Report

Second Meeting of the African Coalition for Corporate Accountability

Held in Addis Ababa, Ethiopia from 18 to 20 September 2014

Global Rights

December 2014
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Executive summary

From 18 to 20 September 2014, almost 60 participants coming from 19 African countries representing 45 civil society member organizations, funders and friends of the African Coalition for Corporate Accountability (ACCA) met in Addis Ababa, Ethiopia for the Second Meeting of the ACCA. The meeting, which was strategically planned to coincide with the first-ever African Regional Forum on Business and Human Rights, was a milestone for the ACCA and laid the foundation for the coalition to be sustainable and locally-led.

Key goals achieved from the meeting were:

- Defining what the ACCA stands for in a vision, mission and strategy statement that participants generated and agreed to;
- Defining the coalition’s governance structure;
- Electing seven civil society organizations to serve on the coalition’s regionally and linguistically balanced steering committee;
- Agreeing on the contours of a visionary action plan.

Attendees expressed their appreciation for the participatory nature of the meeting. They were also grateful for the preparation that the facilitators had done in advance of the meeting, including the research on options for a governance structure, the history of building the coalition, and collecting and documenting members’ ideas for action.

Participants came away with a real and perceived sense of owning the process of laying the structural foundation of the coalition. The meeting was convened by Global Rights, and made possible through the generous support of Australian Aid, an anonymous donor, American Jewish World Service, the Fund for Global Human Rights and Oxfam Novib. A special thanks is extended to the meeting’s three facilitators, led by Sheila Keetharuth and supported by Meetali Jain (Centre for Human Rights, University of Pretoria) and Lien De Brouckere (Global Rights).

As a significant demonstration of its voice and power to engage on the issues on the continent, ACCA had robust participation in the African Regional Forum on Business & Human Rights. Representatives of ACCA member organisations spoke as panelists on 9 of the Forum’s 12 sessions on a wide range of topics, and the ACCA issued a statement on the Forum.

1. Who was there?

Participants
59 participants gathered over the course of the Second Meeting, including the following representatives: 2 from affected communities, 9 from community-based organizations, 34 from civil society organizations operating nationally or at the provincial level, 4 from other coalitions and networks, 6 from funding organizations, 3 facilitators, and 1 guide for a visually impaired participant. Almost half of the participants indicated French was their primary language, and the meeting had simultaneous French-English interpretation.
Participants came from 19 countries in Sub-Saharan Africa, including Cameroon, Chad, Cote d’Ivoire, Democratic Republic of Congo, Equatorial Guinea, Ghana, Guinea, Kenya, Mali, Mauritius, Mozambique, Nigeria, Republic of Congo, Rwanda, South Africa, Tanzania, Togo, Uganda, and Zimbabwe.

**Selection Process**
Participants were selected to attend the Second Meeting by the convenor, Global Rights. In July 2014, Global Rights sent an email to the ACCA mailing list and other networks asking those interested in attending the Second Meeting to complete an online form expressing their interest. Participants were selected from the pool of persons who completed the form based on a number of criteria, including: representing organizations with a demonstrable record of working on corporate accountability issues, representing a diversity of regions, languages and scale of work (such as community-based or national-level work), demonstrable interest and commitment to the ACCA, and successful participation in prior ACCA or Global Rights regional workshops.

**2. What does the ACCA stand for? Vision, Mission and Strategy**
Based on the ACCA Declaration that sets out the coalition’s fundamental principles (see Annex 2), meeting participants agreed by consensus on the ACCA’s vision, mission and strategy. The consensus was reached during discussion in plenary of the results of the discussions held in 3 groups: 2 focused on vision and mission, and 1 on strategy. The 2 small groups tasked with vision and mission had an additional working session to reconcile their texts.

