

Responsibility of International Financial Institutions to ensure Meaningful and Effective Participation and Accountability within their Investments, and to Foster an Enabling Environment for Freedoms of Expression, Assembly, and Association

In recent years, international financial institutions, including the World Bank Group, European Bank for Reconstruction and Development, and other regional development and investment banks, have increasingly emphasized the importance of participation, good governance, and accountability for development. As both human rights and development experts have noted, respect for human rights of freedom of expression, assembly, and association is crucial for achieving participatory, sustainable, and accountable development.¹

In many countries where international financial institutions (IFIs) are investing, these rights are under attack, from violent crackdowns on protests and criminalization of speech, to arbitrary arrests and detention of human rights defenders, as well as restrictions on civil society organizations (CSOs).² Global Witness identified 2015 as the worst year on record for killings of land and environmental defenders, with 185 killings across 16 countries.³ This environment of violence, intimidation, and closing civil society space renders meaningful public participation in development virtually impossible. It also significantly increases the risk that IFI-financed activities will contribute to or exacerbate human rights violations.⁴

In all their activities, IFIs should do everything within their powers to support an enabling environment for public participation, in which people are empowered to engage in crafting their own development agendas and in holding their governments, donors, businesses, and other actors to account. IFIs should also ensure that their activities do not cause or contribute to human rights violations, including taking necessary measures to identify and address human rights risks in all of their activities.

We, the undersigned, call on all international financial institutions to ensure that the activities they finance respect human rights and that there are spaces for people to participate in the development of IFI projects and hold IFIs to account without risking their security. We call on IFIs to actively support the realization of rights to freedom of expression, assembly, and association, and related human rights, including economic, social and cultural rights (ESCR), in all their activities.

We also urge shareholder governments to actively support these reforms at each international financial institution of which they are a member.

¹ Daniel Kaufmann, "Human Rights, Governance, and Development: An empirical perspective," in World Bank Institute, Development Outreach, October 2006, <http://siteresources.worldbank.org/EXTSITETOOLS/Resources/KaufmannDevOutreach.pdf>, pp. 15- 20; Hans-Otto Sano, "Development and Human Rights: The Necessary, but Partial Integration of Human Rights and Development," Human Rights Quarterly, vol. 22.3 (2000), pp. 734-52.

² Amnesty International, "The State of the World's Human Rights 2015/2016," 2016, <https://www.amnesty.org/en/latest/research/2016/02/annual-report-201516/>; Civicus, "State of Civil Society Report 2016," June 2016, <http://www.civicus.org/images/documents/SOCS2016/summaries/SoCS-full-review.pdf>

³ Global Witness, "On Dangerous Ground" June 2016, <https://www.globalwitness.org/en/reports/dangerous-ground/?gclid=CLrJ3-SF480CFUZbghodNDAAWQ>.

⁴ Human Rights Watch, "At Your Own Risk: Reprisals Against Critics of World Bank Group Projects," June 22, 2015, <https://www.hrw.org/report/2015/06/22/your-own-risk/reprisals-against-critics-world-bank-group-projects>; Oxfam International, "The Suffering of Others: The human cost of the International Finance Corporation's lending through financial intermediaries," https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/ib-suffering-of-others-international-finance-corporation-020415-en.pdf.

We call on international financial institutions to:

1. As part of country-level and project-level engagement, systematically analyze the environment for freedoms of expression, assembly, and association, and the realization of other human rights critical for development and the implications for development effectiveness and project outcomes. Build this analysis into country development strategies and project design, including by identifying the actions and measures which will be taken by the IFI and the client to address any risks.
2. Develop and institutionalize creative methods to enable people, including marginalized and discriminated against groups, to freely participate in proposed IFI-financed development initiatives that may affect them or that should benefit them, without risk of reprisals.
3. Systematically analyze and take measures to mitigate project-related risks relating to freedoms of expression, assembly, and association, and other human rights, including economic, social and cultural rights.
4. Establish policies to ensure that information and communication technology investments are not used to limit freedom of expression or infringe international obligations on privacy rights.
5. From the earliest stages of project development until following project completion, take all necessary measures to mitigate risks of all forms of threats, attacks, or reprisals to community members, workers, activists, journalists, human rights defenders, and civil society organizations for participating in project development, for criticizing or opposing a project or otherwise speaking out (or being perceived to have spoken out) against a project. Such measures should include: incorporating clauses preventing reprisals in loan agreements and developing an urgent response system to address threats to project critics.
6. Consistently highlight the importance of the rights of freedom of expression, assembly, and association for participatory, sustainable, and accountable development in dialogue with all levels of government and in relevant IFI publications. In the face of proposals that would roll back protections of these rights, emphasize to governments the adverse impact such proposals would have on development effectiveness and the IFI's activities in the country.
7. Concerning compliance/accountability mechanisms: develop measures to protect people's right to remedy, including the right to freely approach and fully participate in the IFI accountability mechanism processes; ensure that those communities likely to be affected by a project are aware of and feel safe in approaching accountability and grievance mechanisms; give accountability mechanisms the tools and power to address situations in which complainants experience retaliation after participating in or attempting to utilize an accountability mechanism process; and ensure that compliance investigations also examine any instances of retaliation for opposition to the project and/or participation in the mechanism process.

