Serving Communities: This summer, we are busy serving clients in ten countries around the world. As ever, our approach is to assist our clients -- at their request -- to voice their concerns about human rights and environmental abuses. Our clients in Liberia and India are challenging abusive agribusiness projects, while in Bangladesh, Mongolia, the U.S. and Russia, our clients face harm from mining, oil and gas projects.

In Panama, Nepal and Kenya, we are working with groups facing involuntary displacement and environmental problems caused by infrastructure projects, and in Malawi, our clients face a World Bank project denying them access to water.

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

In our policy advocacy, we are participating in formal notice and comment periods at a number of institutions, feeding lessons from cases into advice for improvement, and providing thought leadership on the uptake of the UN's Guiding Principles for Business and Human Rights.

We are growing! In July 2013, we welcomed our fourth employee, Associate Director, Alyson Finley. She joins our team as we continue to multiply our impact on a lean budget through close collaboration with pro bono law firms, law school clinical programs, and our student Law Fellows and Interns.

Visit us online! Read about our work, meet our staff, and learn how you can become involved at www.accountabilitycounsel.org.
Supporting Nomadic Herders in Mongolia:

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

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

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

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

In December 2012, Accountability Counsel and an international coalition of groups published a detailed critique of the project’s social and environmental impact assessment, pointing out Rio Tinto’s failure to comply with fundamental World Bank rules that should have been protecting the nomadic herders.

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

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

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

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

The World Bank’s Problem Project

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

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

Action to Date

Due in part to community resistance, completion of the transmission line has been delayed. In December 2012, the Bank restructured the loan with the goal of completing the project by the end of 2013.

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

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

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

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

Complaint Moves Forward in Bangladesh

Accountability Counsel supports the struggle of communities in Northwest Bangladesh who are opposing the Phulbari Coal Mine, a project of GCM Resources. The mine would displace up to 220,000 people and threaten one of the world’s largest remaining mangrove forests and a UNESCO World Heritage site. Accountability Counsel assisted a coalition of organizations with a complaint to the United Kingdom’s OECD National Contact Point regarding human rights abuses associated with the proposed mine. On June 14, 2013, the National Contact Point accepted the complaint and the case is moving forward.
We are thrilled to welcome our new Associate Director, Alyson Finley. Alyson comes to us with pro bono experience working on a number of our cases, including contributions to our case in Russia and extensive field work in Liberia.

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

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

Please join us in welcoming Alyson!

Thanks to our Pro Bono Attorneys
In the past six months we have been proud to collaborate with the following pro bono partners:

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

Thanks to our Law Fellows & Interns
With us summer 2013 are Law Fellows Imron Bhatti of Davis Law (top left), Christine Dutko of Berkeley Law (bottom left), Rebecca Gerome of NYU Law (top right) and Intern Amanda Swenson of Princeton University (bottom right). Thanks also to our Fall 2012 and Spring 2013 Law Fellows and Interns: Caitlin Daniel, Julie Hunter, Scott Idiart, Sarah Jornsay-Silverberg and Jayna Sutherland, Libby Orrick and Esther Galan.

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

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

Malawi: Water Rights
Along with Malawi-based Citizens for Justice, we support local people harmed by a World Bank water meter project that is making water harder and more expensive to access. We are assisting with a complaint to the World Bank Inspection Panel that was filed in May 2013, but to date has not been registered, in violation of the Panel’s rules.

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

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

Support Accountability Counsel
We welcome your tax-deductible donation to support Accountability Counsel’s continued success. You can donate online through our website or by check to our address below. Thank you for making our work possible!

Accountability Counsel
8 California Street, Suite 650
San Francisco, California 94111
United States of America

info@accountabilitycounsel.org
www.accountabilitycounsel.org

phone: 1.415.296.6761
fax: 1.415.520.0140

Please sign up for our newsletter by emailing us at: info@accountabilitycounsel.org

Engage:

@nataliebridgema
Accountability Counsel