activities undermined the rights of the San Bushmen to remain in the reserve which they claim as their ancestral homeland.</p> <p>Marlin mine: Indigenous communities, such as the Maya, voiced concerns that project would harm their natural resources and violate their religious and cultural rights. Indigenous people comprise more than 75 percent of the 12 million people in Guatemala.</p> <p>Rosia Montana gold mine, Romania: Local communities claimed that Rosia Montana is an historic monument of national interest due to the archaeological vestiges left behind by Romans roughly 2,000 years ago and the majority of these would be destroyed by the project. They also claimed the project would destroy several churches and cemeteries.</p>
132	<p><u>Company Refrains from Disrupting Expressive or Religious Conduct of People Living Near or On Company Premises</u></p> <p>Bujagali: Civil society groups claimed that by drowning Bujagali Falls – which Ugandans consider a national treasure – the dam would submerge a place with great cultural and spiritual importance for the Busoga people. An island that will be submerged is the site of sacred burial grounds.</p> <p>Camisea: Civil society groups alleged that the project showed inadequate respect for communities' right to free, prior and informed consent to this project, and would have significant impact on local</p>

	<p>culture, human health, fisheries and biodiversity. In particular, they claimed the project threatened the rights of indigenous people in voluntary isolation that inhabit the Nahua, Kugapakori and Nanti Territorial Reserves.</p> <p>Kalahari Diamond Mine: Indigenous San peoples alleged that project activities undermined their rights to remain in the reserve which they claim as their ancestral homeland.</p> <p>Marlin mine: CAO found that the government and project sponsor did not comprehensively consider local Mayan customary norms for community decision-making.</p> <p>Pangue Bio Bio River: A CAO complaint alleged that the project would disturb land that is important to Pehuenche tradition, where the use of winter and summer lands is an integral part of their culture, and the families for many years have made use of both the invernada sectors where their houses are located and the veranada sectors that are in the hills nearby.</p> <p>Tolukuma Gold Mine: Local communities expressed concern that mining activities led to a loss of community identity and tradition. They claim that sacred sites along the river were covered by sediment, and aquatic life was destroyed.</p>
133	<p><u>Company Refrains from Benefiting, Endorsing, or Supporting Government Violation of this Right</u></p> <p>N/A</p>

Right to Health

138	<p><u>Company Eliminates Sources of Mental or Physical Exhaustion that Could Result in Poor Health or Safety Hazard</u></p> <p>Pagrisa ethanol, Brazil: Civil society groups claimed that workers were kept in slave like conditions, working for more than 13 hours a day and being paid little, undernourished, and often without drinking water, and were forced to pay exorbitant prices for food and essential medications.</p> <p>Vatukoula Mine: Workers alleged that they were pressured to work when injured and sick, and that they did not receive sick benefits or adequate compensation for their injuries. Alleged workplace injuries included respiratory, sinus, and skin problems.</p>
149	<p><u>Company Makes Clear that Physical or Psychological Intimidation Will Not be Tolerated</u></p> <p>IHC Caland in Burma: Local communities claimed they were forced to participate in building shelter for the military and new infrastructure. They claimed to receive little or no pay and in carrying out this difficult work, and that deaths were a regular occurrence, along with killings, torture and rape by the military.</p> <p>Pagrisa ethanol, Brazil: Civil society groups alleged that workers were kept in slave like conditions, working for more than 13 hours a day and being paid little, undernourished, and often without drinking water, and were forced to pay exorbitant prices for food and essential medications.</p>

150	<p><u>Company Provides Night Employees with Free Health Assessments to Avoid Problems Associated with Night Work</u></p> <p>N/A</p>
151	<p><u>Company Ensures Employees Have Access to First Aid, Medical Supplies, and Treatment</u></p> <p>Aracruz pulp mills and plantations, Brazil: Workers alleged that the company did not provide medical services for injured workers, and that injured workers lost their jobs.</p> <p>Pagrisa ethanol, Brazil: Civil society groups claimed that workers were kept in slave like conditions, working for more then 13 hours a day and paid little, undernourished, and often without drinking water, and forced to pay exorbitant prices for food and essential medications.</p> <p>Vatukoula Mine: Workers alleged that they were pressured to work when injured and sick, and that they did not received sick benefits or adequate compensation for their injuries. Alleged workplace injuries included respiratory, sinus, and skin problems.</p>
152	<p><u>Company has Complaint and Resolution Mechanism to Report Unhealthy Working Conditions</u></p> <p>N/A</p>
153	<p><u>Employees are Informed and Allowed to Participate in all OHS Issues</u></p> <p>N/A</p>
154	<p><u>Company Regularly Inspects Equipment for Health and Safety</u></p> <p>N/A</p>
155	<p><u>Company Provides Free Health Services to All Employees Exposed to Hazardous conditions</u></p> <p>N/A</p>
156	<p><u>Company has Measures in Place to Respond to Emergencies or Accidents</u></p> <p>[See #165]</p>
157	<p><u>Company Provides Employees with Protective Equipment and Clothing Necessary for their Tasks</u></p> <p>N/A</p>
158	<p><u>Company Provides Accurate Information to Employees on the Risks of Mishandling Equipment, Substances, Machinery</u></p> <p>N/A</p>
159	<p><u>Company Provides Adequate Training to Ensure Employees Can Carry Out Tasks Safely</u></p>

	N/A
160	<p><u>Company Implements Updated Health and Safety Standards Appropriate for the Industry to Maintain Appropriate Standards of Health, Safety and Hygiene</u></p> <p>BTC: Local communities raised concerns about the quality of their drinking water during project construction.</p> <p>Camisea: Isolated indigenous populations claimed they were exposed to illnesses for which they have no immunological defenses.</p> <p>China Datang: Civil society groups reported that China’s State Environmental Protection Agency SEPA received 600,000 complaints about pollution problems in 2006, and sanctioned the company for 161 serious environmental accidents.</p> <p>Ilisu Dam Project, Turkey: The solid waste and wastewater of major regional cities such as Diyarbakir (population over one million), Batman and Siirt currently flow into the Tigris without primary treatment. Local communities expressed concern that the Ilisu dam’s reservoir will vastly reduce the ability of the Tigris to purify itself of these wastes, jeopardizing water quality and public health.</p> <p>Kashagan Oil Project, Kazakhstan: Civil society groups raised concerns about the health impacts of pollution caused by the removal of sulphide impurities from oil produced by the project.</p> <p>Rio Madeira, Brazil: In a region where malaria and other tropical diseases are endemic, civil society groups raised concerns about the project’s public health impacts from stagnant pools of water providing breeding grounds for mosquitoes and other disease- carrying insects.</p> <p>Yacretá Hydroelectric Project: A complaint to the Inter-American Development Bank’s Independent Investigation Mechanism claimed that there were no programs to monitor and control disease-causing micro-organisms that are causing adverse health impacts.</p>
161	<p><u>The Company Possess Adequate Means to Transport, Store, and Dispose of Chemicals so that They Do Not Pollute Land or Water</u></p> <p>Antamina: A CAO complaint alleged that the port facilities negatively impacted the marine environment at Huarmey Bay, and expressed concern that the facility discharged waste water and metal concentrates into the bay.</p> <p>BTC: Local communities expressed concerns about the risk of pipeline ruptures and oil spills due to seismic activity.</p> <p>Buyat Bay: Civil society groups alleged that Newmont deposited the tailings waste in waters shallower and warmer than it had pledged in its initial environmental impact assessment. Local communities filed a \$543 million lawsuit against Newmont, contending that tailings from a nearby gold mine caused serious illnesses, including in the mother of an infant who died, and the ruin of their income from fishing.</p> <p>COMSUR: Communities feared contamination of surface and ground water by the cyanide heap leach process used to extract gold, and the potential failure in the tailings dam.</p>

Didipio Mine: According to the project’s environmental impact statement, the mine included a tailings dam and tailings delivery pipeline that may cause uncontrolled release of tailings. Local communities claimed that the company did not explain how it addressed this concern.