The following text was adopted:

**Vision**

*ACCA’s vision is a continent where communities’ right to development is fulfilled and their agency to fully participate in the exercise of this right is respected. We envision an Africa where human rights are promoted, protected, and respected by business and governments, and victims and affected communities of human rights violations have access to adequate and effective remedies.*

**Mission**

*The ACCA facilitates an alliance that crosses borders and creates a strong and united African network of civil society organisations and communities. The coalition seeks the protection and promotion of human rights in relation to business activity. The ACCA provides a regional platform to share information and knowledge among its Members and communities and between ACCA and other coalitions and organisations.*

**Strategy**

*ACCA will use policy advocacy, evidence-based research, capacity-building and technical support to promote community rights, as affected by businesses, at regional and international levels, while also focusing on national domestication and implementation of regional and international mechanisms.*
Annex 3 provides a timeline summary of the many meetings and activities that preceded the ACCA meeting, and which was presented to participants as a means of documenting the process that preceded the Second ACCA meeting.

### 3. What governance structure was agreed to? The Steering Committee and the Coordinator

**Options generated before the meeting**

Before arriving in Addis Ababa, confirmed participants received a working document whose purpose was to generate options for a structure and governance of ACCA to be discussed at the ACCA meeting. The draft was compiled by Meetali Jain and Lien De Brouckere, as interim co-coordinators, in the hope of identifying in advance issues where members agree, and other issues which would warrant in-depth discussion. The goal was to help maximize the limited time for in-person discussion.

The interim co-coordinators compiled the first version of the draft from the following sources:

- Discussions during the ACCA meeting in Accra in November 2013.
- Research completed by three law students from Ghana, Mozambique and South Africa enrolled in a Business & Human Rights legal clinic at the University of Pretoria’s Centre for Human Rights, working under the supervision of Meetali Jain and Josua Loots.
- Analysis by the International Corporate Accountability Roundtable (ICAR) of the structure and norms of collaboration of three corporate accountability coalitions: ICAR, the European Coalition for Corporate Justice (ECCJ), and the Corporate Responsibility Coalition (CORE).
- Analysis by Global Rights of the structure and norms of collaboration of the Bank on Human Rights coalition.

The first draft was sent by Global Rights for review and comment to 11 organisations who were signatories to the ACCA declaration and were closely involved in the ACCA since its inception, including 4 organisations who participated in one of the formative meetings, in London in October 2012. Global Rights received comments in written form and via phone call from 8 of the 11 organisations contacted. Those organisations’ comments were incorporated into the second version of the document, which was distributed to confirmed participants.

**Outcomes**

Meeting participants agreed by consensus on the ACCA’s governance structure at the conclusion of discussing the issues in plenary. The plenary discussion was based on the discussions they had in 6 small groups, each assigned one of the following topics: members, steering group, coordinator, advisory board, engagement strategy and funding.

Some of the key outcomes agreed upon include:

**Members**

*The Members are organisations who operate within Africa or work on issues in Africa, whether in the diaspora or as an international organisation.*

**Steering Committee**
The Steering Committee (and not 'Steering Group') shall be composed of 7 member organisations, striving for regional and linguistic balance. The Coordinator shall have an ex officio role in the Steering Committee. Steering Committee members shall have 3-year terms, renewable one time. Steering Committee decision-making shall be by consensus, and position statements will be made on an opt-out basis.

Coordinator

The Coordinator shall be a bilingual individual hired competitively according to their professional competence by the Steering Committee. The Coordinator shall maintain the ACCA’s independence from any Member organisation’s internal organizational pressures, and ideally be housed with a fiscal and administrative sponsor. The Coordinator shall be responsible for the day-to-day running of the ACCA, and shares responsibility for fundraising with the Steering Committee.

4. Who was elected to the steering committee?

Steering Committee Members
Meeting participants elected the following seven organisations to the ACCA Steering Committee:

1. Zimbabwe Environmental Law Association (ZELA), Harare, ZIMBABWE
2. Public Interest Law Center (PILC), CHAD
3. Legal and Human Rights Centre (LHRC), Dar es Salaam, TANZANIA
4. Global Rights Nigeria, Abuja, NIGERIA
5. Groupe de Recherche et de Plaidoyer sur les Industries Extractives (GRPIE), Abidjan, COTE D’IVOIRE
6. Rencontre pour la Paix et les Droits de l’Homme (RPDH), Pointe-Noire, CONGO
7. Maison des Mines du Kivu, DEMOCRATIC REPUBLIC OF CONGO

Election Process
The facilitators presented a voting protocol to the meeting participants that proposed how the elections would be conducted. The protocol described the following: the nomination process; voting eligibility limited to signatories of the ACCA declaration; mechanics of how to vote using the form created with Google Forms; and run-off process in case of a tie vote. Meeting participants did not raise any objections to the proposed protocol.

