ICSG
Information Circular

The World Bank’s
Extractive Industries Review

December 2001

Notice: The information contained in this document is intended to provide an overview of the current situation in the World Bank’s Extractive Industries Review, as it affects the mining sector. This paper is provided for reference purposes only. References to sites, companies, and agencies are for information purposes only.

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The World Bank’s Extractive Industries Review

Issue

The World Bank (WB) is in the process of reviewing its role in the extractive sector through its “Extractive Industries Review” (EIR). This initiative involves a wide range of stakeholders. What’s the meaning of this process and what can be expected from it (from the mining and copper interests specially)? This circular attempts to describe the EIR process and the relationship between the WB and mining sector to estimate eventual impacts.

I.- Extractive Industries Review (EIR)\(^\text{1}\) (www.eireview.org)

In recent years, international organizations (e.g., WB, IMF and WTO) have been involved in an in-depth process of discussion regarding their role in addressing or dealing with the future challenges of society. A more coordinated and strong participation from civil society is pressing these organizations to move forward and take into greater consideration environmental and social criteria and agenda. The most visible expression of this movement are the Non Governmental Organizations (NGO’s). They support a wide spectrum of positions and demands, represent a broad quantity of people and express their demands in different ways: academically, politically, and sometimes in a radical manner, such as through antiglobalisation demonstrations. Through a wide network, this has positioned them as a key actor in international debates, including expecting the World Bank to potentially cease its work and support to the extractive industries.

This has already started to affect the WB’s relationship with the mining sector. The WB is currently undertaking a wide consulting process to discuss its role in the oil, gas and mining sectors through its Extractive Industries Review (EIR). The origin of this review is in a World Bank Group Annual Meeting in October 2000 in Prague, when a platform of NGO’s expressed their concern about World Bank support to oil, gas and mining projects. The World Bank’s head, Mr. Wolfensohn, opened the door, inviting a wide and open discussion about the future role of WB in the extractive sector. There is also pressure from NGO’s to expand the discussion to include MIGA guarantees.

\(^{1}\) All the information regarding EIR is attached in Annex 3, including a brief EIR presentation and links, letters of NGO’s and WB and EIR authorities, list of participants and the EIR planning workshop report.
The traditional role of the World Bank in the mining sector is being discussed within the EIR. The corporate view of the WB is that the promotion of mining investments is a key means to reduce poverty. The EIR, in essence, questions the benefits of WB financial support of the extractive industries, taking into consideration social and environmental issues. This could potentially lead to a questioning of the WB’s involvement in this sector. A result of the outcome of the EIR could also be a restructuring of internal resources and the structure of the WB’s Oil, Gas and Chemicals, and Mining Departments. A further overview about intergovernmental organization and the mining sector, focused into WB, is in Annex 1. A list of mining projects supported by WB Group is in Annex 2.

As figure 1 shows, some events will occur before the deadline of September 2002 when the final report will be delivered to the WB President to consider, or not, changes in internal structure and policies.

Follows a scheme for this process including the timetable:

**Figure 1**

Planning Workshop
Brussels Oct. 29-30, 2001

Report Planning Workshop
November 21, 2001

Selection of advisors

Regional Consultation Workshops
January-April 2002

Evaluation of Extractive Industries Projects supported by WB

Draft Consultation Report

Final Workshop
June 2002, Jakarta

World Bank President
Internal discussion and Conclusions
Deadline: September 2002

Project/Community Visits
January-April 2002

Selection of advisors

Figure 1
In operative terms, EIR works through events, informal meetings, projects/community visits, direct consultations with stakeholders and a web based participation. An evaluation of projects in the extractive industries supported by WB is also considered, through a joint work of the Operation Evaluation Department (OED) and the Operation Evaluation Group (OEG). The money for all this process comes mainly from Norwegian Government.

II.- Remarks and Outlook

Influence

As a starting point, why does the World Bank feels that it needs to review its role in an important area such as the extractive industries? The answer could be a lack of appreciation by external stakeholders of its work in this area in the past in addition to pressures from NGO’s. As part of this process an evaluation of specific WB oil, gas and mining projects (concluded and ongoing) is being done. These evaluations input into the overall program review, and are being carried out by both WB internal and external organization. The criteria used to evaluate projects and the ensuing results will strongly influence the program review.

Transparency, inclusiveness and independence

A review could eventually imply a deep transformation, especially in the economic support to projects. For this reason, the “transparency, inclusiveness and independence”, declared by WB when this initiative was launched, is a key point to build consensus. Is the current level sufficient? The list of participants involved in this review (Annex 3), shows a broad participation from Governments, Business, Civil Society, Academia and the World Bank itself. The coordinator (“Eminent Person”), is Doctor Emil Salim of Indonesia, that has served as State Minister for Population and Environment in Indonesia and internationally has been involved in environmental initiatives, such as the United Nations High Level Advisory Board on Sustainable Development, the World Health Organization Commission on Health and Environment, the Preparatory Committee of the World Summit on Sustainable Development (WSSD) (chairperson) and the World Commission on Forest and Sustainable Development (co-chair).

NGO’s Position

At the moment, NGO’s are highly involved in trying to influence the direction of the review:

- Independence of the EIR from the WB
- Terms of reference
- Include MIGA guarantees
One of the stronger positions comes from Friends of the Earth International that is demanding a cut in the WB support to oil, gas and mining projects. As a starting point, all the NGO’s are asking for a moratorium in WB support in mining projects during the review time. Currently, this request has not been enacted on by the WB, but that could change in the forthcoming release of the amended Terms of Reference (expected 18 December 2001).

Previous WB experience in reviews

It is interesting to look at previous review undertaken by the WB: the World Commission on Dams (WCM) (www.dams.org).

Launched in 1998 and finished one year ago, the World Commission on Dams released its report on 16 Nov 2000. This was an independent Commission of the World Bank and the IUCN (The World Conservation Union). The goals of the Commission were:

• To review the development effectiveness of dams and assess alternatives for water resources and energy development, and
• To develop internationally-accepted standards, guidelines and criteria for decision-making in the planning, design, construction, monitoring operation and decommissioning of dams.

Like the EIR, the work of this Commission was advisory, not judicial, and the main result was the report with recommendations to the President of the World Bank and the Director-General of IUCN.

In spite of the commission having completed its work over one year ago, the structure has remained and is used by NGO’s to keep the network alive and encourage related initiatives within the energy and water sector.

Outlook

The experience with the World Commission on Dams provides some insight on what might be expected in the EIR process, even though it is not possible to compare a single issue such as dams with a global issue (oil, gas and mining sector). Despite this, there is an NGO attempt to use the WCD as a model.

The main lesson from the WCD experience is that when a wide discussion is started it is likely that the final outcome will differ from the initial position. It is not (hopefully) realistic to expect a strong change in WB involvement in mining sector, due to the serious economic and social consequences. Therefore, some changes are expected. These changes could be expressed in a higher level of requirements for evaluation projects (especially environmental and social criteria), making access to international financial support in the mining sector more challenging.

In addition to the direct effects of eventual changes in WB support to the mining sector, it is necessary to consider the indirect effects on private
sources of financing. A precedent established in intergovernmental organizations could be understood as a signal to private sources of financing, changing the conditions associated with accessing financial support by the mining sector.

A key decision point is coming soon within the EIR. All the discussion in this process is led and guided by the Terms of Reference (TOR) that will be released by the 18th December 2001, providing an initial idea of the scope and limits of the review.

III.- Further references

www.worldbank.org
www.imf.org
www.worldbank.org/ibrd/
www.worldbank.org/ida/
www.ifc.org
www.miga.org
www.worldbank.org/icsid/
www.eireview.org
www.dams.org
Annex 1

Overview of intergovernmental financing organizations and the mining sector

Background
WB Group Description
Overview of intergovernmental financing organizations and the mining sector

Origins and aims of intergovernmental financing organizations

After World War II, there emerged an international financial architecture as a response of the international community to the problems caused by conflicts and as a means to prevent new wars through the support of country development. During the Bretton Woods conference, held in 1944, two international organizations were created: World Bank and International Monetary Fund.

The IMF does not have a direct relationship with the mining sector (its main aim is to provide financial assistance at a national level). The WB has a strong relationship with the mining sector due to its social and economic objectives. World Bank is the main provider of developmental assistance. In 2001 it provided US$ 15 billion in loans to member countries. Therefore a description of the structures in place is limited to the WB group.

World Bank Group

World Bank channels its activity through 5 organizations:

- IBRD, International Bank for Reconstruction and Development
- IDA, International Development Association
- IFC, International Finance Corporation
- MIGA, Multilateral Investment Guarantee Agency
- ICSID, International Centre for Settlement of Investments Disputes

The WB’s president James D. Wolfensohn is also the president of these five institutions. Now, WB has 183 countries including all ICSG member countries.

World Bank and the mining sector

Based on these 5 channels, the relationship between WB and mining sector can be described as follows:

Loans (mainly IFC and IBRD/IDA), Guarantees (mainly MIGA) and arbitration in international conflicts (ICSID). Additionally, all the institutions provide technical support. The WB combined IBRD/IDA and IFC operations in the sector into a single Mining Department.