Exxon Mobil in Aceh: Civil society groups alleged that natural gas flaring, chemical spills and industrial wastes polluted rice paddies and fish ponds and caused a range of health problems in nearby villages.

Freeport McMoran Copper and Gold Mine: According to a government investigation, Freeport disposed of thousands of tons of mining waste a day into local rivers. The heavy metals in the waste—including copper, arsenic, cadmium and mercury—killed off life in the river. The investigation reported that it became almost impossible for the local population to use the river for fishing or drinking water.

Gunns Pulp Mill Tasmania proposal: Civil society groups raised concern that the mill will employ a chlorine bleaching process that will exacerbate severe air quality problems in the region.

Kashagan Oil Project, Kazakhstan: Civil society groups claimed that winter ice threatened to overrun the artificial island created for extraction activities and undersea pipelines, potentially leading to huge spills and environmental damage.

Keyelekera Uranium Mine, Malawi: Civil society groups reported that the project sponsor proposed to allow the direct release of contaminated mine site waters during heavy rains, which would adversely affect water quality in the streams and rivers local communities use for water and fishing.

Marcopper Mine: Local communities alleged that from 1975 to 1991, over 200 million tons of mine tailings were pumped into the Calancan Bay in the Philippines. Over 20,000 people rely on these waters for their food and livelihoods. Heavy metal poisoning is blamed for illnesses such as stomach pain, dementia, and cancer, and the deaths of at least three children. Local fishermen alleged that they lost limbs due to arsenic contamination, and that they must now travel further out to sea to catch fish. Communities complained that they received no compensation for these harms.

Marlin mine: The CAO found that the company failed to adequately assess the potential impacts on communities living downstream of the tailings dam.

National Hydroelectric Development Corporation dams, India: Civil society groups claimed that during the construction of NHPC’s Lower Subansiri dam, NHPC violated environmental regulations by dumping debris in the river.

Sakhalin II: Civil society groups alleged that the project sponsor installed the new oil platform adjacent to critical feeding grounds of the approximately 120 critically endangered Western Gray Whales. They claimed that the pipeline crosses hundreds of rivers, damaging salmon spawning, and causing erosion.

Tolukuma Gold Mine: Local communities alleged that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Communities rely on this river system for drinking water, and attributed several deaths and illnesses to the dumping. They reported many deaths and illnesses due to swollen stomachs, open sores and yellow feet after drinking or walking through the water. They also reported that the mine had several serious accidents, alleging that there was a cyanide spill in 2000, and that helicopters dropped 4,000 liters of diesel in 2000 and 2003. Communities claimed that helicopters routinely dropped empty drums, electrical cable, and other materials near villages.

	<p>Vedanta resources, India: Civil society groups claimed that Vedanta faced censure in 2004 for dumping toxic waste from the Tuticorin copper smelter in Tamil Nadu.</p> <p>West Africa Gas Pipeline: Local fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets so that they were no longer able to catch fish.</p> <p>Yanacocha: CAO reported that in 2000, a truck spilled an estimated 151 kg of mercury along a 40 km section of highway that passed through three villages. In the following days and weeks between two and three hundred villagers were affected by exposure to the mercury.</p>
163	<p><u>If Company Exports Chemicals, Country of Import is Aware of Environmental Health Hazards</u></p> <p>N/A</p>
164	<p><u>Company Ensures that Transportation of Cargo is by the Safest Means Possible</u></p> <p>Tolukuma Gold Mine: Local communities claimed that in 2000 and 2003, helicopters dropped 4,000 liters of diesel. They claimed that helicopters routinely dropped empty drums, electrical cable, and other materials near villages.</p>
165	<p><u>Company Has Procedures in Place to Prevent and Address all Health Emergencies and Industrial Accidents</u></p> <p><i>* Note: the following examples illustrate cases that implicate the need for emergency procedures. Local communities did not necessarily allege that such procedures were not in place.</i></p> <p>Belene nuclear power plant, Bulgaria: Civil society groups claimed that this proposed nuclear power plant is would be located in an active seismic area, 14 km from where a 1977 earthquake killed 200 people. However, they alleged that the 2003 environmental impact assessment did not address seismic issues. In addition, they claimed the proposed reactor is a new model for which there is no industrial experience so far.</p> <p>BTC: Local communities expressed concern to the CAO that the sewage system for the workers camp was installed above the (degraded) water supply pipe – resulting in a risk of contamination if the system was to rupture. Complainants also contended that the actions of the construction company during camp construction in Tsalka have caused flooding of the complainants’ houses. CAO’s field assessment confirmed the flood damage, but lack of a baseline survey data prevented a fair assessment of whether the cause of the flooding can be attributed directly to SPJV activities.</p> <p>Buyat Bay: A report by more than a dozen technical experts found that fish from the bay were laced with dangerous levels of arsenic for consumption. The report also found that Newmont had deposited the tailings waste in waters shallower and warmer than it had pledged in its initial environmental impact assessment.</p> <p>Kashagan Oil Project, Kazakhstan: Civil society groups claimed that extreme weather conditions made extraction and transportation difficult and with very high risk for spilling, devastating for the environment, but also for the local communities. Winter ice floes threatened to overrun the artificial island castrated for extraction activities and undersea pipelines.</p> <p>Konkola Copper Mine, Zambia: Local communities claimed that in November 2006 the entire</p>

district of Chingola faced a water crisis because Vedanta polluted the Kafue river. Seventy five thousand people are dependent on this river, which they claimed was polluted with copper sulphate.

Lapindo Brantas Oil & Gas: Civil society groups claimed that in 2006, a mud volcano erupted less than 200m from the Banjar Panji I gas exploration well. Numerous experts found that the eruption was caused by the failure of the company follow basic safety standards as required under Indonesian mining regulations.

Lom Pangar dam in Cameroon: Civil society groups claimed that the dam's reservoir will submerge sections of the Chad-Cameroon oil pipeline creating safety and environmental risks.

Marcopper Mine: Local communities alleged that in 1993, the Maguila-Guila dam, part of the Marcopper mine, collapsed and released metal enriched silt into the surrounding ecosystem. The resulting floods killed two people, destroyed homes and livestock, and contaminated farmland. They claimed that in 1996, a drainage tunnel burst, filling the Boac River with four million tons of mine tailings. Local communities alleged that rehabilitation was inadequate, and that the company employed local persons to pull the contaminated tailings from the river and put them into bags with unprotected hands.

Nam Theun 2: Civil society groups expressed concern that if biomass is not cleared from the Nakai reservoir, decomposing vegetation will cause serious water quality problems and result in massive fish kills in both the reservoir area and the Xe Bang Fai.

National Hydroelectric Development Corporation dams, India: Local communities claimed that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India. They claimed that many communities were not given notice that their villages would be flooded.

Pangue Bio Bio River: CAO found that in 2001, during heavy rains, the serious technical flaws in construction of the retaining wall resulted in flooding that damaged property of downstream inhabitants. CAO reported that the sponsor did not put in place an emergency response plan for such an event. The Pangue dam is also located near four volcanoes, two of them active. ENDESA publicly acknowledged this risk, and made assurances that they would monitor seismic activity. However, concerns were raised that there was not an adequate emergency system in place.

Rapu Rapu Mine, Philippines: Local communities expressed concern with the project's safety record. The project has been fully operational since early 2007 after an initial aborted operation in 2005 due to two cyanide spills.

Sakhalin II: Civil society groups claimed that the project faces an ongoing risk of oil spill, and there was no proven effective way to respond to oil spills in the local ice conditions.

Tolukuma Gold Mine: Local communities and civil society groups claimed that the mine had several devastating accidents. In 2000, there was a cyanide spill. In both 2000 and 2003, helicopters dropped 4000 liters of diesel. They also claimed that helicopters routinely dropped empty drums, electrical cable, and other materials near villages.

