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**Haitian Communities File Complaint about World Bank-Supported Mining Law
*Sound Alarm about Lack of Participation, Environmental and Social Protections***

(NEW YORK, SAN FRANCISCO, PORT-AU-PRINCE Jan. 7, 2015)—Haitian communities and organizations filed a complaint with the World Bank regarding Bank-supported activities to develop Haiti’s mining sector today.[1] The complaint alleges that the Haitian populace has been left out of World Bank-funded efforts by the Haitian government to draft new mining legislation intended to attract foreign investors to exploit Haiti’s gold and other minerals. Complainants contend that the Bank has failed to follow its own social and environmental safeguard policies or ensure that the new legal framework adheres to international best practices. They fear that allowing the mineral sector to develop without much-needed human rights and environmental protections and without public consultation could harm rather than help Haiti.

“The mining law will attract investment from foreign mining companies and yet the government does not have the ability to monitor environmental impacts or to promote the interests of the affected communities,” said Nixon Boumba, a representative of the *Kolektif Jistis Min* (Mining Justice Collective), a group of six Haitian organizations and dozens of communities who filed the complaint. Haitian people who have had the chance to learn about the government’s efforts to develop the sector share serious reservations about the new mining law and the broader effort to encourage mining: over 400 people in Haiti have signed a petition stating their concerns with mining sector development and demanding access to accurate information about mining and its potential impacts on Haitian people and the well-being of the country. The petition also requests a national debate and a full, public review of this strategy before the proposed mining legislation is finalized.[2]

Some communities in Haiti have already had negative experiences with companies exploring for minerals on or near their land. “We have seen impacts that make us worry,” explained a complainant and community leader from northern Haiti. “People who have begun to understand what mining could mean, what an open-pit mine is, they are worried about how it will affect the environment and the way we live now.” Communities also claim that companies have already drilled and excavated on their land without seeking proper consent.

Complainants also fear the consequences of encouraging mining without ensuring the Haitian government’s ability to enforce social and environmental protections. The government has suffered from inadequate resources and failed regulatory processes for years, and the country’s recent protests and governmental instability underscore ongoing capacity issues.[2] “The World Bank is backing a law to promote investment in mining at a time of growing political turmoil,” said Professor Margaret Satterthwaite of the New York University School of Law Global Justice Clinic, which represents affected Haitian communities. “It would be irresponsible to open up the sector in the context of such governmental instability and without a full analysis of its impacts.”

“The World Bank’s assistance aims to change the entire legal regime for mineral mining in Haiti,” said Sarah Singh of Accountability Counsel, an organization representing affected Haitian communities. “Given the serious social and environmental risks associated with this industry, the Bank must ensure that the new law is developed with participation from civil society and includes provisions to protect human rights and adhere to international best practices.”

Notes for editors

1. The complaint has been submitted to the World Bank Inspection Panel, an independent office that investigates allegations by people who claim to have experienced harm or who fear future harms as a result of World Bank projects. The complaint is available at:
http://www.accountabilitycounsel.org/wp-content/uploads/2014/07/ENG-Complaint_FINAL.pdf.
2. The Collective continues to collect signatures to the petition, which they plan to present before Parliament.
3. Elections have been repeatedly postponed since 2011, leading to rising political protests. If no elections are held before mid-January, Parliament will be automatically dissolved and President Martelly has announced that he will begin to rule by decree.

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