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1 General Agreement Trade and Tariffs (GATT) was created later to complete an international regulation framework in the most important economic topics. World Trade Organization (WTO) now replaces GATT
2 The international development assistance efforts include also Bilateral Development Agencies (JICA (Japan), SIDA (Sweden), GTZ (Germany), CIDA (Canada) among others) and Multilateral Development Banks (The European Bank for Reconstruction and Development and The Inter-American Development Bank Group, for instance).
3 A list of ICSG members belonging to WBG organizations is in the Annex 4.
The Mining Department facilitates three types of projects:

1) Equity investment in and loans to mining companies, including loans syndicated from commercial banks under IFC's syndications loan umbrella

2) Loans and grants to Governments financing the development and implementation of government policies that:
   a) Support private sector development by designing policies and frameworks that attract national and foreign investment
   b) Promote environmentally and socially sustainable mining
   c) Create environmentally and socially sustainable mine closure programs
   d) Encourage local and regional economic development in the context of mining
   e) Equip government agencies to restructure and privatise mining operations
   f) Equip administrations to better administrate / monitor and enforce environmental and social laws and regulations
   g) Encourage coal extraction strategies which minimize global warming effects

3) Various risk management instruments (IBRD/IDA/MIGA)

Follows a further description of the principal institutions


The IBRD provides loans and development assistance to middle-income countries and creditworthy poorer countries. The IBRD is not a profit-maximizing organization but has earned a net income every year since 1948.

Since 1993, the World Bank (IBRD/IDA) has financed 22 projects in 16 countries, in the amount of US$ 3.52 Billion in the mining sector. Attached in Annex 2 is a list of IBRD and IDA mining sector projects that are ongoing or recently completed. Three of them (1 in Mongolia (US$ 20 millions) and 2 in Zambia (US$ 161 millions), are directly related with copper. ICSG member countries have received US$ 2.1 billions4.

**IFC** ([www.ifc.org](http://www.ifc.org))

The IFC promotes private sector investments in developing countries. Established in 1956, IFC is the main source of financing through loans and equity to private sector.

IFC has 175 member countries and the amount of capital US$2,450 millions. IFC operates on a commercial basis. It invests exclusively in for-

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4 Argentina (US$ 70 millions), India (US$ 75 millions), Poland (US$ 400 millions), Russia (US$ 1.325 millions) and Zambia (US$ 251 millions). It refers to all mining sector not only copper. All the ICSG member countries belong to IBRD and IDA, with the single exception of Yugoslavia in IDA.
profit projects and charges market rates for its products and services, which cover three broad areas:

1) Financial Products (Loans for IFC’s own account, Equity Finance, Quasi-Equity Finance, Syndicated Loans, Risk Management Products and Intermediary Finance)
2) Advisory Services (Private Enterprises and Governments)
3) Resource Mobilization (Mobilizing funds from private investors and lenders for private sector projects in developing countries)

Between 1993 and 2001, IFC has provided investments of US$ 252 million in 12 copper projects valuated at US$ 724 million. Copper represents 17% of the total investment in the mining sector. Attached in Annex 2 is a list of IFC Oil, gas and mining projects. ICSG member countries –all of them belonging IFC-, have received US$ 660 million.

MIGA ([www.miga.org](http://www.miga.org))

The Multilateral Investment Guarantee Agency (MIGA) was created in 1988 to promote foreign direct investment into emerging economies, offering political risk insurance (guarantees) to investors and lenders, and by helping developing countries attract and retain private investment. The main products and services are Investment Guarantee Services, Investment Marketing Services and Legal and Claims.

MIGA has 154 member, 23 of them are ICSG member countries. The agency has a capital stock of US$ 1.2 billion. Since its inception, MIGA has issued more than 500 guarantees for projects in 78 developing countries. As of June 2001, total coverage issued exceeded US$9 billion, bringing the estimated amount of foreign direct investment facilitated since inception to more than US$41 billion. The mining sector has received US$ 617 million and copper projects have been covered by an amount of US$ 151 million.

The ICSG member countries have been guaranteed by US$ 336,2 in oil, gas and mining sectors. Attached in Annex 2 is a list of MIGA extractive industry projects.


The International Centre for Settlement of Investment Disputes (ICSID) was created in 1966 to assist in mediation or conciliation of investment disputes between governments and private foreign investors. 20 ICSG member countries are in ICSID. The list of concluded cases (58 in total), include 18 (31%) of mining mediations meanwhile the pending cases (37), 8 of them (21,6%) are related with mining and only one with copper.

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5 Peru (US$ 164,2 millions), India (US$ 35 millions), Indonesia (US$ 30 millions), Chile (US$ 109 millions), Mexico (US$ 129,8 millions), Russia (US$ 130,2 millions), Zambia (US$ 30 millions) and China (US$ 32 millions). It refers to all mining sector not only copper.
6 The exception is Mexico
7 Argentina (US$ 54,2 millions), Peru (US$ 107,4 millions), Russia (US$ 144,5 millions), Zambia (US$ 30 millions)
8 Poland, Mexico, India and Canada are the exceptions
Annex 2

List of World Bank Group projects in the mining sector

IBRD/IDA Projects in the mining sector
  IFC Projects in the mining sector
  MIGA Projects in the mining sector
<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Country</th>
<th>Project Name</th>
<th>Project ID</th>
<th>Instrument</th>
<th>Status</th>
<th>IBRD/IDA Commitment</th>
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<td>Burkina Faso</td>
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<td>India</td>
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Total: 1525.270
## MIGA Extractive Industry: Active Guarantee Contracts FY90-01 as of September 30, 2001

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Annex 3

Extractive Industries Review

Background

EIR presentation and links
NGO’s and WB and EIR authorities letters
List of participant
EIR planning workshop report
The Extractive Industries Review is a process that the World Bank Group has launched to discuss its future role in the extractive industries with concerned stakeholders. The aim is to produce a set of recommendations that will guide involvement of the World Bank Group in the sectors of oil, gas and mining. The discussion is taking place in the context of the World Bank Group’s overall mission of poverty reduction and the promotion of sustainable development.

**Dr. Salim asks for your ideas** about the following recommendations, proposals that we have received:

- a recommendation to visit the Kumtor Mine in Kyrgyzstan by Ms. Cholpon Dyikanova, as well as her interest in assisting Dr. Salim as a regional expert for Central Asia.

**Your input:**

At this point, Dr. Salim particularly requests recommendations from all interested parties for:

- **Participant selection for the Regional Consultation Workshops**;
- **Project/Community visit selection** in each region - which projects or communities should Dr. Salim visit to ensure coverage of a sufficiently broad range of important issues. During these visits the Eminent Person also wishes to meet communities. Your ideas about how these meetings should be organized are also most welcome;
- **Selection of advisors to the Eminent Person** - Dr. Salim plans to select a number of advisors to:
  i. Provide expert views based on focused research on important cross-cutting themes,
  ii. Provide insight into the issues of the specific regions.

Please send us your ideas soon, as these visits need to be organised well in advance. Thank you.

**Calendar:**

In order to allow for good preparatory work for the regional workshops, the first regional workshop has been postponed until February 12-15, 2002. This workshop will take place in Lombok, Indonesia, and will cover the Asia and the Pacific region.

**Follow up after the Planning Workshop:**

Read the draft workshop report of the Planning Workshop that took place in Brussels on October 29-30, 2001. This draft report is also being circulated among the workshop participants for comments. Please send us all comments by November 19, 2001. You can get more detailed information on the Planning Workshop page.

Since the Planning Workshop, Dr. Salim has received a letter from civil society. Dr. Salim addressed the concerns raised in this letter in this response. He also sent a letter to all workshop participants following up on a number of discussions that had taken place during the workshop.
October 8, 2001

Mr. James Wolfensohn
President
World Bank Group
1818 H Street, NW
Washington, D.C. 20433

Dear President Wolfensohn:

We write to you today, regarding your commitment to an independent review of the World Bank Group's support of extractive industries. In your statements in Prague you offered that the Bank Group would engage in a serious analysis of the pros and cons of these industries, similar to the World Commission on Dams (WCD).

While we commend you for taking that initiative, we are disheartened to see that the emerging Extractive Industries Review (EIR) bears very little resemblance to the WCD, particularly with regard to its independence from the World Bank. This lack of independence is reflected in the draft Terms of Reference (TOR) for the Review, in the essentially closed-door process being used to develop that TOR, in the Bank's insistence that the Secretariat for the review be housed at its headquarters in Washington, DC, rather than in Indonesia with the man who you have chosen to direct it, and now in the World Bank-controlled process being used to invite experts and representatives of various entities to the kick-off and brainstorming session now scheduled for October 29-30, 2001.

Given that the Bank has yet to mainstream the WCD's recommendations, this suggests that the Bank is not yet prepared to engage in a truly independent review of its activities, but instead prefers to listen only to criticism that it carefully controls. If the Review persists in this course, it will be just another paper exercise that yields no useful result. We have little interest in participating in such a process.

Yet the need for a real review, and deep changes in the World Bank's portfolio, is timely and necessary. Too often, extractive industries exact a heavy toll on the environment, to the detriment of both present and future generations. Land is despoiled by mining, toxic spills, and industrial development, and the poorest pay the highest price, often losing their land rights as well as their ability to feed themselves to oil, gas and mining projects. Simultaneously, many of these rural poor live without any modern energy services, as the Bank's own reports have long shown. World Bank investments in clean, renewable energy could both address their need for energy services while preserving their environment.
If the EIR can honestly evaluate the realities faced by the poorest in the context of extractive industries, it can lay a foundation for change. At the same time, the Review should provide the space needed to honestly evaluate the priorities for World Bank investments in the energy sector given global climate change. We know that your own senior environmental advisor, Dr. Robert Watson, has briefed you on the latest scientific research as well as on the urgent need to support the Kyoto Protocol.