Vatukoula Mine: Local communities claimed that the mine caused several air pollution and health problems for local communities, in large part due to unsafe emissions of sulphur from the roaster stack.

Yanacocha: CAO reported that on the morning of Friday, June 2, 2000, a truck leaked an estimated

	<p>151 kg of mercury, which spread along a 40 km section of highway that passed through three villages, San Juan, Choropampa and Magdalena. The report found that in the following weeks between two to three hundred villagers were positively identified as having some level of exposure to mercury with varying degrees of illness.</p>
166	<p><u>Company Has a Method for Monitoring and Controlling its Emissions to Avoid Subjecting Local Population to Pollution</u></p> <p>Karachaganak: A CAO complaint contended that the proximity of Berezovka to the project and the emissions from its facilities, caused residents to suffer adverse health effects including disorders of the upper respiratory tract, cardiovascular system, allergies and cognitive difficulties, including memory loss.</p> <p>Orion and Celulosas Pulp Mills: A CAO complaint alleged that air and water emissions from these two mills would be highly toxic, noxious, and incompatible with scenic tourism or agricultural productivity. In particular, they claimed the mills would produce two persistent organic pollutants, chlorine dioxide and dioxins.</p> <p>Exxon Mobil in Aceh: Civil society groups claimed that natural gas flaring and chemical spills caused a range of health problems in nearby villages and industrial waste polluted rice paddies and fish ponds.</p> <p>Vatukoula Mine: Local communities claimed that the Vatukoula mine caused several air pollution and health problems, largely due to emissions of sulphur from the roaster stack. They alleged that consultants advised the Vatukoula mine to ensure regular monitoring of sulfide emissions from its roasting stack, but the company did not implement this recommendation.</p>
167	<p><u>Company Will Disclose Information About Its Safety Record and Hazardous Activities</u></p> <p>Marlin mine: CAO found that the IFC and Glamis did not adequately disclose project impacts and other crucial information required to indigenous communities.</p> <p>Orion and Celulosas Pulp Mills: CAO found that the environmental impact assessments (EIAs) for the pulp mills did not adequately address the concerns of potentially affected local people. In particular: (1) the EIAs did not provide sufficient evidence that concerns related to potential impacts on tourism and agriculture were addressed; (2) there was little evidence presented in the EIAs that potentially impacted enterprises or individuals (such as tourism operators and fishermen) particularly from Argentina, were consulted; (3) the EIAs did not consider broader cumulative impacts beyond environmental emissions such as the social and environmental consequences to land-holding and social equity as a result of both mills developing large eucalyptus plantations in Uruguay.</p> <p>Pangue Bio Bio River: CAO reported that the lack of disclosure of information (to communities, governments, and IFC) hampered the ability of communities and internal constituencies of IFC alike to understand the project.</p>
168	<p><u>Company Dialogues with Local Communities Regarding All Health Concerns</u></p> <p>Pangue Bio Bio River: CAO reported that the lack of disclosure of information (to communities, governments, and IFC) hampered the ability of communities and internal constituencies of IFC alike to understand the project.</p> <p>Allain Duhangan: People living in Himachal Pradesh filed a CAO complaint in October 2004 alleging</p>

	that the environmental and social impact assessment did not adequately consider the legitimate concerns of the villagers nor provide a sufficient basis for informed consultation on key impacts of the project.
169	<u>Company Does not Endorse, Benefit From, or Support Government Violation of this Right</u> N/A

Right to Life, Liberty and Security of Person

196	<u>Company Clearly Defines the Responsibility of Security Guards</u> Marlin mine: Local communities raised concerns that the project's security included the presence of non-local mine personnel/ contracted security forces, who were understood by local people to be former soldiers, and the presence of the military on the mine site. Communities alleged that the company did not provide assurances about the responsibility of security guards, and given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military.
197	<u>Company Ensures Safety and Bodily Security of its Employees from Kidnapping, Physical Assault, etc.</u> N/A
198	<u>Company Implements Health and Safety Measures to Protect Life of Employees, Including from Natural Disasters</u> Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that the the company did not provide medical services for workers, despite the hazardous nature of their jobs. Injured workers claimed to have lost their jobs. Marcopper Mine: In 1996, a drainage tunnel burst, filling the Boac River with four million tons of mine tailings. Local communities alleged that rehabilitation was inadequate, and included employing local persons to pull the contaminated tailings from the river and put them into bags with unprotected hands.
199	<u>Company Eliminates or Reduces its Contribution to Environmental Damage</u> Ahafo Gold Mine: Local communities raised concerns that mine operations were likely to adversely affect the flows and water quality in local rivers. Antamina: CAO complaint alleged that the port facilities negatively impacted the marine environment at Huarmey Bay, and expressed concern that the facility discharged waste water and spilled metal concentrate into the bay. Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that Aracruz destroyed more than 50,000 hectares of Atlantic forest.

Asia Pulp and Paper project, China: Local communities reported that the Chinese government ordered the company to cease purchasing state-owned forests because of the harm caused to these forests. They also claimed that the company planted eucalyptus on Hainana Island including in protected conservation areas.

BTC: Local communities expressed concern about the potential harm of the pipeline crossing the watershed of the Borjomi National Park, an area of mineral water springs in Georgia.

Bujagali: Local people raised concerns about the dam's impact on the health of Lake Victoria, which supports millions of people and hosts extensive biodiversity. They also claimed the project would impact local fisheries, and submerge highly productive agricultural land and islands of high biodiversity.

Buyat Bay: A report by over a dozen technical experts found that fish from the bay were laced with enough arsenic to make them dangerous for consumption, particularly for children. It also found that Newmont deposited the tailings waste in waters shallower and warmer than it had pledged in its initial environmental impact assessment. Villagers filed a \$543 million lawsuit against Newmont contending that waste, called tailings, from a nearby gold mine had caused serious illnesses, including in the mother of an infant who died, and the ruin of their income from fishing.

Camisea: Local communities and civil society groups claimed that Camisea caused deforestation, erosion and the loss of fish and game populations on which local communities depend. They claimed that three of the four drilling wells of Camisea's first phase are located inside a state reserve.

COMSUR: The communities feared contamination of surface and ground water by the cyanide heap leach process used to extract the gold, and the potential failure of the tailings dam.

Exxon Mobil in Aceh: Civil society groups alleged that industrial waste from the project polluted rice paddies and fish ponds.

Freeport McMoran Copper and Gold Mine: In 1995, OPIC determined that the mine's tailings management and disposal practices severely degraded rainforests. They also determined that the project made rivers unusable for local inhabitants.

Gunns Pulp Mill Tasmania proposal: Civil society groups claimed that the mill proposed to use a polluting chlorine bleaching process, and would likely consume massive tracts of native forests.

IHC Caland in Burma: Local communities claimed that trees were cleared to provide corridors for the pipelines through the primary forests of Tenasserim, which host elephants, tigers, tapirs and bears. They also claimed that other environmental impacts were common, including erosion, water pollution and the build-up of silt deposits in the streams.

Iisu Dam Project, Turkey: Civil society groups claimed that over 400 sq. km of the Tigris valley and its confluents would be affected, with detrimental effects for endangered species like Euphrates Turtle.

Karachaganak: A CAO complaint contended that the proximity of Berezovka to the oil fields and the emissions from its facilities, caused residents to suffer adverse health effects including disorders of the upper respiratory tract, cardiovascular system, allergies and cognitive difficulties such as memory loss.

Kashagan Oil Project, Kazakhstan: Civil society groups claimed that the Kashagan oil field is located within a protected territory, the shallow nature reserve zone of the Caspian Sea, where winter

ice threatens to overrun the artificial island created for extraction activities and undersea pipelines. This could cause an oil spill and environmental damage.

Keyelekera Uranium Mine, Malawi: Civil society groups alleged that the project sponsor proposed to allow the direct release of contaminated mine waters into adjacent streams and rivers during heavy rainfall conditions.