Signed,

1. 11.11.11. - Coalition of the Flemish North-South Movement, Belgium
2. A Toda Voz, A.C., Mexico
3. Accountability Counsel, United States

4. ActionAid USA, United States
5. Actions pour les Droits, l'Environnement et la Vie, Democratic Republic of Congo
6. African Law Foundation (AFRILAW), Nigeria
7. African Resources Watch (AFREWATCH), Democratic Republic of Congo
8. Al-Noor Universal Foundation, Iraq
9. Alternative ASEAN Network on Burma, Thailand
10. Alyansa Tigil Mina (ATM), Philippines
11. Amazon Watch, Regional
12. American Jewish World Service, United States
13. Amnesty International, International
14. Anticorruption Business Council of the Kyrgyz Republic, Kyrgyz Republic
15. Arabic Water Forum, Morocco
16. Article 19, United Kingdom
17. Asia Indigenous Peoples Pact, Regional
18. Asian Forum for Human Rights and Development (FORUM – Asia), Regional
19. Asociación Interamericana para la Defensa del Ambiente, Regional
20. Assembly of AL-Inbithaq for Development & Economic Development, Iraq
21. Association of Human Rights Defenders and Promoters- HRDP, Myanmar
22. Association for Promotion Sustainable Development, India
23. ASEAN Parliamentarians for Human Rights, Regional
24. Atgaja, Lithuania
25. Bank Information Center, United States
26. BankTrack, Netherlands
27. Bankwatch Romania, Romania
28. Bantay Kita-Publish What You Pay, Philippines
29. Bretton Woods Project, United Kingdom
30. Buliisa Initiative for Rural Development Organisation (BIRUDO), Uganda
31. Business and Human Rights Resource Center, International
32. Business and Welfare Initiatives Ltd., Bangladesh
33. CEE Bankwatch, Czech Republic
34. Center for Bangladesh Studies, Bangladesh
35. Center for Ecology and Sustainable Development, Serbia
36. Center for Environmental Information and Education, Bulgaria
37. Center for International Environmental Law, International
38. Center for Studies and Economic Media, Yemen
39. Centre for Research on Multinational Corporations - SOMO, Netherlands
40. Centre for Transport and Energy, Czech Republic
41. Centro Mexicano de Derecho Ambiental, A.C., Mexico
42. Citizens for Justice, Malawi
43. Columban Center for Advocacy and Outreach, United States
44. Columbia Law School Human Rights Clinic, United States
45. Commercial Media Center, Iraq
46. Conectas Direitos Humanos, Brazil
47. Conseil régional des organisations non gouvernementales de développement, Democratic Republic of Congo
48. Cotton Campaign, International
49. Counter Balance, Czech Republic
50. Crude Accountability, United States
51. Derechos Humanos y Medio Ambiente, Peru