The recent release of the Terms of Reference for the Review has only increased our concern. The TOR states “[The World Bank Group] believes such industries can make a positive contribution to sustainable development and poverty reduction in its member countries”. This statement reflects a view that is by no means shared by the breadth of civil society organizations that have examined this issue, and underscores the bias with which the Bank seems to be approaching this Review.

There is still the opportunity to remedy the course of the Review. We are submitting the following recommendations in the hope that you will use your leadership to take the steps necessary to ensure a truly independent Review. That is the only way to obtain an accurate assessment of the Bank’s investments in extractive industries and their impacts on the people the Bank is supposed to be serving -- the poorest.

We request that:

(1) the World Bank agrees to abide by an informal moratorium on new financing for extractive industry projects while the review takes place;

(2) Dr. Emil Salim as head of the review be allowed to operate totally independently of the World Bank, determining, for example, where the Secretariat is housed, what the work plan will be for the review, and which experts he wants to assist him in carrying out the review;

(3) funding adequate to carry out a good review as articulated by Dr. Salim and the expert advisors be guaranteed by the World Bank through various sources, such as trust funds by member countries or grants from private foundations;

(4) the TOR guarantee adequate representation of and funding for indigenous peoples and other communities affected by World Bank investments in the Review in order to ensure that those who can least afford to travel are given a hearing;

(5) the consultation includes inputs from experts and scholars who have studied the extractive industries relationship to the standard of living for the poorest, human rights, governance, and the global and local environment
as well as representatives of industries that can provide alternative forms of energy;

(6) that the integrity of the consultation process be recognized as the paramount consideration in the completion of the Review - and that other considerations such as timing and cost be recognized as secondary;

(7) the World Bank commits itself to implementing to the best of its ability all recommendations contained in the Consultation Report ultimately prepared by Dr. Salim.

If the Bank is unable to address these points substantively, our organizations are likely to withdraw from this process. We look forward to discussing this with you at your earliest convenience.

Sincerely,

Daphne Wysham
Sustainable Energy & Economy Network
Institute for Policy Studies, USA

Johan Frijns
Friends of the Earth International

Keith Slack
Oxfam America

Jorge Acosta Arias
Centro de Derechos Económicos y Sociales
Ecuador

Nnimmo Bassey
Environmental Rights Action
Nigeria

Frances Carr
Down to Earth:
The International Campaign for Ecological Justice UK

Paul de Clerk
Milieudefensie/FoE Netherlands

Ophelia Cowell
TransNational Institute

Delphine Djirabe
Jozsef Feiler
CEE/ Bankwatch Network

Pamela Foster
Halifax Initiative Coalition
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Paul Horsman
Greenpeace International

Gerardo Honty
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Manana Kochladze
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Shanna Langdon
Project Underground, USA

Lily La Torre López.
Grupo de Trabajo Racimos de Ungurahui
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Ikuko Matsumoto
Friends of the Earth Japan

Carlos Portugal Mendoza
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Bineet Mundu
Delhi Forum,
India

Mahalakshmi Parthasarathy
Mines, Minerals & People
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Miguel Palacin Quispe
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Isaac Rojas
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Heffa Schuecking
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Atossa Soltani
Amazon Watch, USA

Emilie Thenard
Center for International Environmental Law
USA

Antonio Tricario
Campagna per Riforma Della Banca Mondiale
Italy

Ka Hsaw Wa
EarthRights International, USA / Thailand

Carol Welch
Friends of the Earth US

Alex Wilks
Bretton Woods Project
Mr. Stephen Kretzmann  
Institute for Policy Studies  
733 15th Street, N.W.  
Suite 1020  
Washington, D.C. 20005  

Dear Mr. Kretzmann,

Thank you for your letter of October 8, 2001, addressed to Mr. Wolfenshon. I am responding on his behalf and would appreciate it if you could kindly forward this letter to all signatories of Ms. Wysham’s letter.

Your interest in the review of World Bank Group activities in the extractive industries is appreciated. You have raised a number of issues in your letter, most notably concern about the consultations planned by the Extractive Industries Review. Given the wide variety of opinions and experiences with regard to extractive industries throughout the world, we wanted to ensure that the review process would be fair, inclusive, and transparent. Thus, we designed the entire consultation process such that it would be led by an independent outsider, and I am grateful Dr. Emil Salim has kindly accepted to undertake this very important assignment. The independence of his work is essential to ensuring the integrity of the consultations. In this spirit, Dr. Salim is at full liberty to design his own workplan, select and assign experts, and reach out to groups and individuals in whatever manner he chooses.

We have tried to ensure a sufficient level of funding for this effort. The financing for consultations includes both the cost of meetings and travel expenses so that participation by a wide range of groups and individuals can be facilitated. Further, the financing should cover any additional research, experts, or community visits that may be required.

Our goal is to have a process that produces conclusions that are relevant for, and applicable to, the operations, policies, and staff of the World Bank Group. Therefore, we
have delegated some of our own staff to support the consultation. These individuals have been selected on the basis of their expertise in areas of governance and environment, but also on the basis of their independence from normal internal lines of reporting. While they are located in Washington, DC to help ensure that Dr. Salim is informed of and can take into account any recent developments, they report directly to him and will continue to do so for the duration of the review.

Given the mission of the World Bank Group – to contribute to sustainable growth and poverty reduction – we believe that findings on the relationship between the extractive industries and development should be an essential part of this review. Development, of course, means economic growth, but it also means security, opportunity, and empowerment. I trust Emil will guide us all along the right path here, and find the best mix of experts on the one hand and individuals and groups with direct experience regarding World Bank Group projects on the other hand.

Finally, you raised the issue of whether adequate time has been allotted. Here, we have tried to strike a balance. Millions of poor people in nations such as Peru, Madagascar, Nigeria, China, and Russia are directly or indirectly affected by the way the World Bank Group works with respect to extractive industry projects. For these people, every day counts. Scores of others may be affected by future projects. It is my hope that the task of obtaining and understanding the experiences and views of all relevant groups can be accomplished within a year. For our part, we stand ready to help make the review possible within this time-frame.

I appreciate your letter, as it demonstrates that quite a number of thoughtful, concerned people are ready and eager to participate in the consultation. Let me reassure you that, if the review determines that certain policies or programs have detracted from our goal of poverty reduction, we are committed to implementing changes to redress those problems. Therefore, we share your view that the consultation process is of paramount importance. I encourage you to join us in this endeavor.

Sincerely yours,

James Bond
Cc:

Johan Frijns
Friends of the Earth International

Keith Slack
Oxfam America

Jorge Acosta Arias
Centro de Derechos Económicos y Sociales
Ecuador

Nnimmo Bassey
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Urgewald
Germany

Atossa Soltani
Amazon Watch, USA

Emilie Thenard
Center for International Environmental Law
USA

Antonio Tricario
Campagna per Riforma Della Banca Mondiale
Italy

Ka Hsaw Wa
EarthRights International, USA / Thailand

Carol Welch
Friends of the Earth US

Alex Wilks
Bretton Woods Project
Subject: Civil Society Concerns Regarding Extractive Industries Review

Dear Dr. Salim:

The undersigned organizations write to thank you for listening to our views in Brussels last week regarding the World Bank’s Extractive Industries Review process (EIR). We believe that this is a vitally important moment for the Bank to reconsider its current development paradigm that prioritizes the extraction of non-renewable natural resources as a vector for development and poverty alleviation. We also believe, however, that in order for the current review to be worthwhile it must be transparent, inclusive, independent and encompass a sufficiently broad range of issues and alternatives.

As we expressed to you in Brussels, we have several key concerns that we believe need to be addressed in order to ensure the transparency, inclusiveness, independence and comprehensiveness of the review --- and our continued participation in this process. We would like to reiterate those concerns here and provide a set of recommendations for addressing them.

Concern 1: (Transparency) Greater overall transparency necessary for the process. We are concerned about an apparent lack of transparency surrounding key decisions that have already been made regarding the design of the process. Location and staffing of the secretariat and the timing and location of regional consultations are two examples. Decisions on these issues appear to have been made without significant stakeholder input.

- Recommended Action 1: Open all key decisions on content and process, including timing and location of regional consultations, to input from interest groups.

Concern 2: (Scope) Should the Bank be involved in extractives at all?. We believe the review should cover the full spectrum of options on future involvement of the Bank in extractive industries and must start by questioning whether the Bank should have a future role in extractive industries --- not by assuming that it should, as is stated in the current
TOR and background paper. A growing body of evidence suggests that promoting the oil, mining and gas industries is at best a highly problematic way to reduce poverty. The Bank needs to differ from a commercial bank in the pursuit of its objectives. It is essential that the Bank acknowledge this and allow that one outcome of the review could be a decision by the Bank to end its support for these industries.

The review should also include within its scope the activities of the Multilateral Insurance Guarantee Agency (MIGA), which has significant involvement in the extractive industries.

- **Recommended Action 2:** Change the TOR so that it allows for the consideration of a full range of alternatives, including the possibility of the Bank’s withdrawal from extractive industries, and includes MIGA’s activities within its purview.