Lom Pangar dam in Cameroon: Civil society groups raised concerns that the Lom Pangar project will flood over 319 square kilometers of some of the last remaining hardwood forests in Central Africa, including portions of the protected Deng Deng reserve which provides refuge for threatened primates.

Marcopper Mine: Local communities claimed that from 1975 to 1991, over 200 million tons of mine tailings were pumped at sea surface level into the Calancan Bay in the Philippines. Over 20,000 people rely on these waters for their food and livelihoods. Heavy metal poisoning is blamed for the deaths of at least three children and many other illnesses, including stomach pain, dementia, and cancer. Fishermen alleged that they must now travel further out to sea to catch fish

Marlin mine: A CAO complaint raised concerns that the project will contaminate local waterways.

Mountain Top Removal Coal Mines, United States: Civil society groups alleged that mountain top removal in Appalachia flattened hundreds of mountains, destroyed more than one million acres of forests, and buried more than 1,200 miles of streams under valley fills.

Nam Theun 2: The project is located in and adjacent to one of the largest remaining tropical forests in mainland Southeast Asia. Civil society groups claimed it will dramatically lower downstream flow on the Theun River and increase water levels along the Xe Bang Fai, destroying fish habitat, impeding migration patterns and threatening native fish populations with extinction.

National Hydroelectric Development Corporation dams, India: Local communities alleged that NHPC's Loktak project, commissioned in 1983, had severe ecological impacts on the surrounding areas, including the the largest freshwater lake in the Indian subcontinent. They also claimed the construction of NHPC's Lower Subansiri dam on the border of Arunachal Pradesh and Assam in Northeast India repeatedly disrupted the area's wildlife. The Indira Sagar dam, once finalized, will submerge 91,000 hectares of land.

Orion and Celulosas Pulp Mills: CAO complainants alleged that air and water emissions from these two mills will be highly toxic, noxious, and incompatible with scenic tourism or agricultural productivity.

Rapu Rapu Mine, Philippines: Local communities raised concerns about the project's impacts on the surrounding island, which has a particularly vulnerable population of 10,000 people, mostly agricultural and fishing communities.

Rio Madeira, Brazil: The affected region is officially classified as a priority hot spot for biodiversity, supporting the life of an estimated 750 fish species and 800 bird species. Civil society groups contended that the dams will flood at least 700 sq. km of floodplains and forests, and the decline in fisheries will seriously affect commercial and subsistence fishermen.

Rosia Montana gold mine, Romania: Civil society groups and local communities claimed the mine will turn the valley of Corna into a tailings pond facility, holding 195 million tons of cyanide-laced heavy metal tailings.

	<p>Sakhalin II: Civil society groups claimed the project threatened a critical feeding ground of the approximately 120 critically endangered Western Gray Whales. They alleged that the pipeline caused severe erosion and damage to salmon spawning habitats.</p> <p>Samling, Malaysia: Civil society groups claimed the company was responsible for destruction and illegal logging of tropical rainforest.</p> <p>Tangguh: The project’s independent advisory panel reported that the project traverses through the world’s 2nd largest mangrove ecosystem, and that communities relying on fishing for livelihoods saw a decrease in income due to seismic activities.</p> <p>Toka Tindung Goldmine, Indonesia: The North Sulawesi’s Bunaken marine National Park has been nominated for World Heritage status. The natural reserves of Tangkoko and Dua Saudara are adjacent to the mining area are home for many endangered species of mammal, bird and reptile. The Sulawesi is home to many endangered mammal, bird and reptile species. Civil society groups claimed that the project poses a threat to this ecosystem.</p> <p>Tolukuma Gold Mine: Local communities claimed that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Communities rely on this river system for drinking water, and attributed several deaths and illnesses to the dumping. There are many reports of deaths and illnesses due to swollen stomachs, open sores and yellow feet after drinking or walking through the water.</p> <p>Vedanta resources, India: Civil society groups reported that Vedanta faced censure in 2004 for dumping toxic waste from the Tuticorin copper smelter in Tamil Nadu.</p> <p>West Africa Gas Pipeline: Fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets so that they were no longer able to catch fish in the area. They indicated that this was an especially serious concern because many people in the area depended upon fisheries for their livelihoods.</p> <p>Wilmar Group, Indonesia: The subsidiaries of the Wilmar Group were sued by the Indonesian authorities for intentional and systematic burning with intention to clear the land for plantation development. Local communities claimed that subsidiaries of the group commenced land clearing in customary rights land and other villagers land without prior consultation and due land acquisition process.</p> <p>Yanacocha: CAO reported that in June 2000, an estimated 151 kg of mercury leaked from a flask on a truck and was spread along a 40 km section of highway that passed through three villages. In the following days and weeks between two to three hundred villagers were positively identified as having some level of exposure to mercury with varying degrees of illness.</p>
200	<p><u>Company Security Personnel are Prevented from Overstepping their Authority, Improperly Engaging in National Law Enforcement Activities</u></p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts (although the CAO determined it was not in a position to validate these claims).</p> <p>Didipio Mine: Community members alleged that the company intimidated, harassed and forced them</p>

	<p>to give the company access to land, and to sell land at prices determined by the company. In particular, the company used military personnel to coerce access to land, including visits to family homes. Those serving letters were occasionally accompanied by armed soldiers, and there were allegedly two platoons serving in the area. In March 2008, a security guard allegedly shot a local villager during demolitions of housing.</p> <p>Dikilushi Mine: Local communities alleged that Congolese military suppressed an uprising near the mine, killing at least 70 civilians in 2004. A report by the UN peacekeeping force found the copper-mining company lent a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: The company was charged in U.S. courts for complicity in murder, torture, kidnapping, and sexual abuse by Indonesian soldiers. Exxon’s Road was allegedly lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. Civil society groups charged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>Marlin mine: In a CAO complaint, local communities expressed concern about the presence of the military on the mine site. Given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military. Communities claimed the company used threats and intimidation tactics against people.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed NHPC quickly became notorious for its use of intimidation, threats and Special Armed Forces against people in the project area. They alleged that local communities were forced to accept small amounts of cash instead of the land-based compensation they are legally entitled to. Those who tried to complain were told that this would result in a loss of their right to any compensation. Many were allegedly evicted at gun point and with the use of bulldozers. Local communities claimed that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Newcrest Gold Mine: Several protests occurred at the Toguraci site, with local people variously occupying the mine for five weeks in 2003 and staging blockades in 2004. Local communities claimed that in 2004, one protester was shot and killed near the Toguraci mine.</p> <p>IHC Caland in Burma: Local communities claimed they were forced to participate in building shelter for the military and new infrastructure. They claimed that killings, torture, and rape by the military were common.</p> <p>Phulbari Coal Project: On August 26, 2006, the paramilitary group Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Civil society groups claimed that three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p>
201	<p><u>Company Performs Due Diligence on Security Guards or Security Providers</u></p> <p>Marlin mine: Local concerns about security included the presence of non-local mine personnel/contracted security forces, who are understood by local people to be former soldiers; and the presence of the military on the mine site. Given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military. CAO found that the lack of a clear policy on human rights and the management of security forces was a</p>