The list of Steering Committee (SC) member nominees was then presented on the screens in the meeting room, as well as the desired qualities of SC members that had been identified in the background document and during the prior day’s discussion. These qualities included adherence to the organisation’s vision for ACCA, relevant subject-matter expertise and fundraising experience, regional and linguistic balance, responsiveness, and gender balance (in terms of both representation and expertise). A representative of each the 16 nominee organisations was given 3 minutes to make a short presentation to the plenary touching on these qualities. Participants were then given time to vote using the link to the Google Form voting ballot.
5. What will the ACCA do now? Action Plan

After the conclusion of the meeting, Steering Committee deliberated on the suggestions for actions generated by meeting participants, and prioritized these activities over the next two years into the following action plan covering three areas:

**Community rights.** ACCA will build regional and continent-wide communities of practice of ACCA members and allies, to enhance protection of and respect for communities’ human and peoples’ rights, especially the right to free, prior and informed consent and the right to participate in the exercise of their right to development. This objective can be furthered through a number of avenues identified by ACCA, including evidence-based research to develop content in the form of fact sheets and a suite of tools for civil society to use, building on the work of the African Commission on Human and Peoples’ Rights; community-to-community exchanges and experience-sharing; sharing of information and knowledge among CSOs in regional meetings and side events thereto; as well as advocacy by means of letters to governments, financial institutions and others on their duty to respect communities’ human and peoples’ rights; and sharing information with external stakeholders about violations of these rights in ACCA’s name, to protect the identity and security of member organisations. Our partners in this work will include regional and national networks.

**Access to remedy.** ACCA will advocate to ensure that remedies are strengthened and obstacles to justice are eliminated for victims of business-related human rights abuses. ACCA observes that the need to facilitate access to regional and international mechanisms is particularly acute where State remedies are weak or non-existent. This objective can be furthered through evidence-based research and case studies mapping issues in the areas of compensation, enforcement and restitution for judicial remedy, in addition to issues in the areas of availability and effectiveness of available mechanisms for non-judicial remedy; regional training workshops on accountability mechanisms for civil society organizations and key members of national judiciaries; mapping national legislation in the area of business and human rights; and networking to connect ACCA members with partners who can lend case-specific litigation and advocacy support. ACCA will monitor the cases proceeding through the African human rights system to identify possible opportunities for submitting amicus briefs on issues related to access to remedy.
**Capacity building.** A third and essentially cross-cutting theme in the ACCA’s work will be capacity building in areas of advocacy, engagement with the media, and using African regional and United Nations human rights mechanisms to further the agendas of member organisations. There is a keen interest among member organisations to design and improve ACCA and its Members’ engagement with media at the regional, continental and international levels to ensure a balanced and compelling portrayal of respect, protection and fulfilment of communities’ human and peoples’ rights in the context of business activities. This objective can be furthered by developing guidelines and media trainings for Members on effective local, national, regional and international media engagement; through collaborations with independent investigative journalists, as well as organizations such as Journalists for Human Rights (JHR) and the International Service for Human Rights (ISHR).

The Steering Committee deliberated on the ACCA’s action plan. Meeting participants had generated a long list of potential actions and tasked the Steering Committee with prioritizing these and composing a concrete action plan. Specifically, participants worked in small groups to apply the ACCA’s chosen strategies to the four key issue areas identified in the ACCA declaration. These small groups focused on: individual and collective rights, including support for affected communities, labour rights, right to remedy, State implementation, and coordination with other relevant coalitions (development finance, tax justice, etc.).

As a result of participating in the Forum and meeting, participants gained new knowledge on techniques to improve corporate accountability and protect and promote the human rights of communities impacted by business operations. The meetings provided the opportunity for members to form linkages and alliances with peer organizations on the continent as well as with experts to further their common concerns related to business and human rights. The gathering also enabled members to meet with national interlocutors that are uniquely available at such international forums while frequently not similarly available and accountable in the home country. The joint contributions and action by the assembled ACCA members gave voice to and reflected the concerns of local communities. Participants indicated that they would share the lessons learned with their constituencies.