**Concern 3: (Comprehensiveness)** The review should consider the contributions of the Bank’s support for oil and gas to climate change and its impacts on the poor. The review to date has not incorporated adequate attention to these issues. Consultations are tentatively planned in areas primarily proximate to mining projects, rather than petroleum projects, and there has yet to be any clear answer as to how to address the climate, developmental and human rights impacts of petroleum. It is also completely unclear how the alternative to further fossil fuel projects, namely renewable energy (e.g. solar, wind, efficiency, micro-hydro), will be evaluated and incorporated. Expert views, including those of climate scientists and representatives of renewable energy interests, should be solicited on the global environmental, developmental, labor, and human rights impacts of petroleum vs. the impacts of renewable energy sources.

- **Recommendation 3:** Commission independent research on the climate impacts of the Bank Group’s fossil fuel portfolio (including projects for extraction, distribution, and power plants) from the Intergovernmental Panel on Climate Change (IPCC) and other climate and renewable energy experts.

**Concern 4: (Time frame)** More time needed for process. We believe that the timeframe for the process is too condensed and that more time is needed to allow adequate preparation for the regional consultations. We do not believe that the stated goal of coordinating the review with the Rio +10 process should compromise a thorough and comprehensive EIR. The first regional consultation is scheduled for early December in Bratislava. We believe this is too soon to allow a revised version of the TOR to be circulated and for the translation of key documents for the consultation.

- **Recommended Action 4:** The first regional consultation should be postponed until February 2002. The draft consultation report, rather than the final management report, should be presented at Johannesburg in September 2002.
Concern 5: (Independence) Staffing and location of the EIR Secretariat: We believe that the secretariat should be independent of the Bank and should serve the review rather than the Bank. We do not believe that the Secretariat can be fully independent if it remains housed within the Bank and is comprised of Bank personnel. The Bank has committed itself to provide you with any information you request, thus the “cajoling” function informally ascribed to the Secretariat should not be necessary. Alternative means can be found to provide you with confidential information that cannot be transmitted via fax, email or phone. Additionally, we believe that if the Secretariat is truly intended to provide a support function to you, it should be located where you are most easily able to communicate with its staff, i.e. Jakarta. Finally, perception is very important in processes such as this. The perceived independence of the process would be greatly enhanced by locating the Secretariat outside of the Bank.

Secretariat staff should formally commit themselves to not seeking employment with the Bank for a period of five years following completion of the EIR process. Additionally, a truly comprehensive review will require additional staff and resources for the Secretariat. We believe you should select, in consultation with stakeholder groups, additional Secretariat staff who come from, but do not necessarily represent, the various stakeholder groups.

- **Recommended Action 5:** The Secretariat should be expanded and moved to Jakarta. A purely logistical services function could remain in Washington. Secretariat staff should formally renounce employment with the World Bank for a period of five years following completion of the review.

Concern 6: (Participation) Consultations must be open to all interested parties. In order to have a truly participatory review that reflects the concerns of all interest groups, the consultative meetings must be open to all interested parties. Slots for funded participation should be allocated via self-selection among stakeholder groups (civil society, industry, government). The Eminent Person should intervene in situations in which there is not consensus with the stakeholder groups about the funded participation of a particular individual or group.

- **Recommended Action 6:** Consultation meetings should be opened to all interested parties. Stakeholder groups should self-select funded participants.

Concern 7: (Research) Openness and Participation in selecting Focused Research: During the planning workshop the importance of focused research on specific cross-cutting themes was mentioned. It is important that the themes for this focused research are selected in an open manner and that the resulting studies are carried out through processes that involve all relevant interest groups.

- **Recommendation Action 7:** Announce the need for suggestions of themes for focused research. Select trusted organizations to carry out the research in an open and consultative manner.
Concern 8: (Expert groups) Ensure effective engagement of interest groups in selecting Expert Groups: It is important that the Expert Groups to be selected to guide the Regional Workshops and the Final Workshop and drafting process should be trusted representatives of the different interest groups who should be able to share the burden of hearing testimony, analyzing focused research and unsolicited inputs and ensuring the production of balanced reports that fairly summarize the information gathered by the process.

- **Recommendation Action 8:** Select members of the Expert Groups to be representative of the major interest groups in order that they can share the role of overseeing and reporting the Regional Workshops and the Final Workshop.

Concern 9: (Final workshop) An open process for the Final Workshop. The Brussels meeting did not find time to discuss the form of the final workshop. It is important that the final workshop is also open, that there is good participation and that adequate time is given to scrutinize and discuss the final report and recommendations before these are sent to the World Bank President.

- **Recommendation Action 9:** The final workshop should also be open and funded participants should again be self-selected. Adequate time must be given to scrutinize and discuss the final report and recommendations.

We believe that addressing the above concerns is essential and that they can be addressed without the expenditure of significant additional resources. Our future participation in this process will depend on a satisfactory resolution of these concerns.

We thank you again for your willingness to consider these issues and will look forward to your response.

Sincerely,

Marcus Colchester  
Forrest Peoples Programme

Vicky Corpuz  
Tebtebba Foundation

Oronto Douglas  
Environmental Rights Action/Friends of the Earth International

Petr Hlobil
CEE Bankwatch Network

Stephen Kretzmann
Institute for Policy Studies

Jaff Napoleon
Transnational Institute

Keith Slack
Oxfam America
Dear Friends,

Thank you for the letter you sent in which you raised many important concerns. After reading it and considering the points you have raised I am now coming back to you with my thoughts and decisions. For practical reasons I will be addressing these concerns in the same sequence as you have raised them as follows:

**Concern 1: Greater over all transparency necessary for the process.**

I believe in the importance of this principle, and thus my secretariat will do the best to open all key decisions on content and process of the EIR (please see my letter to the Brussels Planning Workshop participants which has been sent to you and will also be available on the web-site). Regarding the location for the Consultation Workshops, we are also open to any suggestions, however we do need to have made a firm decision concerning venues at least one month before the event to allow smooth logistics. On this I humbly request you to bear with me as much a you can with the venues proposed for the Consultation Workshops. As the selection of these venues have been made purely on logistic judgments, and will not deter openness or inclusiveness, especially if we apply the ‘self appointment’ principle for participant selection. If you have any strong rejections to the proposed venues please inform us immediately , as we do have time constraints. These time constraint to a certain extent are dictated by my own schedule and responsibilities, such as those that come with the position of being chair to the WSSD, but also are governed by important milestones within the WBG itself. The
recommendations of the EIR review must be timely so that President Wolfensohn will be able to bring recommendations to the attention of the WBG Board of Directors. I grant that the current time-line for the EIR is seriously tight and am looking at the possibility of extending the entire exercise to the 31st of December 2002.

Concern 2: Should the Bank be involved in extractive Industries at all?

I have discussed the possibilities for the WBG’s future involvement in oil and gas and mining after the review with senior officials in the WBG, and rest assured that withdrawal from oil, gas and mining is not excluded. The TOR is currently under review, as I informed all participants during the Planning Workshop in Brussels. I thank you for your valuable input on this issue. However I request your kind patience on this issue, as I am still collecting more input and will be proposing a TOR amendment to the WBG after the deadline of the 15th of November 2001. These amendments will be available on-line in our web-site www.eireview.org by the 18th of December 2001. I have made a special note to bring up the issue of MIGA with the WBG when I next meet them during the first week of December 2001 in Washington D.C.

Concern 3: (Comprehensiveness) The review should consider the contributions of the Bank’s support for oil and gas to climate change and its impacts on the poor.

Your concerns are indeed valid, related to this my assistant in Jakarta and staff in Washington are currently compiling a list of independent experts who will be able to assist the EIR, not only on the issue of climate change and renewable energy, but other cross cutting issues as well. Your recommendations concerning which institutions and experts we need to be looking at would be most valued. Again, I cannot stress enough the importance of specific and timely information from you as you are well aware of the tight deadlines we are facing.

Concern 4: More time needed for process.

We are postponing the first consultation to the second week of January 2002, which will be covering the Asia and Pacific region. We are also seriously looking at the possible scenario of presenting the draft consultation report at Johannesburg in September 2002. I will again be discussing this issue with the WBG when I visit Washington D.C. during the first week of December 2001.
Concern 5: Staffing and location of the EIR secretariat.

The substance of the review report will be comprised of:

a. Information gained through the Regional Consultative Workshops that will be implemented based on the design developed with a number of stakeholders. These inputs have not only been solicited through the EIR planning workshop in Brussels, but also have been solicited via the internet.

b. Site/Project visits that will include meetings with affected communities at the local level. Which sites will be visited and how meetings will be implemented, to a large extent depends on input from all the different stakeholders of the review, including of course information from yourselves.

c. Commissioned independent research done by expert advisors, the appointment of these experts will also be based upon inputs and considerations provided by concerned stakeholder interest groups. All advisors will be working and communicating directly with myself.

My EIR secretariat in Washington is responsible for:

a. The facilitation of a smooth consultation process, especially from a logistics point of view.

b. Administration of the contracting experts.

c. Arranging the logistics of my trips to sites/projects.

d. Maintaining our web-site to make sure that all information is transparent and inclusive.

e. Providing information for those interest groups who do not have access to the internet, in other words they are responsible for effective outreach so that all important interest groups do gain access to information and possibilities of participation in this review.

f. Arranging my meetings with WBG officials, board of directors, and quite importantly providing myself with valuable insight concerning how the different relevant departments in the WBG work. Personally as the Eminent Person responsible for this review, I feel the role of my secretariat in Washington is a very important one, and that it will contribute constructively to this process.

Concern 6: (Participation) Consultation must be open to all interested parties.