	<p>significant oversight.</p> <p>Didipio mine: The company admitted to employing ex-military as security personnel.</p>
206	<p><u>Company Takes All Necessary Steps to Avoid Involvement or Complicity in Human Rights Violations by the Government</u></p> <p>Dikulushi Mine: Civil society groups claimed that Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians in 2004. A report by the UN peacekeeping force found the copper-mining company lent a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: Civil society groups claimed that Exxon's Road was lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. They also claimed that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>Marlin mine: In early 2005, local communities protested the establishment of the mine and blocked roads to prevent transportation of equipment through Solola and other towns on the way to the site. The military broke up the protests; communities claimed that 11 people were injured, one was killed.</p> <p>National Hydroelectric Development Corporation dams, India: Local communities and civil society groups claimed that in 2001, the police killed eight people protesting an NHDC dam.</p> <p>Tangguh: Civil society groups expressed concern that the Indonesian military would initiate conflict in nearby areas in order to justify the need for a strong security presence at the site. Civil society groups claimed that a military repression in Wasior where ten people were killed, others disappeared and many homes burned down, is linked to the Tangguh project.</p>
207	<p><u>When Operating in Countries that Violate this Right, the Company Refrains from Endorsing, Benefiting or Supporting Policies that Violate this Right</u></p> <p>CNPC in Sudan: Civil society groups claimed the oil was a key source of revenue to the Sudanese Government, which has been found to be complicit for the genocide in Darfur.</p> <p>Dikulushi Mine: Local communities claimed that Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians in 2004. A UN report also revealed that Anvil Mining provided logistical support for the military operation. According to the report, Anvil helped fly in the military in the planes that it leases to ferry people to and from the mine, and provided vehicles for the military once they reached Kilwa.</p> <p>Exxon Mobil in Aceh: As many as 5,000 troops were allegedly deployed to protect ExxonMobil. Civil society groups claimed that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>Ilisu Dam Project, Turkey: Civil society groups claimed the dam will force the involuntary resettlement of 25,000 people, the majority of them ethnic minority Kurds – and will affect a further 11,000. They claim that local communities perceive the project to be part of a wider strategy of ethnic cleansing the area of Kurds.</p> <p>Phulbari Coal Project: On August 26, 2006, the paramilitary group Bangladesh Rifles allegedly fired</p>

	<p>upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine.</p> <p>Sinopec Oil and Gas, Burma: Civil society groups claimed Sinopec actively explored for oil and gas in Burma, collaborating with the military regime's Myanmar Oil & Gas Enterprise. Sales of natural gas, account for the single largest source of revenue to the military government.</p>
208	<p><u>Company Monitors Activities of Security Personnel and Investigates All Allegations of Abusive or Unlawful Acts</u></p> <p>Marlin mine: Local communities expressed concerns about security, including the presence of non-local mine personnel/ contracted security forces, who are understood by local people to be former soldiers. CAO found that the lack of a clear policy on human rights and the management of security forces is a significant oversight on the part of both the company and IFC.</p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts. CAO determined that it was not in a place to validate these claims.</p>
209	<p><u>Company Security Forces are Trained in the Appropriate Level of Force and Respect for the Liberty and Security Rights of Community</u></p> <p>Bulyanhulu: A CAO complaint alleged that 52 people were killed in the process of land clearance, trapped alive in their pits by the mine and local administration staff as they plugged and filled the mine shafts (although the CAO determined it was unable to validate these claims).</p> <p>Dikulushi Mine: Local communities claimed that Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians in 2004. A report by the UN peacekeeping force found the copper-mining company lent a plane and vehicles to the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Exxon Mobil in Aceh: The company was charged in U.S. courts for complicity in murder, torture, kidnapping, and sexual abuse by Indonesian soldiers. Civil society groups claimed that Exxon's Road was lined with military posts spaced just 100 meters apart, each manned by about 30 soldiers. They also alleged that the soldiers were in effect employed by the company, and that ExxonMobil made its facilities and equipment available to soldiers carrying out atrocities against civilians.</p> <p>Marlin mine: In a CAO complaint, local communities expressed concern about the presence of the military on the mine site. Given the past violence of the civil war in which the military committed acts of violence against rural and indigenous people, there was little trust in the military. Threats and intimidation tactics used against people increased the divisions within and among communities.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups and local communities claimed that NHPC used intimidation, threats and Special Armed Forces against people in the project area. Local communities claimed they were forced to accept small amounts of cash instead of the land-based compensation they are legally entitled to. Those who tried to complain were told that this would result in a loss of their right to any compensation. Many were allegedly evicted at gun point and with the use of bulldozers. Civil society groups claimed that in April 2005, at least 65 people drowned in waters suddenly released from the Indira Sagar dam in the Narmada Valley of central India.</p> <p>Newcrest Gold Mine Indonesia: Several protests occurred at the Toguraci site, with local people variously occupying the mine for five weeks in 2003 and staging blockades in 2004. In 2004, one</p>

	<p>protester was allegedly shot and killed near the Toguraci mine.</p> <p>IHC Caland in Burma: Local communities claimed they were forced to participate in building shelter for the military and new infrastructure. They claimed that killings, torture, and rape by the military were common.</p> <p>Phulbari Coal Project: On August 26, 2006, Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Civil society groups claimed that three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p>
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Right to Own Property

213	<p><u>Before Purchasing Land, Company Ensures that Seller is True Owner under National and International Law Relating to Indigenous Peoples</u></p> <p>Tintaya Copper Mine: Local communities claimed that this issue arose during acquisition of land for the Tintaya mine in 1996.</p>
214	<p><u>Company Refrains from Purchasing or Leasing Land that was Improperly Obtained from Former Inhabitants</u></p> <p>Tintaya Copper Mine: Local communities claimed that this issue arose during acquisition of land for the Tintaya mine in 1996.</p>
215	<p><u>If the Company Extracts Natural Resources from Land Belonging to Indigenous Peoples, They Receive Compensation from the Benefit of These Activities and Damages Resulting from the Activities</u></p> <p>COMSUR: CAO complaint alleged that indigenous organizations and populations living in the area affected by the project were not consulted and provided with information in a timely and adequate manner, there were no Indigenous People's Development Plans, and there were no compensation measures for the profound social and environmental impact of the project.</p> <p>Didipio Mine: The sponsor intended to relocate local residents living in the proposed mining area. Local communities expressed concern to the Oxfam Australia Mining Ombudsman about the lack of information about the proposed relocations.</p> <p>IHC Caland in Burma: Civil society groups alleged that the environmental impact assessments were not made public, nor were local people involved in the process.</p> <p>Konkola Copper Mines: CAO complaint alleged that IFC never consulted on or publicly disclosed to the affected communities its decision to exit the project and mitigation plan, in contradiction with its policy on public consultations and disclosure. Communities complained that this has led to uncertainty and desperation with respect to the promised project post-relocation economic and social services benefits.</p> <p>Marlin mine: Indigenous communities in nearby areas affected by the mine claimed they were not</p>

	<p>adequately consulted in accordance with national law and international agreements. They also voiced concerns that mining operations would harm their natural resources, and violate their religious and cultural rights. CAO found that the government and project sponsor did not comprehensively consider the local norms for community decision-making. The Mayan cultural view of natural resources and their management is distinct and likely influenced perceptions towards mining.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that no land for land compensation was granted and for most of the villages, no resettlement sites existed at the time of submergence of the villages. Some communities claimed they were not informed that the swelling waters of the reservoir would flood their houses.</p> <p>Vedanta resources, India: Local communities claimed that the company illegally felled hectares of the Niyamgiri forest. They also claimed that the company built an aluminum smelter without the necessary permission.</p> <p>West Africa Gas Pipeline: Local communities asserted that the project provided inadequate compensation for people who lost land, trees, and other assets, including future income streams, and expressed their concern regarding the compensation rates and valuation methods.</p> <p>Wilmar Group, Indonesia: Local communities claimed that subsidiaries of the company commenced land clearing in customary rights land and other villagers land without prior consultation and due land acquisition process.</p> <p>Yusufeli Dam, Turkey: Local communities claimed they were not informed about resettlement sites, nor about compensation or income generations schemes. People in Yusufeli were informed that the location of the new Yusufeli town will be 400 meters above Tekkale village on a rocky steep slope without sufficient water and complete lack of earth.</p>
216	<p><u>Company Refrains from Overusing Public or Private Natural Resources Shared by the Local Community</u></p> <p>Didipio Mine: Community members expressed concerns about pollution, flooding, loss of water, and loss of access to water, as a result of the mine’s drainage tunnel.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that NHPC’s Loktak project, commissioned in 1983, had severe ecological impacts on the surrounding areas, including the destruction of the largest freshwater lake in the Indian subcontinent. They claimed that the Indira Sagar dam would submerge 91,000 hectares of land, a third of which is Central India’s largest remaining natural forest.</p> <p>Rio Madeira, Brazil: Civil society groups claimed that the dams would flood protected areas, including a reserve used by people who extract natural forest products. They claimed the dams will flood at least 700 sq. km of floodplains and forests.</p> <p>Samling, Malaysia: Civil society groups claimed the company is involved in the illegal logging.</p> <p>Tolukuma Gold Mine: Local communities claimed that the Tolukuma Gold Mine annually dumped more than 230,000 tons of waste into Papua New Guinea’s Auga-Angabanga river system. Community members alleged that fish and food supplies were destroyed from the mine’s dumping of waste into the Auga-Angabanga river system. The mine’s activities also changed river flow, leading to flash flooding and making it difficult to access food crops. Women must now walk four hours per day to access clean</p>