### 6. ACCA Engagement with the African Regional Forum on Business & Human Rights

**Participation**

On 16 to 18 September, ACCA members participated in the African Regional Forum on Business and Human Rights, which was co-hosted by the African Union Commission (AU), the United Nations Economic Commission on Africa (UNECA), the Office of the High Commissioner on Human Rights (OHCHR) and the United Nations Working Group on Business and Human Rights. The Regional Forum was a multi-stakeholder gathering intended to promote further implementation of the United Nations Guiding Principles on Business and Human Rights on the continent.
During the Regional Forum's sessions on 17 and 18 September, it was hard to miss the strong and articulate participation of ACCA members -- they served as panelists in 9 of the Forum’s 12 sessions. The members were also diverse, ranging from national-level organizations working at the policy level, to provincial organizations, to grassroots groups building community capacity and local dialogue, to representatives of affected communities. ACCA members covered the spectrum of Regional Forum topics, including multi-stakeholder dialogue, extractive industries, investment in land, access to judicial remedy, operational-level grievance mechanisms, an African strategy for the business & human rights agenda, strengthening implementation of the state duty to protect, and the closing plenary.

During the closing session, Tutu Alicante (EG Justice) made a passionate call for respect for African civil society organisations, including respect and resources for the ACCA. Margaret Jungk, a member of the UN Working Group, thanked Global Rights during her closing remarks for its crucial support in ensuring robust participation by affected community members and civil society organisations in the Forum.

**ACCA Statement**

On 18 September, Global Rights facilitated an open discussion among more than 30 ACCA participants with their reflections on the Regional Forum, on which basis the group drafted a statement that was discussed and agreed upon in plenary as one for organisations to sign on to. Subsequently several members not present on 18 September suggested modifications to strengthen the statement. In early October, the Steering Committee decided that the statement would be released as a statement by the ACCA and that the additional views would be added to it, as they were entirely consistent with the ACCA Declaration.

7. Side event on ‘what to do when project impacts are in dispute’

On 16 September, almost all ACCA members present in Addis Ababa participated in an interactive side event on “What to do when project impacts are in dispute? Joint learning on participatory monitoring and joint fact-finding” co-hosted by Global Rights and the World Bank Group’s Office of the Compliance Advisor Ombudsman (CAO), with the support of the United Nations Global Compact. Scott Adams of the CAO and Lien De Brouckere of Global Rights were the co-facilitators leading the 3-hour session.

More than 100 participants attended, with more than two-thirds from civil society, and the remaining participants represented businesses and government.

During the side event, Scott introduced the CAO and then Lien and Scott engaged the audience in a discussion about participants’ experiences with participatory water monitoring. Participants divided themselves into small groups, each of which was given a hypothetical case about participatory monitoring that had been prepared in English and French. Participants were also presented with several examples of joint fact-finding, which participants had many questions about.

The topic of the side event inspired a wide ranging discussion including issues such as illiteracy of communities and ‘romanticizing’ of community knowledge, legitimacy of community representation, combining two levels of knowledge, two-way capacity-building (meaning of companies and of communities), recording stories in a digital form, government and democracy, and to the necessity of negotiated outcomes being rights-compatible and bound by applicable laws.
Participants had overwhelmingly positive feedback to the side event, especially in two respects: first for the very participatory and interactive nature of the session, and second for new approaches and ideas that were delivered.
## Annexes

### Annex 1: List of Participants

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<tr>
<th>Name</th>
<th>Organization</th>
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<tr>
<td>Abioudun Baiyewu</td>
<td>Global Rights Nigeria</td>
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<td>Aboubacar Diallo</td>
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<td>Barbara Paoletti</td>
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<td>Ben-Bellahm (Matthias) Donat Mpiana</td>
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<td>Benard Ochieng Obara</td>
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<td>Daniel Faabelangne Banuoku</td>
<td>Centre for Indigenous Knowledge and Organizational Development (CIKOD)</td>
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<td>Delphine Kemnéloum Djiraïbe</td>
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<td>Dickay Kunda</td>
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<td>Dieudonné Tshipidimbua Mujanayi</td>
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<td>Emmanuel Umpula Nkumba</td>
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Annex 2: ACCA Declaration

At the launch of the ACCA in late November 2013, the ACCA Declaration was carefully deliberated upon, formulated, and adopted by the participants in the meeting in Accra, Ghana. Civil society organizations that wish to join the ACCA as members have been asked to sign this declaration, which states as follows:

We, the undersigned organisations, some of which came together in 2012 to create a regional coalition for corporate accountability, announce our intention to launch the African Coalition for Corporate Accountability (ACCA).

