

**Transparency and social responsibility in the governance of natural resources in
Francophone Africa**

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Contribution of ROTAB-RCQVP – Niger
Presented by ABDOU SIDI

Introduction

It is hardly necessary to recall that Africa has an abundance of enormous potential in natural resources (mines, gas, petroleum, wood etc...)

From the colonial period to today, important quantities of natural resources have been extracted in most of the African countries.

Certainly independence has changed the relationship between colonizer and the colonized which allowed, the conclusion of more or less long term agreements in the 1960's, agreements for the exploitation of mining and petroleum resources. However, in the last decade, the contracts have been reviewed.

But for all this, have the African countries in general and the francophone countries in particular gained [anything] at the end of the day?

The response to this last question passes without comment.

Yet, the exploiting companies have a responsibility to the host countries on the one hand and to the population groups in the areas where exploitation of natural resources takes place on the other.

Faced with what is now called the "Dutch syndrome", African civil society, is becoming more and more bold, conscious of its role as citizen vigil for the respect of human rights, the promotion of good governance and social and economic progress and is mobilising to make its voice heard.

Even if the mentalities of the leaders have not evolved much in the direction of transparency and good governance, it is necessary to say that these demands hang like the Sword of Damocles above the heads of these African leaders and they from now on, they must come to terms with the real aspirations of the people.

1 TRANSPARENCY IN THE GOVERNANCE OF NATURAL RESOURCES

In Niger, from 2005, civil society has been mobilizing to demand more good governance in the management of political affairs and more fairness.

We recall the great public mobilizations to combat the high cost of living, the wastage of public resources, and the chaos setting itself up as a method of government.

It is in the wake of this that the establishment of the Network of Organisations for Transparency and Budgetary Analysis took place: ROTAB. Arising from the willingness of civil society organisations to unite to influence public policy to the benefit of the local people. With the resurgence of interest sparked off in the mining and petroleum sectors, ROTAB has orientated its activities in the direction of transparency and budget monitoring arising from mining resources.

It quickly joined the campaign “Publish what you pay” with a view to exerting pressure on mining companies to and the government to abide by the requirements of transparency by publishing what the former pay to the State and what the latter receives from them.

11 The Initiative for Transparency in the Extractive Industries, the Necessity for Transparency

Niger has subscribed to EITI since 2005, it is in the process of putting in place the appropriate framework for the implementation of this requirement through the creation of a national consultative committee which brings together government representatives, mining companies and civil society, the election of a Permanent Secretary, as well as the adoption of an EITI plan of action. From being a candidate country which it was in 2009, thanks to the efforts in the publication of the first report (2005-2006) Niger is in the process of becoming a country in conformance in the next few months.

The efforts of the organisations in this field have not ceased there, because a permanent “watchdog” has been put in place. Training of stakeholders in civil society on the basic knowledge of transparency in the extractive industries was organized from 2007 to 2009 over the entire country, the training of local representatives and their mobilization for the 15% of revenue granted to the communities in the areas of mining operations.

Since the beginning of this year, 2010, civil society organisations and the local representatives have been trained on budget monitoring. More and more pressure is being mounted against governments and especially the mining companies to live up to their social responsibility.

111 SOCIAL RESPONSIBILITY IN THE GOVERNANCE OF NATURAL RESOURCES

ROTAB , individually or in collaboration with other organisations intervening in the mining, petroleum and gas domains has undertaken actions towards making the mining companies face up to their social responsibility vis-à-vis the State and the local people by respecting the legal conventional provisions on the one hand and on the other to engage in voluntary activities.

From this perspective, the mining companies must acquit themselves of their legal obligations in all the domains on the issue of corporate and environmental social responsibility, governance and respect for human rights. From this point of view, our organisations have questioned mining companies operating on Niger territory on numerous occasions. Areva in the Agadez region, the Liptako Mining Company (SML/Samira) in the Tillaberi region and China National Petroleum Corporation (CNPC) in the Diffa and Zinda region are examples of this.

ROTAB and the NGO AGHIR-IMAN (member of ROTAB) in collaboration with the local population groups has campaigned on the issues of the impacts of mining activities on the local population and animals at Arlit and Akokan.

Furthermore, ROTAB has implemented several projects and plans:

- The publishing of a collection of legislative and regulatory texts on the extractive industries in 2007 and 2010;
- The organization of a National Forum on the Extractive Industries with the local representatives, the mining and petroleum companies, the fund backers for Nigeria, the media, and stakeholders in civil society to create a dialogue with a view to gaining the confidence of everyone in local development;
- The publication of a monthly bulleting called “Transparency”
- Advocacy campaign for the application of the law allocating 15% of mining revenues to local communities;
- The establishment of budgetary watchdog committees at the level of all the country’s regions;
- The exercise of permanent citizen control of public action;
- Requirement for parliamentary commissions of enquiry in the framework of the grant of mining permits and the publication of contracts;
- The completion of an investigation with Greenpeace in the recent revelation of the alleged radio activity and contamination of water in the regions of Arlit and Tchirozerine;
- Participation in the Transition for the improvement of laws and regulations on transparency and social responsibility.

IV OUTLOOK AND SCOPE OF FUTURE ACTIVITIES

Strengthen the existing frameworks and upscaling of synergy of action on the sub-regional, regional and international levels;

Implement the recommendations of the francophone workshop of Abidjan held from 29 January to 02 February having brought together the francophone representatives of the International Campaign “Publish what you Pay”;

Support the ECOWAS guidelines on the harmonization of the guiding policy principles in the mining sector;

Work towards the implementation of commitments under the environmental impact studies to preserve the environment and ensure healthy mining conditions for the employees and river side communities in the mining sites.

At the level of the State of Niger

The State must arrange the means to make mining companies respect the different social and environmental commitments made, the transparency of mining contracts, the commitments made by the State and its partners to ensure greater transparency in mining, at the uranium site of Imouraren and the gold mining site of Samira, and the contribution of the extractive industries to the national budget

ROTAB Publish What you Pay
Box 10468 Quartier Terminus – Niamey, Niger
Tel 00 227 96 47 10 57 – Fax 00 227 20 74 00 03
Email pcqvpniger@yahoo.fr
www.rotabniger.org