The secretariat is looking forward to your input on how we should proceed on ‘self selected’ participants. Please provide guidance as soon as possible, as we will need to move fast on this.
Concern 7: (Research) Openness and Participation in selecting Focused Research and concern 8: Select members of the Expert Groups to be representative of the major interest groups in order that they can share the role of overseeing and reporting the Regional Workshops and the Final Workshop.

We will announce the need for suggestions of themes for focused research, and the selection of experts. For the oversight of the Consultation Workshops, I believe all participants will play an important role in overseeing the process and insuring quality of the reporting as they will be reviewing the draft reports before they will be finalized.

Concern 9: (Final workshop) An open process for the final Workshop.

Thank you for bringing this issue up. I will do my best to ensure openness of the final workshop.

I hope this letter addresses your concerns adequately, please rest assured that I will do my best to uphold the principles of independence, inclusiveness and openness of the EIR process and highly appreciate your participation.

Sincerely,

Emil Salim
### EIR Planning Workshop (Oct 29-30, 2001)
**Participants**

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### EIR Planning Workshop (Oct 29-30, 2001) Participants

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# EIR Planning Workshop (Oct 29-30, 2001)
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The Extractive Industries Consultative Review (EIR)

Planning Workshop

Brussels, Belgium
October 29-30, 2001

Report
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6. Identifying Questions of Subject Matter for the Four Regional Workshops
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8. Open Space Sessions
   8.1. Terms of Reference for the EIR Process
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9. Selection Criteria for Participants of the Regional Workshops
10. Sector Specific Issues of Oil, Gas and Mining
11. Region-specific Issues: what to do and what to avoid in the Regional Workshops
12. Closing Plenary: Aspirations and Hopes – including Evaluation Results
13. Closing Remarks by Dr. Emil Salim

Annexes:
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2. List of participants
3. The Stakeholder Universe
4. Additional Questions from Section 6
5. ‘Mindmap’ of Section 9
6. Transcript of Dr. Salim’s welcome speech
7. Transcript of Dr. Salim’s closing remarks
2. Welcome Speech by Prof. Dr. Emil Salim

In a welcome address to the workshop participants, Dr. Salim outlined his vision and principles of the Extractive Industries Review. He summarized them around the principles of independence, trust, inclusiveness, equality, sustainability, honesty, and transparency. He noted that these were the principles he formulated when agreeing to take on the leadership of the review and demanded from the management of the World Bank Group that the review respect them.

*Independence:* He underlined that he is fully independent to do the job. During the workshop, he intends to clarify further remaining issues around independence in terms of budget and budget management with World Bank Group management. The budget envelope is US$ 1.5 million from the WBG, US$ 1.5 million from the Government of Norway and US$ 0.1 from the Government of Germany. He demanded a free hand in determining how to spend this budget of $3.1 million.

*Trust:* ‘Trust is the base’ he announced and emphasized the importance of trust from all stakeholders that shall participate on an equal basis: the World Bank Group, business, civil society, and governments. “If there is no trust in me, then forget about it, then I better pack my bags and leave the job.”

*Inclusiveness:* In order to achieve trust, the review needs to be inclusive. Inclusiveness means that everyone participates on an equal basis, with equal weight. While the quantity representation may not be equal, it is the quality that is important, he argued. He encouraged qualitative inputs from all participants at the Planning Workshop that would help move the Review forward, and help design a ‘bottom up’ approach for the regional consultations. He stated: “It is not a show. I don’t want a show. I hate shows”.

*Sustainability:* The discussion shall take place in the broader context of economic, social, and environmental sustainability. Economic sustainability requires that a yoyo effect, namely economic instability that hurts the poorest the most, needs to be avoided. Social sustainability means that the spiritual, cultural environment of the social community where the activity takes place may not be killed for any reason. A long-term perspective is required since we are dealing with non-renewable, depletable resources. The key question is: “How can we save a depletable resource for future generations?” Also, he outlined that the discussions ought to be forward looking, seen in the context of development impacts of extractive industries, and be region-specific for policy making.

*Honesty:* Dr. Salim promised an honest review and wants the process be based on honesty. For a successful outcome he needs to have guaranteed direct access to the World Bank Group President and Board of Directors, whenever necessary. In the light of honesty, the report ought to be clear about what needs to be improved, and the Eminent Person wants the opportunity to comment on the management recommendations, at which point he can clearly state where he succeeded and where he failed.

*Transparency:* The fifth principle is transparency and he pledged to be open to all. The website will assure transparency, which is fundamental to finding out what needs to be done.

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1 See Annex 6 for the transcript of the speech.
Dr. Salim pointed out that there are lots of studies and knowledge already available on the issues around extractive industries. However, there is no agreement between governments reflecting a joint understanding how depletable resources can be used for the benefit of future generations.

In closing, he stated: “Shall there be disagreement, okay let there be disagreement. But let’s make clear what we disagree about, and how to overcome the disagreement.” He called on the workshop participants to help him along in making sure the process is inclusive, open, and transparent.

3. Why the Extractive Industries Review? Ideas about a Process with Results

Bernard Salomé, Head of the Extractive Industries Review Secretariat, outlined the stakeholder map of the Extractive Industries Review, as well as the objectives of the Planning Workshop in Brussels, and how it fits in with the overall design of the review.

The stakeholder universe

There are four main stakeholder groups participating in the review: governments, business, civil society and the World Bank Group. (See Annex 3 for the presentational overview of the concept)

Governments: This stakeholder group encompasses governments from both north and south, as well as aid agencies, bilateral and multilateral agencies, and the UN family. Export credit agencies are part of the universe of the extractive industries, and therefore need to be considered also.

World Bank Group: Given the complexity of the organization, there are many different units that are involved in oil, gas and mining projects in some way. These include: the World Bank Groups evaluation departments: OED and OEG (Operations Evaluation Department/ Operations Evaluation Group), the Multilateral Investment Guarantee Agency (MIGA), the Compliance Advisor/Ombudsman (CAO), the Mining Department and the Oil, Gas and Chemicals department (CMN, COC), the Environmentally and Socially Sustainable Development Unit (ESSD).

Business: Businesses are subdivided into groupings, businesses from the north and from the south, private and public. The private companies are subdivided into junior and major companies. While major companies are bound by compliance guidelines, junior companies, often not listed at the northern stock markets, are not subject to this disciplinary force. The World Bank Group may have an influence here on business. Included are also private consultants, insurance companies, banks and associations, present at the Planning Workshop are the Mining Minerals Sustainable Development (MMSD) and International Association of Oil & Gas Producers (OGP).

Civil Society: Here there are community based organizations (CBOs), Northern and Southern NGOs, labor organizations, and academia. We will attempt to work as closely as possible with the affected communities. Southern NGOs will be very important in this respect. Artisanal Mining affects about 13 million people. Cross cutting issues that are of concern to this stakeholder group include human rights, gender, indigenous people, environment, governance: corruption, revenue management), and the issue of assuring that there is a dialogue between companies and the civil society.
Planning Workshop Objectives within the Overall Design of the Review

Bernard Salomé stressed that the process aims to be inclusive, and in addition to the regional workshops, there will also be other forms of consultation, for example through the website.

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<th>Objectives of the EIR Planning Workshop</th>
<th>Build ownership of stakeholders on Review Process</th>
<th>Establish basic understanding of the starting points of stakeholders</th>
<th>Identify baseline information</th>
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<td>Consensus on structure of Regional Workshops</td>
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<td>Agreement on questions to be discussed in Regional Workshops</td>
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<td>Recommendations on overall design of the Consultative Review</td>
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**FINAL WORKSHOP**

Objective: Agreement on Draft Report
4. Questions and Answers: Plenary on Monday, October 30, 2001

In a plenary session there was a lively debate, evolving around issues such as: Planning Workshop representation; independence of the process and the EIR secretariat; role of the World Bank Group in the process; climate change; differences between oil, gas and mining sectors; Dr. Salim’s position as chairman of both the Extractive Industries Review (EIR) and the World Summit on Sustainable Development; and the relationship of the World Bank Group with host governments and local communities. The summary captures only the key points made.

Selection of Participants – process, independence and regional representation:

The concern about a skewed representation in the workshop and the little representation of Africa was aired. Apprehension and doubts were expressed with respect to the process being truly independent and a need for reassurance about the selection process was articulated.

Answer: It was explained that the process of determining invitees had taken place under a tight deadline and aimed at achieving good representation. Geographic balance had not been attempted, but rather quality representation. Selection criteria for future workshops would be designed at this workshop. The EIR team sought to receive suggestions for candidates from the regions for the regional meetings.

Independence of the EIR process and the Secretariat:

Some anxiety was expressed about who would be chosen for the expert groups, who would issue papers, the location of secretariat being inside IFC and whether it could be moved to Jakarta. The credibility of the process was seen as depending largely on the independence of the Eminent Person. There was a suggestion that this might be too much of a burden, and that he therefore needed a broader stakeholder group supporting him with an independent budget and an independent Secretariat.

Answer: Dr. Salim explained that the World Bank Group had some concerns with regard to the World Commission on Dams. The EIR needed a Secretariat with access to confidential information, that could act as a bridge for trust that would create ownership during the process for the World Bank Group in terms of what the EIR produced. There needed to be a “Chinese Wall” between the World Bank Group and the Secretariat (which was paying for its office space). He stressed that there was a fine line to be walked, being in and out of the World Bank Group. “In, to the extent that the World Bank is trusting you, but out in the sense that the in the process they will not influence your decision making.” On the issue of the secretariat’s independence, Dr. Salim explained that he was aware of the importance of independence and that the Secretariat staff worked for him, and he had asked for control of the budget allocation.