We, the undersigned organisations, support African communities and individuals whose human rights are adversely impacted daily by the activities of corporations, both multi-national and domestic. We are civil society organizations working on issues ranging from mining and other extractives industries, public and private security sector accountability, natural resource rights, including land acquisition, tenure and property rights, financial regulatory policy, as well as accountability mechanisms for human and peoples rights, and environmental rights.

We welcome the United Nations Guiding Principles on Business and Human Rights (“UN GPs”), universally endorsed by the United Nations Human Rights Council, as an important international framework to advance corporate accountability. We however note that the UN GPs, as currently framed and understood, do not fully reflect the experiences and concerns of our constituencies and are currently failing to change lived realities on the ground. We understand that the Guiding Principles impose a State duty to protect, and a corporate responsibility to respect, human rights; however, this is complicated by the reality of weak African States with weak or non-existent legal frameworks, collusion between States and corporations, and the privatisation of State duties.

We express grave concern about the impunity with which companies continue to operate in our jurisdictions in the absence of strong State regulation and enforcement of civil and criminal liability. In particular, we note the distinct and systemic human rights challenges experienced on the African continent: a persistent infringement of collective and individual rights; unregulated exploitation of natural resources; the lack of access to effective remedies; the absence of transparency and effective coherent policies in respect of financial governance; a lack of bargaining power in contractual negotiations; and unlawful use of force by state and non-state actors. We also note the gendered manner in which these corporate harms disproportionately affect those with less power in our communities.
The formation of our coalition, the ACCA, is a recognition of the similar corporate harms we address in our work and an effort to come together in solidarity to better address these challenges through shared strategies and joint advocacy. We commit to rigorous advocacy with regional and international institutions, governments, national human rights institutions, companies, and communities to implement the UN GPs in a critical and nuanced manner that reflects the challenges of advancing corporate accountability in Africa. We commit to working collaboratively, communicating our strategies, advocacy plans and efforts in the hopes of knowledge and information sharing. Recognising the multiple and distinct challenges we face, we identify the following initial issues impacting our constituencies and communities:

1. **The need for enhancing the protection and respect for collective and individual rights in relation to the activities and relationships of business enterprises**

   a. Collective rights, as articulated in the African Charter on Human and Peoples’ Rights, and applicable international human rights instruments, includes the right to self-determination; the right to freely dispose of their wealth and natural resources; the right to a healthy environment; and the right to their economic, social and cultural development considering their freedom, identity and common heritage. These rights must be protected by States and, at a minimum, respected by corporations.

   b. Free prior and informed consent is a non-negotiable threshold for every aspect of projects likely to affect communities. Communities must be able to participate in decisions affecting them and their livelihoods, including through the negotiation and life cycle of a project.

2. **The need for enhancing the protection and respect for labour rights in relation to business enterprises**

   a. Recognizing that labour rights must include consideration of health and safety not only of those employed by the business, but also those affected by business activities.

   b. Labour rights need to be committed to by governments, and where labour protections do exist, they must be enforced.

   c. Labour rights need to be respected by corporations, and where labour rights are weak, corporations should adhere to regional and international labour rights protections.

3. **The need to ensure that remedies are strengthened and obstacles to justice are eliminated.**
a. Those affected by corporate-related human rights abuses must have a clear, effective and independent means of seeking remedy, both judicial and non-judicial.

b. Facilitating access to regional and international remedies must be a priority, especially where State remedies are weak or non-existent.

4. The lack of implementation of the State duty to protect human and peoples rights, and environmental rights.

   a. African governments must develop national implementation plans to communicate the steps they are taking to ensure human rights are protected in relation to business activities.

   b. Governments must ensure transparency and access to information from both public and private actors, including in contracts, agreements and other information that materially affects community interests.

   c. African governments must ensure the effective enforcement of legal frameworks that seek to promote human rights protections in relation to business enterprises where they exist, including creation and enforcement of legal requirements of human rights due diligence on corporations.