	<p>water.</p> <p>Vedanta resources, India: Local communities claimed that the company illegally felled hectares of the Niyamgiri forest.</p> <p>Wilmar Group, Indonesia: Local communities claimed that subsidiaries of the company commenced land clearing in customary rights land and other villagers land without prior consultation and due land acquisition process.</p>
217	<p><u>Company Ensures that Resettlement of Indigenous Peoples is with their Prior Informed Consent and that the Land is Preserved for their Return</u></p> <p>Ahafo Gold Mine: Local communities that were resettled claimed they were not part of the planning and design of the resettlement and were not happy with the reduction of the number of rooms at the resettlement site.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups reported that Aracruz built its first mill on the site of a Tupinkim village and forced approximately 7000 families to move, while not providing the compensation to everyone.</p> <p>CNPC in Sudan: Civil society groups claimed that over a hundred villages were emptied in the Melut Basin in Upper Nile State, and the natural environment was severely damaged and polluted.</p> <p>COMSUR: A complaint to CAO alleged that indigenous organizations and populations living in the area affected by the project were not consulted and provided with information in a timely and adequate manner, there were no Indigenous People's Development Plans, and there were no compensation measures.</p> <p>Didipio Mine: Local communities claimed that the company sought to circumvent regulations requiring consent from the local Barangay council. The Barangay publicly opposed the project. Communities also claimed the company misrepresented the level of support that it had received from the council. One alleged tactic was to ask community members to sign a document, to which was later added additional text expressing consent for the project.</p> <p>Iisu Dam Project, Turkey: Civil society groups claimed that no consultation with the affected population took place, and up to 78,000 people will be resettled. The exploration of the first villages close to the dam started in mid 2007, and affected people were not offered a suitable resettlement land package and received only minimal cash compensation.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups claimed that no land for land compensation was granted and for most of the villages, no resettlement sites existed at the time of submergence. Monetary compensation was paid only weeks before the submergence, and some people did not receive any cash up to the date when their villages were submerged. Other villages claimed they were not informed that the swelling waters of the reservoir would flood their houses.</p> <p>Vatukoula Mine: The Nasomo people claimed that they were dispossessed of 1,062 acres of their land in 1983. The Nasomo alleged that the mining company was given a lease on their land without their prior consultation, and despite written objections.</p> <p>West Africa Gas Pipeline: Local communities asserted that the project provided inadequate compensation for people who lost land, trees, and other assets, and expressed their concern regarding</p>

	<p>the compensation rates and valuation methods.</p> <p>Wilmar Group, Indonesia: Local communities claimed they were forced to give up their land for very little compensation.</p> <p>Yacretá Hydroelectric Project: The Inter-American Development Bank’s Independent Investigation Mechanism reported that the project had the potential to directly displace over 50,000 people. Civil society groups argued that public consultation was minimal to non-existent and that compensation and relocation packages for affected peoples was inadequate.</p> <p>Yusufeli Dam, Turkey: Civil society groups claimed that affected people were not adequately consulted. Communities claimed they were not informed about resettlement sites, nor about compensation or income generations schemes.</p>
218	<p><u>Company Honors the Land, Passage, and Usage Rights on Company-Controlled Land</u></p> <p>BTC: A CAO complaint alleged that BTC vehicles used an alternative route beginning in June 2002, through Complainant’s private land, which he used as a hayfield.</p> <p>Kalahari Diamond Mine: Indigenous, semi-nomadic San people filed a CAO complaint in November 2004, alleging they were illegally evicted from their traditional hunting grounds because of the project.</p>
219	<p><u>Company Takes All Necessary Steps to Minimize and Repair all Environmental Damage to Land</u></p> <p>Ahafo Gold Mine: Civil society groups claimed that the river Subri would dry up after the dam; the river Tano, the area’s major river, would lose water from Newmont’s pumping; and the water quality of the Awonso stream, a key water source for local communities, was likely to be impacted.</p> <p>Antamina: CAO complaint alleged that the port facilities negatively impacted the marine environment at Huarney Bay, and alleged that the facility discharged waste water and spilled metal concentrate into the bay.</p> <p>Aracruz pulp mills and plantations, Brazil: Civil society groups claimed that Aracruz destroyed more than 50,000 hectares of Atlantic forest.</p> <p>Asia Pulp and Paper project, China: Civil society groups reported that the Chinese government ordered the APP to cease its deal of purchasing of the state-owned forests because of damage caused to the forests. They also reported that APP planted eucalyptus on Hainana Island including in protected conservation areas.</p> <p>BTC: Local communities expressed concern about the risks of the pipeline crossing the watershed of the Borjomi National Park, an area of mineral water springs in Georgia.</p> <p>Bujagali: Local communities expressed concern about the dam’s impact on the health of Lake Victoria, which supports millions of people and extensive biodiversity. They claimed the project would directly affect the livelihoods of about 6,800 people, impact fisheries, and submerge highly productive agricultural land and islands of high biodiversity.</p> <p>Buyat Bay: A report, written by more than a dozen technical specialists, found that fish from the bay were laced with enough arsenic to make them dangerous for consumption, particularly for children. It also found that Newmont deposited the tailings waste in waters shallower and warmer than it had</p>

pledged in its initial environmental impact assessment. Local communities filed a \$543 million lawsuit against Newmont contending that waste, called tailings, from a nearby gold mine caused serious illnesses, including in the mother of an infant who died, and the ruin of their income from fishing.

Camisea: Local communities and civil society groups claimed that Camisea caused deforestation, erosion and the loss of fish and game populations on which local communities depend. They reported that three of the four drilling wells of Camisea's first phase are located inside a state reserve intended to protect some of the last indigenous communities still living in isolation in the Amazon basin.

COMSUR: The communities feared contamination of surface and ground water through the cyanide heap leach process used to extract the gold and potential failure in the tailings dam as well as impacts on wildlife if they come into contact with the pregnant solution. They alleged that the area poses a risk through its proximity to the Pantanal protected area.

Didipio Mine: The environmental impact statement (EIS) indicated that the mine will include a tailings dam in the Upper Dinaoyan Valley. The EIS identified the possibility of uncontrolled release of tailings due to leakage from the tailings delivery pipeline, and the company gave no indication that it addressed this concern.

Exxon Mobil in Aceh: Civil society groups claimed that natural gas flaring and chemical spills caused a range of health problems in nearby villages and industrial waste polluted rice paddies and fish ponds.

Freeport McMoran Copper and Gold Mine: In 1995, OPIC determined that the mine's tailings management and disposal practices severely degraded rainforests. They also reported that the mines made rivers unusable for local inhabitants.

Gunns Pulp Mill Tasmania proposal: Civil society groups claimed that the mill proposed to use chlorine bleaching, and was likely to consume massive tracts of native forests.