Role of World Bank Group in the EIR:

It was mentioned that the World Bank Group was one of the stakeholders in the process, and that the management still had the choice to totally reject the recommendations. There were eight World Bank Group staff at the planning meeting, which should be independent of World Bank Group influence. Also, the question of the impact of World Bank Group staff on the review’s credibility, and whether their role was to listen or to participate was raised. Thirty NGOs had written a letter of concern to President Wolfensohn about such issues of the EIR, and now were questioning what they considered to be a glib, inadequate response from the World Bank Group.

Answer: James Bond, Director of the World Bank Group Mining Department explained that the World Bank Group capital is owned by about 180 countries. The role of World Bank Group management is to present projects and policies to the World Bank Group Board for decision. “If the recommendation comes out that the World Bank should get out of oil, gas and mining and this
is supported by OED, OEG, then we will shut down the business.” He noted that it is important to understand that if the World Bank Group management is not involved, it cannot give an opinion on the consultation. There has to be a “buy-in” and there is a difficult trade-off between no involvement or some degree of participation by the World Bank Group. It was explained that for this workshop the World Bank Group staff were available to provide information and are there to listen.

**Climate Change:** It was noted that the climate issue is important and attention was drawn to a connection between emissions, the interaction with the Kyoto protocol and this process. A number of EIR stakeholders are involved in this area, and therefore the question arose why there were no renewable energy stakeholders at the workshop, and why neither affected parties from small island states had been invited. Another voice was concerned that the meeting might be “hijacked” by climate change issues and did not want the EIR to be used as a vehicle to discuss climate change.

*Answer:* It was pointed out that renewable energy and recycling are substance issues and the workshop is rather about defining the process.

**Differences between oil and gas and mining sector:** It was noted that the oil, gas and mining sectors have different risk/reward profiles and different contributions to climate change.

**Translations:** There was a concern expressed about the style of the proposed regional workshops, and the need to have documents in local languages because of the difficulties caused if they are only in English.

**Dr. Salim’s chairmanship and connection between the EIR and the World Summit on Sustainable Development:** The EIR and the World Summit on Sustainable Development are two different processes, and the question arose how Dr. Salim sees the connection. He had earlier remarked the lack of a convention between governments regarding the extractive sectors, ought this not rather be an issue for the latter process?

*Answer:* Dr. Salim pointed out that the preparation process of the World Summit was underway and organized by governments. At this stage they were seeking ideas. In comparison, the EIR process was a bottom up process, and it had not been predetermined what would be discussed. The question for these processes was how to conduct sustainable development in the 21st century? He saw a need for the EIR to look forward, to define what the issues were in the regions and suggest how to cope with them. By January 2002, the second preparatory meeting would be held for the World Summit and then the topics would be negotiated: populations, climate change, ocean, sea, forest, bio-diversity. All these are land up topics. Mining and oil/gas projects on the other hand are land down and mainly found in developing countries.

**World Bank Group relationship with host governments:** A question was asked about the interface between the IFC and host governments. IFC was said to operate independently of governments, and an example was cited when the host government was not given an opportunity to comment on how mine rehabilitation was carried out. It was noted that social issues receive very small investments but pose the greatest challenges and that it was easier to know how to fix engineering problems than how to resolve social issues.

*Answer:* Mr. Bond clarified that his group was open to suggestions on such issues.
5. Basics on the World Bank Group, its Structure, Instruments and Processes

Monika Weber-Fahr from the WBG Mining Department held a powerpoint presentation. (to be inserted here as Adobe file)

Comments:
- Interface between International Finance Cooperation and government is observed with concern in a mining project in Ghana that IFC is operating independently of government with respect to reclamation.
- The challenge for mining projects are not on the engineering side but on social development.
- It was noted that the extractive industries sectors were a small percentage of World Bank Group funding and asked for details.
- A participant informed the plenary that a database at [www.seen.org](http://www.seen.org), which included all World Bank and IFC investments, suggests that about $20 billion in World Bank Group investments resulted overall in 40 billion tons of CO₂. Mining represents about 2% of total World Bank Group investments, oil and gas represents less than 2%.
- It was noted that the TOR of the review state that extractive industries can contribute to poverty alleviation and economic development, and wanted clarification as the recommendations could be to exit from extractive industries. There was a question whether the TOR could be changed or adapted.
- It was commented that the World Bank Group was not sufficiently forthcoming in making information available about its involvement in the extractive sectors.

Questions:

**WBG relationship with local communities:** A local community representative understood that the World Bank Group works with government and business and asked how many departments of the World Bank Group worked with local communities. Was there a strategy to provide a link with local communities?

*Answer:* Ms. Monika Weber-Fahr explained that World Bank Group gives loans to governments and that some projects work directly with local communities, mostly through social funds. In the case for sector reforms in mining, oil and gas, communities would be one of the three key stakeholders and an important party in the decision making. There are groups in the Bank who are working directly with local groups and communities.

**Catalytic Role of WBG:** A participant asked how many new projects in oil, gas and mining in the past five years would have proceeded without World Bank Group funding.

*Answer:* It was explained that in principle the World Bank Group only finances projects that would not go ahead without them. There were about eight projects in mining and fifteen oil and gas projects.
6. Identifying questions of Subject Matter for the Four Regional Workshops

The purpose of this working session was to identify key questions that shall be discussed during the four Regional Workshops in Asia and the Pacific, Latin America and Caribbean, Africa and Eastern Europe and Central Asia. For consistency purposes all Regional Workshops should deal with some comparable questions. This has to be carefully balanced with the need to be region specific. Each participant was asked to join one of the four groups:

1. Civil Society
2. Government
3. Business
4. World Bank Group

Each group applied a brainstorming and filter process and developed a set of priority questions through a sequence of filter mechanisms.

6.1. Working Group ‘Business’

The group ‘Business’ identified five priority questions:

1. What are mayor positive and negative contributions that Extractive Industries have made in your region, country and communities?
2. What would be the consequences of WBG withdrawal from the Extractive Industries for your region?
3. What are the specific regional priorities for Sustainable Development action by the WBG?
4. What can the WBG do to improve Sustainable Development of the extractive industries sector in the region?
5. How can the WBG promote a better project assessment and sustainable development framework?

6.2. Working Group ‘World Bank Group’

The group ‘World Bank Group’ identified four priority questions:

1. What are the key things that stop extractive industries from making a positive contribution to sustainable development and poverty reduction and what can the World Bank Group do about those?
2. What will happen if the World Bank Group withdraws from these sectors?
3. Should the World Bank Group work only with “good performers” on environmental, social economic matters in the sector (companies, countries) or also on improving “bad” performers?

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2 Brainstorming and Filter Process:
1. Please think alone and quiet and make a list of all “good questions” that come up to your mind (5’)
2. Select three of your list and write them on cards.
3. Meet your small working group, present your proposals, make a common list. (20’)
4. Select the 3 “best questions” from your list and present them.
5. Establish together a list of “best questions” and select 3-5 of them for the plenary presentation.

The questions should meet the following criteria:
1. They are suited to prepare decisions
2. They can really be discussed in a workshop situation
3. They cannot be answered simply by existing studies

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3 A full collection of the questions that were identified by the group can be found in Annex 4.
4. Assuming the WBG stays in the sector: What requires most urgent attention? (what processes, what substance/project types)

6.3. Working Group ‘Civil Society’

This group identified eight key topics for questions, but did not establish any priority among these topics and questions.

A. **Evaluation of the past: impact - process - compensation**
1. How has the environment, human rights, the economy and your lives been impacted by oil, gas, and mining projects?
2. Have you realised the economic or social benefits promised, or were you consulted?
3. What has happened when you raised concern about projects with the appropriate authorities (e.g. Government/World Bank)?
4. To what extent have WBG projects in the sector upheld UN-Declaration on human rights and equity concerns; how can WBG adopt a rights-based approach?
5. How can WBG ensure that communities and indigenous peoples are compensated for the impacts of their bad projects?

B. **Contribution to sustainable development**
1. What practices can WB promote to ensure that oil, gas and mining projects result in environment social benefits?
2. Should WB require mechanisms for participatory revenue management?
3. What role should WBG play in ensuring that sustainability goals are achieved through resource development at the community level?
4. Where the revenues of the projects end up and how to ensure projects improve quality of life and people and reduce conflict?

C. **Monitoring of project implementation**
1. Should we require companies to allow independence monitoring?
2. Should WBG require the involvement of communities in development decisions and the Monitoring results (environmental, social, economic)?

D. **Full participation, also on community level**
1. How can WBG involvement in sector be made more accountable (Legally and Practically) to civil society and ensure all voices are heard?
2. Can we agree that indigenous peoples and other local communities should have right to free, prior and informed consent?

E. **New policies**
1. Should the WBG continue investing in oil, gas and mining or is there a better alternative for poverty alleviation?
2. What is the WBG Role in making clean + renewable energy available commercially, and how can the WBG ensure the reduction of emissions of Green House Gases?
3. Can local benefits justify the global impacts and local impacts?
4. Should World Bank be involved in Extractive Industries beyond mitigation of impacts of Mine Closure or Alternatives?

F. **No GO**
   1. Should some areas be off-limits from o/g/m development?
   2. Should oil, gas and mining be banned in some areas? Should WBG help in this process?
   3. What criteria should be used for Go/No-Go options beyond technical and economic?