Our coalition, the ACCA, seeks to ensure that these critical issues are addressed. We express our commitment towards advocacy, engagement and critique to ensure that governments from our diverse set of countries across Africa are engaging in the promotion and protection of human rights in relation to business activity, and that corporations at a minimum respect human rights in all of their operations.

We will continue our work and commitments until these objectives are achieved, and we commit to working with regional and other supportive partners to ensure that this becomes a reality.
Annex 3: The Road to Meeting in Addis Ababa

Here we include a timeline summary of the meetings and activities that preceded the Second Meeting of the ACCA in Addis Ababa. This summary was also presented at the opening of the meeting and circulated to confirmed participants in advance.

Conakry meeting in March 2011
At a meeting hosted by Global Rights in March 2011 in Conakry, Guinea, 13 leading civil society advocates from Liberia, Sierra Leone, Mali, Ghana, Côte d’Ivoire, Congo-Brazzaville, and the Democratic Republic of Congo, as well as a dozen Guinean civil society representatives participated in a regional workshop on natural resource exploitation and the rights of affected communities. This meeting was made possible by the Ford Foundation and the National Endowment for Democracy. Participants discussed ongoing efforts to coordinate their work within the Mano River Union platform, especially selecting and finalizing common goals and objectives for the network, upcoming activities, and governance issues. At the conclusion of the meeting, participants adopted the Conakry Declaration (see Annex 4).

London meeting in October 2012
From 8 to 11 October 2012, Global Rights hosted a regional training workshop in London on Extractive Industries, Business & Human Rights for 12 of its local African partner civil society organizations (CSOs). This meeting was made possible thanks to the Ford Foundation. There, participants were introduced to and discussed topics including the United Nations Guiding Principles on Business & Human Rights, the Business & Human Rights Resource Centre, a road map for monitoring extractive industries contracts, the United Nations principles for responsible contracts, the Voluntary Principles on Security and Human Rights, obstacles to remedy, and human rights due diligence, as captured in the agenda, presentations and workshop report available online.

It was in London that the participants were first introduced to the work and team of the International Corporate Accountability Roundtable (ICAR). It was through this meeting and discussion that Global Rights’ local partners expressed a keen interest in launching an African coalition for corporate accountability. In response to this interest, Global Rights, together with critical support from ICAR, raised funds to make the launch of the coalition possible.

Mapping NGOs in August 2013
Global Rights received responses from 21 out of 23 CSOs in 18 countries from Western, Eastern and Southern Africa to a detailed questionnaire, including both francophone and anglophone partners. In the questionnaire, Global Rights invited each organization to introduce themselves, and talk about their aspirations for what a coalition on business & human rights could do, their experiences, and the business and human rights issues they wanted to learn more about. The answers were intended to inform selecting topics for both distance learning modules and a regional workshop. Key topics that emerged include grievance and accountability mechanisms, coalitions on corporate accountability, human rights due diligence, and open contracting.
Distance learning from August to September 2013

In the first distance learning module in August 2013, a Google Hangout, Michael Addo of the UN Working Group on Business & Human Rights answered questions from a number of African CSOs on the challenges they face in implementing the UN Guiding Principles. He also lent the Working Group’s support to this initiative.

Our local partners were also e-introduced to the emerging Latin American civil society 'bloc' on business & human rights at the first-ever UN Latin American regional forum on business & human rights.

In September, the learning modules focused on the system of remedy and grievance mechanisms, including a Prezi on the system of remedy for business-related human rights abuses, a presentation with guidance and references, and a series of phone calls with the World Bank's Compliance/Advisor Ombudsman. In October, our partners piloted a 3-week e-learning course on Human Rights & Business developed by the Danish Institute for Human Rights, with modules on the UN Guiding Principles, the role of National Human Rights Institutions in Human Rights and Business, and African regional frameworks and standards on Business and Human Rights. Later learning modules focused on open contracting, and included webinars and phone calls together with the World Bank Institute and the open contracting movement they are building.