IHC Caland in Burma: Civil society groups claimed that the company cleared trees to provide corridors through the primary forests of Tenasserim, in which live elephants, tigers, tapirs and bears. They also alleged other problems such as erosion, water pollution and the build-up of silt deposits in the streams.

Iisu Dam Project, Turkey: Civil society groups alleged that over 400 sq. km of the Tigris valley and its confluents would be affected, with detrimental effects for endangered species like Euphrates Turtle.

Karachaganak: A CAO complaint contended that the proximity of Berezovka to the oil fields and the emissions from its facilities, caused residents to suffer adverse health effects including disorders of the upper respiratory tract, cardiovascular system, allergies and cognitive difficulties, including memory loss.

Kashagan Oil Project, Kazakhstan: The Kashagan oil field is located within a protected territory—the shallow nature reserve zone of the Caspian Sea. Civil society groups claimed that winter ice threatened to overrun the artificial island created for extraction activities and undersea pipelines, which could potentially cause a spill and environmental damage.

Keyelekera Uranium Mine, Malawi: Civil society groups claimed that the project sponsor proposed to allow the direct release of contaminated mine site waters under heavy rainfall conditions, while local communities continued to use the adjacent streams and rivers for water and food gathering.

Lom Pangar dam in Cameroon: Civil society groups claimed that the project will flood over 319 sq. km of some of the last remaining hardwood forests in Central Africa, including portions of the protected Deng Deng reserve which provides refuge to threatened primates.

Marcopper Mine: Local communities alleged that from 1975 to 1991, over 200 million tons of mine tailings were pumped at sea surface level into the Calancan Bay in the Philippines. Over 20,000 people rely on these waters for their food and livelihoods. Heavy metal poisoning is blamed for the deaths of at least three children and many other illnesses, including stomach pain, dementia, and cancer. Fishermen alleged that they have lost limbs due to arsenic contamination, and that they must now travel further out to sea to catch fish.

Marlin mine: A CAO complaint raised concerns that the project will reduce access by the community to local water supplies; and result in contamination of local waterways.

Mountain Top Removal Coal Mines, United States: Civil society groups claimed that hundreds of mountains were flattened in Appalachia first by clearing the forest and then blowing the top layer of rock, more than one million acres have already been lost to mountain top removal and that more than 1,200 miles of streams were buried by valley fills.

Nam Theun 2: The project is located in and adjacent to one of the largest remaining tropical forests in mainland Southeast Asia. Civil society groups claimed that the project would dramatically lower downstream flow on the Theun River and increase water levels along the Xe Bang Fai. They claimed this would destroy fish habitats, impede migration patterns and could lead to the extinction of native fish communities.

National Hydroelectric Development Corporation dams, India: Civil society groups contended that NHPC's Loktak project, commissioned in 1983, had severe ecological impacts on the surrounding areas, including the destruction of the largest freshwater lake in the Indian subcontinent. They claimed the construction of NHPC's Lower Subansiri dam on the border of Arunachal Pradesh and Assam in Northeast India repeatedly disrupted the area's wildlife. They reported that the Indira Sagar dam will submerge 91,000 hectares of land.

Orion and Celulosas Pulp Mills: CAO complainants alleged that air and water emissions from these two mills would be highly toxic, noxious, and incompatible with scenic tourism or agricultural productivity.

Rapu Rapu Mine, Philippines: Local communities expressed concern with the project's risks, because the project is located on an island with a particularly vulnerable population of 10,000 people, mostly agricultural and fishing communities, which almost exclusively depend on the natural resources.

Rio Madeira, Brazil: Civil society groups claimed that the affected region is officially classified as a priority hot spot for biodiversity, supporting the life of an estimated 750 fish species and 800 bird species. They claimed the dams will flood at least 700 sq. km of floodplains and forests, and the decline in fisheries will seriously affect commercial and subsistence fishermen.

Rosia Montana gold mine, Romania: Civil society groups and local communities claimed the gold/silver deposit is situated in and around the inhabited valley of Rosia Montana. They expressed concern with the company's plans for the adjacent inhabited valley of Corna to become the project's tailings pond facility, holding 195 million tons of cyanide-laced heavy metal tailings.

Sakhalin II: Civil society groups claimed that the sponsor installed a new oil platform adjacent to the

	<p>only known feeding ground of the approximately 120 critically endangered Western Gray Whales. They also expressed concerns with the pipeline crossing rivers, damaging salmon spawning, and causing erosion.</p> <p>Samling, Malaysia: Civil society groups claimed that this company is responsible for ongoing destruction of tropical rainforest, and violations of human rights of the local communities. They alleged that the company is involved in illegal logging.</p> <p>Tangguh: Civil society groups expressed concern that the project traverses through the world’s second largest mangrove ecosystem. Additionally, communities relying on fishing as an income claim to have seen a decrease in income due to seismic activities.</p> <p>Toka Tindung Goldmine, Indonesia: Local communities and civil society groups expressed concern that the natural reserves of Tangkoko and Dua Saudara, home to many endangered species, are adjacent to the mining area.</p> <p>Tolukuma Gold Mine: Local communities claimed that the Tolukuma Gold Mine annually dumped more than 230,000 tonnes of waste into Papua New Guinea’s Auga-Angabanga river system. Communities rely on this river system for drinking water, and attributed several deaths and illnesses to the dumping. There were many reports of deaths and illnesses due to swollen stomachs, open sores and yellow feet after drinking or walking through the water.</p> <p>Vatukoula Mine: Local communities claimed that the Vatukoula mine caused several air pollution and health problems for local communities, largely due to emissions of sulphur from the roaster stack.</p> <p>Vedanta resources, India: Civil society groups reported that Vedanta faced censure in 2004 for dumping toxic waste from the Tuticorin copper smelter in Tamil Nadu.</p> <p>West Africa Gas Pipeline: Fishermen claimed that the construction of the gas pipeline polluted the water and damaged their nets so that they were no longer able to catch fish in the area. They indicated that this was an especially serious concern because many people in the area depended upon fisheries for a livelihood.</p> <p>Wilmar Group, Indonesia: Local communities and civil society groups reported that the subsidiaries of the Wilmar Group were sued by the Indonesian authorities for intentional and systematic burning with intention to clear the land for plantation development. They claimed that these subsidiaries commenced land clearing in customary rights land and other villagers land without prior consultation and due land acquisition process.</p> <p>Yanacocha: CAO reported that in June 2000, an estimated 151 kg of mercury leaked from a flask on a truck and was spread along a 40 km section of highway that passed through three villages. CAO found that in the following weeks between two to three hundred villagers were positively identified as having some level of exposure to mercury with varying degrees of illness.</p>
220	<p><u>When Operating in a State Which Violates the Right to Own Property, the Company Refrains from Endorsing, Supporting, or Benefiting from Violation of that Right</u></p> <p>Exxon Mobil in Aceh: Civil society groups alleged that after natural gas was found in the early 1970s, the Suharto dictatorship took hundreds of acres of land in the area from villagers without compensation.</p>