G. **New procedures**
   1. What new standards, procedures and staff incentives are needed to achieve a rights-base approach to development?

H. **Transparent information**
   1. Should WB require Governments and Companies to disclose info on environmental, social and revenue issues?

6.4. **Working Group ‘Government’**

This group has identified three priority questions with a set of sub-questions:

1. What are the costs and benefits of extractive industries activities in your country? How can they be optimised?
   - How can extractive industries projects ensure that economic, social and environmental benefits are optimised?
2. Identify key success factors/criteria for different countries, situations,…(one model approach won’t do).
   - How can capacity be improved for better environmental assessment and mitigation of their impacts of extractive industries activities?
   - IMF Role has to be examined.
   - Under which conditions should WBG be involved?
3. How can the WBG improve the development impact of their activities in extractive industries or alternative opportunities?
   - How can extractive industries activities be directed towards the goal of poverty alleviation?
   - How do you assert the correct balance between high capital-intensive projects, and lower degrees of mechanization with high unemployment.
   - Review incentive framework within WBG.

Following the logic of these questions they lead to the paramount question of: Should the WBG be involved in oil, gas and mining activities?

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4 A full collection of the questions that were identified by the group can be found in Annex 4.
7. Information Marketplace

The Information Marketplace was an hour of time and space that was organized like a trade fair or a market place where the participants were exhibitors and visitors at the same time. This was an opportunity for participants to exchange information freely about their organizations and activities.

It included market stands on:
- Norwegian Case Study on how a country translated richness in resources to development and the benefit to the broader population.
- Artisanal Small Scale Mining Initiative.
- Oxfam: A report on poverty and mining.
- Mining closure project in Rumania
- Institute for Policy Studies: An internet data base on WBG projects in extractive industries.
- OED/OEG Evaluation: presentation of their concept and methodology.
- WBG: information and documents around oil, gas and mining including environmental and social safeguards and compliance.

8. Open Space Sessions

Here the workshop agenda allowed participants to initiate discussion groups. Two sessions were organized ad-hoc. One on the Terms of Reference of the EIR and another one on the role of the WBG in the EIR-process.

8.1. Terms of Reference for the EIR Process

Stephen Kretzmann from the Institute for Policy Studies initiated a discussion group on the Terms of Reference of the EIR. A lot of concerns centred around the content of the TOR, particularly vocally expressed by the representatives of the Civil Society. The group prepared an overview of the conclusions of the discussion and the negotiation process:

<table>
<thead>
<tr>
<th>“settled”</th>
<th>open issues (dissent)</th>
<th>open issue (consensus)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biodiversity</td>
<td>Beginning Statement in the TOR</td>
<td>Clarify process for selecting</td>
</tr>
<tr>
<td>–issue to be discussed, as needed, in consultation</td>
<td>– inspires distrust?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>– omit / modify?</td>
<td>– expert groups</td>
</tr>
<tr>
<td></td>
<td>WBG ‘actively involved’</td>
<td>– focused research</td>
</tr>
<tr>
<td></td>
<td>– as a stakeholder?</td>
<td>Support for EP in form of</td>
</tr>
<tr>
<td></td>
<td>– what does ‘active’ mean?</td>
<td>stakeholder advisors</td>
</tr>
<tr>
<td>Add. $ for review</td>
<td>Who defines ToR?</td>
<td>Clarify who will write report</td>
</tr>
<tr>
<td>–will be sought (industry?)</td>
<td></td>
<td>process</td>
</tr>
<tr>
<td>Participation + Focus is key</td>
<td>How to ensure credibility of process?</td>
<td>Clarify how OED / OEG</td>
</tr>
<tr>
<td></td>
<td></td>
<td>feeds into consultation process</td>
</tr>
<tr>
<td>Not replicate general</td>
<td></td>
<td></td>
</tr>
<tr>
<td>reviews-focus on WB-Role</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Get translations done! In advance!</td>
<td>Rushed / Hasty process? vs. “Get on with it”</td>
<td></td>
</tr>
<tr>
<td>Ensure differentiated treatment of different sectors</td>
<td>Moratorium vs. have consult. decide</td>
<td></td>
</tr>
<tr>
<td>Do project visits – consult communities</td>
<td>Role of Bank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Second the staff</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Secretariat</td>
<td></td>
</tr>
</tbody>
</table>
8.2. The Role of the World Bank Group in the EIR Process

A second discussion group was initiated by Ina-Marlene Ruthenberg from the Extractive Industries Review Secretariat on the role of the WBG in the Extractive Industries Consultations. Concerns were expressed in the debate, particularly by Civil Society representatives, on what participation of WBG staff means. Clarity on this is important for the Secretariat as it design the further workshops. It led to the formulation of the following questions:

- The WBG has been treated so far as one of the four ‘stakeholder groups’ (government, civil society, private sector, and WBG). Is this of concern?
- Why should the WBG be considered different to other stakeholder groups? If so, how should it be different?
- Who and how many WBG representatives shall be invited to the Regional Workshops?

The discussion in the group revealed that for some participants the role of the WBG was not clear from the outset, and that its presence was perceived as already heavy. Others argued that if you seek change inside the WBG you need to build trust and ownership of WBG sand that listening ought to be both ways. The group suggested that operational WBG staff should be invited as well as decision makers. However, the functions of the different members representing the WBG should be clarified better. The question was raised, who OED (Operations Evaluation Department), OEG (Operations Evaluation Group) and the Ombudsman of IFC/MIGA are and how they relate to the Consultative Review. The discussion concluded with the recommendation to put the right label on the groups and to preferably talk of ‘interest groups’ rather than ‘stakeholder groups’.

Subsequently, the group developed a model that approaches the concept of ‘interest group representation’ in a more integrated manner by identifying commonality of perspectives rather than ‘boxes’ based on affiliation to a certain organization. This model would allow the integration of WBG staff participation in the workshop based on what perspective/skill they represent:

Public Sector: The public sector perspective is subdivided between (a) client and (b) donor. Participants in this group would therefore represent government from North and South, as well as from the national and sub national level. WBG staff working on IBRD/IDA would fall in this category and would include operational staff as well as decision makers.

Private Sector: Represents the business and industry perspective. IFC and MIGA staff would join this group, both operational staff as well decision makers.

Civil Society: Covers NGOs, Community-Based Organizations, Labour Unions, etc. Consequently, Civil Society Experts of the WBG potentially would fall in this group.

Finally, a list was developed on what the WBG should keep in mind when participating in the workshops:

- Listen and understand
- Provide information
- Good representation
Clarify expectations before coming
Clarify but not advise
Not argue defensively about individual projects and their achievements.
Role of the “independents” (OED, OEG, & Ombudsman) should be different: participate as observers

It is important to note that no consensus was reached by all participants concerning this presentation.

9. Selection Criteria for Participants and other Issues around organizing the Regional Consultation Workshops

One working group discussed the issues around organizing the Regional Consultation Workshops. Annex 5 shows the mind map that has been developed during that discussion. Main discussion points included:

Workshop attendance: Regional Consultation Workshop participation should be a combination of openness and by invitation. The process of generating potential participants should be open in the sense of creating a variety of different spaces through active marketing by the Secretariat. Several Civil Society representatives proposed a self selection process. It was recommended to use existing regional groups and associations for these processes. The question of financing for travel and lodging to participate in the workshop was raised. It was commented that the Dr. Salim has a budget that can cover these cost particularly in order to assure that representatives from local communicates can participate.

Marketing: There was broad call for an active marketing with sufficient timing for the Regional Consultation Workshops by the EIR-Secretariat. Proposed measures include announcements as well as public solicitation. It was advised not to rely too much on electronic communication (e-mail and websites) as local communities do not have access to it. Invitations should be sent by fax so that they can be used to obtain visas.

Process of selecting participants: The emerging consensus of this discussion group was to seek an open process of identifying participants but that participation of the workshop would be by invitation. In selecting the final participants, the Regional Advisor could play an important role.

Budget: A set of questions evolved around issues like: Who gets financed? Financing ought to be equal for regions and be self organized. Furthermore, it was proposed that the funding ought to guarantee travel and lodging cost and that priority ought to be given to communities, NGOs/civil society representatives, and small enterprises.

Other forms of participation: The need to open venues for written comments for people who will not be able to make it to the workshop was noted.

Language: A lot of discussion centered around the language issue. The various background materials should be translated well in advance to give people adequate preparation time. Also, in the workshops there should be simultaneous translation.

Location of workshops: The question came up whether the location should only be in countries with oil, gas and mining projects with the WBG. Furthermore, the issue of experience with different stakeholders on the project level was raised.
Representation: The group recommended that a broad view should be assured. Also it was noted that not all parts of civil society think the same way or are represented by NGOs.

Other relevant issues that were discussed include: Creating spaces for open testimony, transparency, balance within the region, and gender.

In conclusion, there was broad agreement that there should be trust in the Eminent Person and that the ‘buck stops with him’.

10. Sector Specific Issues of Oil, Gas and Mining

One working group discussed the question: How can the Regional Workshops best consider sector-specific issues, which was rephrased to: Why should oil, gas and mining be considered differently? It was recommended that the EIR should distinguish between the three sectors as they differ substantially with respect to complexity of commercial, physical, and value chain, which in turn impacts the role of government and the private sector. Specific recommendations were:
1. Make sure that the different issues are considered and these should influence the invitations to the workshops.
2. Invite people with separate knowledge of gas and oil.

The group developed the table below which summarizes the main issues.