Accra meeting in November 2013

From 25 to 27 November 2013, Global Rights hosted the first African regional civil society convening on human rights and business, in Accra, Ghana. About 30 civil society organizations from 13 countries participated. This meeting coincided with the 9th Biennial Conference of the Network of African National Human Rights Institutions (NANHRI), hosted by the Commission on Human Rights and Administration of Justice of Ghana. The NANHRI conference theme was “Business and Human Rights: Opportunities, Challenges and the Role of African National Human Rights Institutions.” The meeting was made possible by an anonymous donor, the Government of Canada, and the Centre for Research on Multinational Corporations (SOMO).

In Accra, the participants came together in solidarity to address similar, corporate-related human rights harms they face in their work supporting African communities and individuals who are impacted daily by the work of corporations, both multi-national and domestic. Despite the diversity of languages and nationalities gathered in Accra, after much discussion and informed debate, the participants identified four common critical issues affecting their constituencies and communities:

- The need to enhance the protection and respect for collective and individual rights in relation to the activities and relationships of business enterprises,
- The need to enhance the protection and respect for labor rights in relation to business enterprises,
- The need to ensure that remedies are strengthened and that obstacles to justice are eliminated, and
- The lack of implementation of the State duty to protect human and peoples rights and environmental rights.
These are captured in the ACCA declaration. With the declaration, the Centre for Applied Legal Studies (CALS) was chosen by the participants in the Accra meeting as the interim coordinator, and Global Rights as the core facilitator continuing to support ACCA’s development.

Aside from the declaration, participants at the Accra meeting also held an NGO Forum on the NANHRI Biennial Conference, and presented a statement of reflections and recommendations of the NGO Forum to the Biennial Conference.

**Geneva Forum in December 2013**
Immediately following the Accra meeting, in early December in Geneva at the Second Annual Forum on Business & Human Rights, ACCA members presented the ACCA declaration. There, civil society leaders from across the world praised the establishment of ACCA, pointing to the power ACCA has to shape the corporate accountability agenda across the African continent.

**US-Africa Leaders Summit & ACCA website launch in August 2014**
Global Rights convened a number of phone calls with ACCA members and prepared background materials that enabled ACCA members to draft and send an open letter on 23 July 2014 to President Obama and the Heads of State participating in the first-ever US-Africa Leaders Summit in Washington, DC in August 2014. The open letter was praised by leaders such as John Ruggie. Global Rights also issued a press release about this. One member of ACCA spoke about the ACCA during a side event organized by ICAR and the Institute for Human Rights and Business.

At the same time, Global Rights designed and launched a website for the ACCA, the-acca.org, given the publicity that the open letter would and did generate. The website has a list of current signatories to the ACCA declaration, a form for interested organisations to sign the declaration, and a number of testimonials on the value of ACCA. The photos on the website come from ACCA members.
Annex 4: Conakry Declaration

We, members of civil society organizations from Congo-Brazzaville, Democratic Republic of Congo, Côte d’Ivoire, Ghana, Guinea, Liberia, Mali, Sierra Leone and the United States as well as community leaders from Guinean mining communities in Fria, Kindia, Léro, Sangarédi and Siguiri in the Republic of Guinea, having participated in a regional seminar on the exploitation of natural resources and the rights of communities held in Conakry (Guinea) from March 13-15, 2011, at the initiative of the Centre du Commerce International pour le Développement (CECIDE) and Global Rights.

Following fruitful debate and experience-sharing, we have identified the following:

- abusive exploitation of natural resources on the African continent and over the course of several decades;
- substantial revenues resulting from the abusive exploitation of natural resources, without notable improvements in the quality of life of local populations;
- human rights violations by host governments and companies operating in Africa including violations of the rights to water, food and a clean environment, as well as rights to participation and access to information of local communities;
- the lack of participation of local communities and civil society organizations in the elaboration of natural resource development contracts and in the process of negotiating, drafting and concluding agreements on the exploitation of natural resources and in environmental and social impact assessment processes;
- displacement, land loss, and resettlement and relocation of surrounding communities;
- violations of national and international law and standards, as well as best practice by host governments and companies;
- the lack of awareness of local communities of their rights, applicable norms and industry standards;
- the lack of capacity among local authorities to enforce norms and industry standards;
- the exacerbation of poverty in communities surrounding resource development projects;
- the persistent violation of human rights including the dignity of local populations which sometimes gives rise to violent outbreaks and conflict in certain communities;
- incapacity of governments to resolve basic social problems in surrounding communities;
- a lack of willingness on the part of companies to respect social and environmental policies of host countries.