Right to Participate in Cultural Life

230	<p><u>Before Purchasing the Land, Company Ensures that Activities Will Not Damage Cultural Heritage</u></p> <p>Bujagali: Local communities claimed that by drowning Bujagali Falls, the dam will submerge a place with great cultural and spiritual importance for the Busoga people.</p> <p>Camisea: Civil society groups and local communities alleged that the environmental and social assessment failed to consider vulnerable native communities of the Lower Urubamba river basin of southern Peru, on whose ancestral lands Camisea is located.</p> <p>COMSUR: The ecological value of the area is treasured by local people for its cultural, economic and social value. Local communities expressed concern with the mine’s proximity to areas that are managed for their ecological value.</p> <p>Ilisu Dam Project, Turkey: Civil society groups claimed that the project would destroy local cultural heritage, such as unexplored archaeological sites and the antique town of Hasankeyf.</p> <p>Jordan Gateway Project: A CAO complaint claimed that the Jordan River is of special spiritual and cultural significance to the people of Israel, and at the time of the complaint Israel had tentatively listed the river as a World Heritage Site.</p> <p>Kalahari Diamond Mine: A CAO complaint alleged that the company’s activities undermined the rights of the San Bushmen to remain in the reserve which they claim as their ancestral homeland.</p> <p>Marlin mine: Indigenous communities voiced concerns that mining operations would harm their natural resources, and violate their religious and cultural rights.</p> <p>Rosia Montana gold mine, Romania: Civil society groups claimed that Rosia Montana is an historic area of national interest due to the archaeological vestiges left behind by Romans roughly 2000 years ago and the majority of these would be destroyed by the project.</p>
231	<p><u>Company Ensures that its Operations Will Not Oppress or Affect the Cultural Life of the Local Community</u></p> <p>BTC: Local communities raised concern because the pipeline crosses the watershed of the Borjomi National Park, an area of mineral water springs in Georgia. Many Borjomi residents opposed the project, as the mineral water is a major export commodity, and because the acclaimed water and natural beauty draw tourists from around the region and world.</p> <p>Bujagali: A CAO complaint alleged that the project will submerge an island containing sacred burial grounds.</p> <p>Camisea: Local communities and civil society groups claimed the project will isolate the indigenous people living within the Kugapakori Nahua state reserve, show inadequate respect for communities’ right to free, prior and informed consent to this project, and will have significant impact on local culture, human health, fisheries and biodiversity. They claimed the project would violate the rights of indigenous people in voluntary isolation and initial contact that inhabit the Nahua, Kugapakori and Nanti Territorial Reserve.</p>

	<p>Kalahari Diamond Mine: A CAO complaint alleged that Sekaka’s activities undermined the rights of the San Bushmen to remain in the reserve which they claim as their ancestral homeland.</p> <p>Marlin mine: CAO found that the government and project sponsor did not comprehensively consider the local norms for community decision-making about community matters that affect the populace.</p> <p>Pangue Bio Bio River: CAO reported that local communities considered their compensation for purchase of their land insufficient, and raised concerns that the sponsor did not consider buying land from all the families that reside there. This is especially important because according to Pehuenche tradition, the use of winter and summer lands is an integral part of their culture.</p> <p>Toka Tindung Goldmine, Indonesia: Civil society groups claimed there was no consultation process and majority of the North Sulawesi’s population was strongly opposed to the gold mine project.</p> <p>Tolukuma Gold Mine: Local communities expressed concern that mining activities led to a loss of community identity and tradition. They claimed that sacred sites along the river were covered by sediment, and aquatic life was destroyed.</p>
232	<p><u>When Operating in Countries Where the Government Violates this Right, the Company Refrains from Endorsing, Supporting, or Benefiting from those Violations</u></p> <p>Marlin mine: CAO found that the government and project sponsor did not comprehensively consider the local norms for community decision-making about community matters that affect the populace. According to CAO’s report, given the predominance of the Mayan identity of the region’s inhabitants and their local norms, an analysis of Mayan customary perspectives and local decision-making norms as they may relate to mining would have significantly enhanced the consultation processes.</p>

Right to Peaceful Assembly and Freedom of Association

236	<p><u>Company Complies with Collective Bargaining Agreement, Including Dispute Resolution</u></p> <p>N/A</p>
237	<p><u>Company Recognizes Workers’ Representatives and Trade Unions, and Engages Them on All Important Workplace Concerns</u></p> <p>Vatukoula mine: Workers at Vatukoula began striking in 1991 to protest against unsafe working conditions, poor pay, substandard housing, and social and environmental issues. Occupational health and safety concerns remain at the center of workers’ complaints and the condition of company-provided housing also remains poor. While many workers bought houses from the company at low cost, they claimed they cannot afford the repairs needed to their houses and shared toilet and shower facilities because of the low wages they earn. Women claimed to be especially disadvantaged as they experienced difficulty in gaining employment beyond certain low-skill roles. Additionally, they did not receive any maternity leave and had to reapply for their jobs after taking leave to give birth.</p>
238	<p><u>Company Refrains from Endorsing or Promoting One Union Over Another</u></p>

	N/A
239	<u>Company Refrains from Unduly Influencing Union Leaders to Detriment of Employees</u> N/A
240	<u>Company Prohibits Intimidation, Harassment, Violence Against Union Workers, Especially When Striking or Bargaining</u> Vatukoula mine: See #237 above.
241	<u>Company Refrains from Dismissing Union Officers During Their Term Except for Serious Misconduct, And Justifies Those Dismissals</u> Vatukoula mine: See #237 above.
242	<u>Company Allows Union Representatives on Company Property and Provides Them with the Necessary Information</u> N/A
243	<u>Company Does not Impede Union from Joining National or International Trade Union</u> N/A
244	<u>Company Does not Discriminate on the Basis of Organizational Membership</u> N/A
245	<u>In Areas Where Unions Do not Exist, Company Allows Employees to Gather Independently to Discuss Work-Related Problems</u> N/A
246	<u>Company Respects the Rights of its Workers to Join and Form Unions and Bargain Collectively</u> Vatukoula mine: See #237 above.
247	<u>When Operating in Countries Which Violate this Right, Company Refrains from Benefiting, Endorsing, or Supporting these Violations</u> N/A
248	<u>Company Does Not Petition the Government to Curtail the Rights of Assembly and Association of Local Communities, Especially When Protesting Local Operations</u> Dikulushi Mine: Local communities and civil society groups claimed that in 2004, the Congolese military suppressed an uprising near Anvil's Dikulushi mine, killing at least 70 civilians. A UN investigation found the copper-mining company loaned a plane and vehicles to

	<p>the troops, and that Anvil drivers helped transport corpses after the massacre.</p> <p>Marlin mine: In early 2005, local people protested the establishment of the mine and blocked roads to prevent transportation of equipment through Solola and other towns on the way to the site. The military allegedly broke up the protests; 11 people were injured, one was killed.</p> <p>National Hydroelectric Development Corporation dams, India: Civil society groups alleged that in 2001, the police killed eight people protesting an NHDC project.</p> <p>Phulbari Coal Project: On August 26, 2006, the paramilitary group Bangladesh Rifles allegedly fired upon a crowd of over 20,000 people as they staged a protest against the proposed open pit mine. Three people from Phulbari were killed in the shootings, one was paralyzed, and several hundreds were injured.</p>
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Right to Take Part in Government

286	<p><u>Company Refrains from Bribing Government Officials in Matters Pertaining to Public Interest</u></p> <p>Didipio Mine: Some community members have alleged that the company attempted to obtain approval for the proposed mine by offering material incentives to political officials, such as money, land, cars, and houses. For instance, it is alleged that the company attempted to bribe members of the local Barangay council, which was required by law to give its consent for the project.</p> <p>Freeport McMoran Copper and Gold Mine: The New York Times cited company documents outlining the massive extent to which Freeport management have been allocating money to individual Indonesian military and police officials. These records documented that between 1998 and 2004, the corporation paid well over U.S.\$20 million to military and police generals, colonels, majors and captains, and entire military units.</p> <p>Keyelekera Uranium Mine, Malawi: Civil society groups claimed that Paladin paid the chiefs of the local community and promised communities new schools, roads, and internet, but did not allow the communities to participate in any kind of consultation.</p> <p>National Hydroelectric Development Corporation dams, India: In 2004, the Loktak project's chief engineer was charged for corruption in a local court in Manipur.</p>
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Right to Work and Just and Favorable Conditions of Work

291	<p><u>Company Protects Young Workers from Work that is Harmful to their Health, Safety, and Moral Development</u></p> <p>N/A</p>
292	<p><u>Working Conditions for Young Workers are Favorable and Consistent with International Standards</u></p>

	N/A
311	<u>Company Pays Wages on a Regular and Frequent Time Schedule</u> Vatukoula Mine: Workers have protested allegedly unsafe labor conditions and low wages since 1991.