<table>
<thead>
<tr>
<th>ISSUES</th>
<th>OIL</th>
<th>GAS</th>
<th>MINING</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYMENT CREATION:</td>
<td>Not necessarily huge differences, but Gas downstream with high impacts / power</td>
<td>More local employment</td>
<td></td>
</tr>
<tr>
<td>GLOBAL ENVIRONMENT: (Warming)</td>
<td>(2)</td>
<td>Less (3)</td>
<td>Coal – High greater issue.(1) mining other (0)</td>
</tr>
<tr>
<td>LOCAL ENVIRONMENT:</td>
<td>←Potentially Low impact →</td>
<td>Potential High Impact</td>
<td></td>
</tr>
<tr>
<td>REVENUE MANAGEMENT:</td>
<td>High returns medium returns</td>
<td>Lower returns (depends on mineral)</td>
<td></td>
</tr>
<tr>
<td>COMMUNITY ISSUES:</td>
<td>Important</td>
<td>Important</td>
<td>Important (More people)</td>
</tr>
<tr>
<td>INVESTMENT PATTERN:</td>
<td>Not much (either than “post production”)</td>
<td>difference</td>
<td></td>
</tr>
<tr>
<td>INFRASTRUCTURE / PUBLIC GOOD:</td>
<td>←High Economic Gas infrastructure beneficial to Regional / Local Community. Government Involvement required. Development</td>
<td>potential</td>
<td></td>
</tr>
<tr>
<td>POST-PRODUCTION (e.g. MINE CLOSURE):</td>
<td></td>
<td>High Post Production Costs</td>
<td></td>
</tr>
<tr>
<td>COMPLEXITY OF COMMERCIAL / PHYSICAL VALUE / CHAIN</td>
<td>HIGH</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The plenary discussion contributed with a number of comments which were not discussed further. The issues that were raised are:

- Consider alternatives, such as renewable resources and recycling.
- Look at the global impact of gas: methane leakage rates.
- Add an artisanal mining component.
- Realize the geological risk profiles are different.
- Look at the WBG role to substitute gas for coal.
- Look at the development links with land rights and title.
- Cover different fields with different people.

11. **Region-specific Issues: What to do and what to avoid in the Regional Consultation Workshops**

Another working group discussed the question how to integrate region specific issues into the workshop. Here is the list of recommendations of what should be done and what should be avoided.

<table>
<thead>
<tr>
<th>We should do...</th>
<th>We should avoid...</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Understand what the regional issues are before planning the workshop.</td>
<td>1. Long process discussions</td>
</tr>
<tr>
<td>2. Use existing mechanisms of information to identify issues.</td>
<td>2. Talk shop + speeches</td>
</tr>
<tr>
<td>3. Workshop should be open to all.</td>
<td>3. Workshop driven by World Bank Group</td>
</tr>
<tr>
<td>4. Focus on affected communities, representative peoples in regional workshop.</td>
<td>4. Solving community conflicts</td>
</tr>
<tr>
<td>5. Invite appropriate people to present issues.</td>
<td>5. Catalogue of ‘bad examples’</td>
</tr>
<tr>
<td>6. Government (local &amp; central), industry, peoples, communities, Communities groups, NGO and donor organizations should be represented.</td>
<td>6. Programs which violate human &amp; social rights!</td>
</tr>
<tr>
<td>7. Equal benefits to all indigenous peoples.</td>
<td>7. Descriptive country ...</td>
</tr>
<tr>
<td>8. Prior consultation + analysis on topics, positions + process.</td>
<td>8. Regional experts from outside the region</td>
</tr>
<tr>
<td>9. Briefing paper on oil, gas and mining activities and local development.</td>
<td>9. Leaving people out and lack of transparency</td>
</tr>
<tr>
<td>10. Appoint regional specialists to scope issues.</td>
<td>10. Culturally inappropriate forms of facilitation</td>
</tr>
<tr>
<td>11. Use regional facilitator with a global outlook.</td>
<td></td>
</tr>
<tr>
<td>12. Evaluate existing conditions on EI e.g. environmental impact, social impact, economic, technology, and expectation for sustainable development for EI in the region</td>
<td></td>
</tr>
<tr>
<td>13. Implementation mechanisms to carry the process forward over the long term</td>
<td></td>
</tr>
<tr>
<td>14. Feedback outcome to communities + register reaction</td>
<td></td>
</tr>
<tr>
<td>15. Discuss + agree on use of output (e.g. feed into final report)</td>
<td></td>
</tr>
</tbody>
</table>

In the closing plenary a number of aspirations and hopes were raised.

- Clarification on the form and process of the Wrap-up workshop.
- What outcome can we expect from the Bank? What are the options for the Bank to operationalize the recommendations?
- The example of a consultative review in Canada on the investment climate was shared with the plenary. Drawing a parallel of the difficulties that the government faced in the process with its role and with providing information. The lessons learned was that it is important to explain and justify things as these questions do not mean to ‘co-op the agenda’ or force a conclusion. People simply want to know what exactly is going on. It turned out that many of the criticism were leveled with misunderstandings or lack of knowledge on both sides. Once these were overcome both sides were able to agree on the disagreements and then these could be tackled.
- Time is too compressed. Stretching it out by a few more months would make a huge difference in the ability reach out to different stakeholders and interest groups.
- The process leading to Brussels being full of inexplicable actions that tended to demonstrate that the WBG had something to hide. Doubts about the realism that the WBG will distance it self from projects were people suffer with their lives.
- Concern about possibly loosing the greater controversy surrounding the role of the WBG. The influence of the WBG on the conduct of the industry has been far greater than can be measured in individual projects. Therefore, the impact of the Bank’s policies on the conduct of the mining industry should be considered as Bank’s policies have driven many projects outside of Bank projects.
- Having learned that the Bank is only funding 2-3% of all oil and gas projects the question is why doesn’t the industry fund this small share? What is the Bank’s value added and what would be thrown away if that 2-3% were no longer executed? Let’s look very closely at this 2-3%.
- Too little discussion about the impact of the sectors on climate change and how this affects small island states.
- Recommendation to carefully design and adapt the facilitation methodology for the Regional Workshops in order to ensure participation of indigenous and other communities leaders.
- Expressed hope to get out of the consultations a set of recommendations from Dr. Salim, which are actionable and which can be put to work to change the way the Bank does its business.
- Shared with the plenary that in his country he has seen a lot of positive work with the WBG in the areas of mining policies, laws, capacity building etc. and he does not want to see all this written off as being bad.
Evaluation: An evaluation was done by the participants on a voluntary basis after the official closing of the workshop. Although only 50% of the participants gave their votes, a clear positive tendency can be observed mixed with still existing doubts and fears from these voters.

<table>
<thead>
<tr>
<th>My expectations for this workshop are fulfilled</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>++</td>
<td>5</td>
</tr>
<tr>
<td>+</td>
<td>11</td>
</tr>
<tr>
<td>-</td>
<td>7</td>
</tr>
<tr>
<td>--</td>
<td>1</td>
</tr>
</tbody>
</table>

| The process in this workshop was useful for me: |
|----|----|
| ++ | 3  |
| +  | 15 |
| -  | 6  |
| -- | 0  |

| I think we are on a good way: |
|----|----|
| ++ | 2  |
| +  | 17 |
| -  | 5  |
| -- | 0  |

13. Concluding Remarks by Prof. Dr. Emil Salim

A process with inherent conflict needs to build trust: Dr. Salim remarked that in the Extractive Industries Review process, some completely opposing views were clashing: some stakeholders want the World Bank Group to get out of the extractive industries altogether, others believe they have a positive role to play. The review therefore has a conflict problem. This required a workshop that discussed process over substance, because “how can you go to the substance if there are two opposing groups who have different ideas, but have not yet had the opportunity to discuss these ideas”. This is why the Planning Workshop’s main purpose was to build trust between the different stakeholder groups.

Interest based conflict resolution - understanding the reasons behind the opinions: The approach that best deals with conflict situations of this type is not a negotiation between the groups, but a kind of “interest based conflict resolution”. Dr. Salim suggested that it was important to express the reasons behind each opinion, which needed to be understood by the other side. In doing this people may need to bang the fist on the table, and that is good, if there is no conflict in the meetings, if people don’t speak up, “then there is something wrong. Then it will explode outside the meeting hall”. Dr. Salim expressed his gratitude to the facilitators for having enabled this crucial exchange.

Dr. Salim calls on participants to move forward now and stay involved: Dr. Salim encouraged the workshop participants to now move forward. He reminded everyone that in the end, they all had the same goal in mind: “We are all committed to sustainable development (...) Second, we are all committed to poverty eradication. By having the same goal, I feel that can be the integrating factor that can put us together in the cooperative spirit.” He expressed his wish that the participants stay involved. “I really rely on you. You were here, you know the spirit, you know what is at stake.” Together they can walk the long walk that in the end should produce a case that makes a real difference to how the World Bank Group operates.

5 See Annex 7 for a transcript of the closing remarks.
Annex 4

ICSG member countries belonging to the WB Group
<table>
<thead>
<tr>
<th>ICSG Members</th>
<th>IBRD</th>
<th>IDA</th>
<th>IFC</th>
<th>MIGA</th>
<th>ICSID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Canada</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Chile</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>China</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>Finland</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
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<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>Germany</td>
<td>Y</td>
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<tr>
<td>Greece</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>India</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>Indonesia</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Italy</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Japan</td>
<td>Y</td>
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Y=Yes
N=No
N/A= Not applicable