52. Due Process of Law Foundation, International
53. EarthRights International
54. EcoLur Informational NGO, Armenia
55. Eco – sense, Macedonia
56. Egyptian Center of Civil and Legislative Reform, Egypt
57. Egyptian Center for Economic and Social Rights, Egypt
58. Empower India, India
59. Equitable Cambodia, Cambodia
60. Estonian Green Movement, Estonia
61. European Center for Not-for-Profit-Law, Hungary
62. Fédération internationale des ligues des droits de l'Homme, International
63. For the Earth (Ze Zemiata), Bulgaria
64. FOCO Foro Ciudadano de Participación por la Justicia y los Derechos Humanos, Argentina
65. Forum of Dialogue and Partnership for Development, Egypt
66. Foundation for the Conservation of the Earth, Nigeria
67. Foundation for Environmental Rights, Advocacy and Development (FENRAD), Nigeria
68. Friends of the Earth – CEPA, Slovakia
69. Friends of the Earth U.S., United States
70. Front Line Defenders, Regional
71. Fundación Ambiente y Recursos Naturales, Argentina
72. Fundacion MaderaVerde, Honduras
73. Fundar, Centro de Análisis e Investigación, Mexico
74. FUNDEPS, Argentina
75. Gender Action, United States
76. Governance and Social Accountability Tunisia, Tunisia
77. Greater Active Reconstruction & Justice Action Network-Nepal, Nepal
78. Green Action (Zelena Akcija), Croatia
79. Green Alternative, Georgia
80. Greenpeace, International
81. Guatemala Human Rights Commission, United States
82. Jamaa Resource Initiatives, Kenya
83. Jewish World Watch, United States
84. JONCTION, Senegal
85. Habi Center for Environmental Rights, Egypt
86. Hann Baykeeper Waterkeeper Alliance, Senegal
87. Heinrich Böll Stiftung, Germany
88. Hnuti DUHA, Czech Republic
89. Human Rights Watch, International
90. Inclusive Development International, United States
91. Indigenous Women League Nepal, Nepal
92. International Accountability Project, International
93. International Labor Rights Forum, International
94. International Rivers, International
95. Institut de Recherche en Droits Humains (IRDH), Democratic Republic of Congo
96. Inspirator Muda Nusantara, Indonesia
97. ITDP, Mexico
98. Just Associates (JASS), International
99. KATRIBU Kalipunan ng Mga Katutubong Mamamayan ng Pilipinas, Philippines
100. Khpal Kore organization(KKO), Pakistan

101. Krityan and UNESCO Club Jamshedpur, India
102. Latvian Green Movement, Latvia
103. L'Observatoire d'Etudes et d'Appui à la Responsabilité Sociale et Environnementale, Democratic Republic of Congo
104. Livelihood and Environment Ghana (LEG), Ghana
105. Lumière Synergie pour le développement, Senegal
106. Maison de Mines du Kivu, Democratic Republic of Congo
107. Maryknoll Office for Global Concerns, United States
108. Naga Peoples Movement for Human Rights (NPMHR), Nagaland / India
109. Narasha Community Development Group, Kenya
110. National Ecological Centre of Ukraine, Ukraine
111. National Society of Conservationists – Friends of the Earth Hungary
112. NGO Forum on ADB, Philippines
113. Observatoire Gouvernance et Paix, Democratic Republic of Congo
114. Oil Workers' Rights Protection Organization Public Union, Azerbaijan
115. Ong hadassa, Gabon
116. Ong croissance saine environnement, Gabon
117. Oxfam International, United Kingdom
118. OT Watch, Mongolia
119. Participatory Research Action Network, Bangladesh
120. Phenix Center Jordan, Jordan
121. Polish Green Network Poland
122. Press Freedom Advocacy Association, Iraq
123. Project on Organizing, Development, Education and Research (PODER), Regional
124. Protection International, Belgium
125. Proyecto Tarahumara Sustentable, Mexico
126. Radanar Ayar Rural Development Association, Myanmar
127. Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO), Senegal
128. Réseau sénégal des défenseurs des Droits humains (RSDD), Senegal
129. Réseau Camerounais des Organisations des Droits de l'Homme, Cameroon
130. Responsible Sourcing Network, United States
131. Sakhalin Environmental Watch, Russia
132. Sawit Watch, Indonesia
133. Seeds - India, India
134. Sisters of Mercy of the Americas' Institute Justice Team, International
135. Social Justice Connection, Canada
136. Sursiendo, Comunicación y Cultura Digital, Mexico
137. Sustainable Development Foundation, Thailand
138. TAKKOM JERRY Polyvalence Culturelle et Environnementale, Senegal
139. The Gate of Culture and Development, Morocco
140. Tunisian Association of Transparency in Energy and Mines (ATTEM), Tunisia
141. Uganda Land Alliance, Uganda
142. Urgewald, Germany
143. Uzbek German Forum for Human Rights, Germany
144. Youth Federation of Indigenous Nationalities Nepal, Nepal
145. Zo Indigenous Forum Mizoram, India