In light of the above, we propose the following recommendations:

I. To our respective Governments, to:

   — Negotiate contracts for the exploitation of natural resources that are profitable to all parties (Governments, companies and local communities), namely, by institutionalizing and increasing the direct benefits for local communities, with a view to promote sustainable development;
   — Increase effective access to useful information for local communities to ensure that all parties have equal access to information relative to the exploitation of natural resources, including environmental monitoring data, and to guarantee the effective participation of communities, including in the implementation and validation of social and environmental impact assessments;
— Enforce laws and best practices in the area of displacement, land loss, resettlement and relocation of surrounding communities;
— Restore the rights of communities affected by the negative impacts of natural resource exploitation.
— Respect and protect human rights in communities living nearby natural resource development projects;
— Provide an effective and equitable recourse where human rights violations linked to resource extraction occur;
— Strengthen grievance and conflict resolution mechanisms in countries and communities where they exist and create them where they do not;
— Ensure specific protection for human rights advocates working specifically in the defense and protection of the rights of communities impacted by natural resource exploitation.

II. To companies:

— Respect and ensure the respect of contracts signed with host countries;
— Guarantee access to information of local communities and respect their right to participate in the development process, namely in the context of social and environmental impact assessments;
— Respect national laws and regional and international standards on human rights and the environment;
— Respect and ensure the respect of human rights;
— Promote a climate of peace and cohabitation in resource development zones;
— Respect their obligation to conform to national law in host countries and to never be complicit with States in the violation of human rights;
— Adhere as soon as possible to the EITI (Extractive Industries Transparency Initiative) and otherwise, apply its standards in practice.

III. To international financial institutions:

— Put an end to all support to companies that have not shown a willingness to conform to the performance standards set out by these institutions;
— Condition partnership with governments on the requirement that they engage in reforms of governance sectors, in transparency and combating corruption;
— Ensure the strict application of these standards by companies benefiting from assistance;
— Ensure the respect and application of fundamental principles of human rights and respect of the environment by governments as well as companies engaged in the exploitation of natural resources.

IV. To civil society organizations at national, regional and international levels:

— Help foster dialogue between the State, companies and communities on problems linked to the exploitation of natural resources;
— Support the creation of a network working to defend the interests of surrounding communities;
— Help create follow-up and information-sharing mechanisms on human rights in communities living nearby resource development projects;
— Help combat corruption in all its forms and at all levels and help foster and maintain citizen awareness in local communities;
— Strengthen advocacy efforts on the implementation of norms and other mechanisms dealing directly or indirectly with the rights of communities living nearby resource development projects.

Done in Conakry, on 15 March 2011

Signatory organizations:

Association des Ressortissants du Baraka (ARDEBA), Léro, Republic of Guinea

Centre du Commerce international pour le Développement (CECIDE), Conakry, Republic of Guinea

Centre guinéen de formation et d’éducation pour le développement (CEGUIFED)

Coalition guinéenne de Publiez Ce Que Vous Payez (PCQVP – Guinée), Conakry, Republic of Guinea

Commission Diosécaïne Justice et Paix (CDJP), Pointe Noire, Republic of Congo

Conseil Régional des Organisations Non Gouvernementales de Développement (CRONGD), Mbujiayi, Democratic Republic of Congo

Fondation pour le Développement au Sahel (FDS), Bamako, Mali

Global Rights, Washington DC, United States

Green Advocates, Monrovia, Liberia

Groupe de Recherche et de Plaidoyer pour les Industries Extractives, Abidjan, Côte d’Ivoire

Guinée-Ecologie, Conakry, Republic of Guinea

Action contre l’Impunité des Droits de l’Homme (ACIDH), Lubumbashi, Democratic Republic of Congo

Network Movement for Justice and Development (NMJD), Freetown, Sierra Leone

Rencontre pour la Paix et les Droits de l’Homme (RPDH), Pointe Noire, Republic of Congo

Sustainable Strategies Development Group (SDSG), Dunnington, Colorado, United States

Third World Network (TWN), Accra, Ghana