

# **National Model United Nations**

## **Week A**

**March 17 – March 21, 2013**



**Economic Commission for Africa**

**Documentation**



## **Economic Commission for Africa Summary Report**

The Economic Commission for Africa held its annual session to consider the following agenda items: *I. Pursuing Socially & Environmentally Sustainable Practices in Mineral Trade, II. Enhancing Good Governance through the New Partnership for Africa's Development (NEPAD) and III. Improving Youth's Access to Education & Employment. The meeting was attended by representatives of forty Member States that participate in the Regional Commission.*

The session was attended by representatives of 41 States.

The first session opened with several statements concerning the adoption of the agenda. At its first session, the Commission determined that Pursuing Socially and Environmentally Sustainable Practices in Mineral Trade took precedence and would be the priority topic. If time allowed, the Commission would then address Improving Youth's Access to Education & employment. After the agenda was set, formal speeches were delivered to the body and groups began convening during caucuses. In sessions two and three, seven working groups were formed and they discussed the first agenda item. There were many intense and profitable discussions during the suspensions of the meeting, with each working group focusing on diverse areas of concern including: strengthening the transparency in government to enhance working sustainability; establishing a new framework concerning the better utilization of resources; the inception of a new fund to act as an emergency monetary resource; and improving the existing regional trade bodies through assessment reports through enhanced codes of conduct in the industry.

Five working papers were submitted to the dais. The working papers addressed a number of proposals, including the establishment of legal, environmental, and economic regulations and guidelines through an Africa Mining Advisory Board; the creation of an environmental protection agency; and a framework that provides technical expertise through utilizing GIS Databases and a corporation index. In the formal session, the delegates called upon the cooperation between different working groups and received positive feedback. Delegates also had several fruitful caucuses in which they delved deeper in to the topic to find specific solutions and raised new concerns, such as the relationship between human rights and the sustainable practice of mining trade. During the seventh session, a great deal of consensus within the body was evident from speeches as delegates continued to collaborate and merge their papers.

A total of three draft resolutions were accepted by the dais in the seventh session and were distributed amongst the delegations. Thirty-Eight delegations were present during roll call. All three draft resolutions were all voted by roll call vote. Draft Resolution One failed with 16 in favor, 16 opposed, and 6 abstentions. Draft resolution Two was passed with 33 in favor, 1 opposed and 4 abstentions. Draft Resolution Three was also passed with 21 in favor, 11 opposed, and 6 abstentions. Therefore, in total, two draft resolutions were adopted by the body and became Resolution 1 and Resolution 2. Following the vote, a motion for the adjournment of the meeting passed and ended the substantive work production of the meeting until the Economic Commission for Africa is scheduled to reconvene next year.

Code: ECA/1/1

Committee: The Economic Commission for Africa

Subject: Pursuing Socially and Environmentally Sustainable Practices in the Mineral Trade

1 *Recognizing* the sovereignty of all the members of the United Nations as outlined in Article 2  
2 (7) of the United Nations Charter which reads as follows: “Nothing contained in the present  
3 Charter shall authorize the United Nations to intervene in matters which are essentially within  
4 the domestic jurisdiction of any state or shall require the Members to submit such matters to  
5 settlement under the present Charter; but this principle shall not prejudice the application of  
6 enforcement measures under Chapter VII”,  
7  
8 *Believing* in the spirit of the Millennium Development Goals,  
9  
10 *Bearing in mind* the United Nations Declaration on Human Rights,  
11  
12 *Guided by* the *Kyoto Protocol* and the work done at the Rio +20 conferences,  
13  
14 *Recalling* the General Assembly resolutions 66/204 “Harmony in Nature”, 66/280 “The Future  
15 we Want” and the World Charter for Nature, resolution 37/7,  
16  
17 *Noting with deep concern* the destabilizing effects of illicit trade of minerals,  
18  
19 *Reiterating* the sentiment from the *Africa Mining Vision* adopted by the *United Nations*  
20 *Economic Commission for Africa* and the *African Union* in August 2008 stating “tackling the  
21 paradox of great mineral wealth existing side by side with pervasive poverty,”  
22  
23 *Emphasizing* the importance of sustainable mineral trade for the future of the African economies,  
24  
25 *Reaffirming* the need of transparency as shaped by the *Extractive Industries Transparency*  
26 *Initiative*,  
27  
28 *Stressing* the need of respect and consider local and/or indigenous groups as stakeholders during  
29 the process of negotiating and drafting mining contracts to fairly and effectively become legally  
30 binding,  
31  
32 *Cultivating an awareness* of the vast amount of mineral resources available in the region and the  
33 potential for those resources to contribute to present and future economic growth; as this will  
34 promote economic independence,  
35  
36 *Realizing* the individuality of each member states interests, the economic advisory board will  
37 work along side local authorities inclusive of Civil Society Organizations, Non-Governmental  
38 Organizations and Governments,  
39  
40 *Ensuring* that Information Communication Technology transfer can be a catalyst for local and  
41 regional empowerment of Small and Medium Enterprises,  
42

43 *Recognizing* and building upon the successful entity, titled the legal advisory board established  
44 by the African Development Bank in 2010,

45  
46 *The Economic Commission for Africa,*

- 47
- 48 1) *Considers* the high potential mineral trade has for economic growth within Africa and  
49 that most nations are unaware of their mineral possessions due to different political  
50 realities that have undermined the ability to establish such a knowledge base;  
51
  - 52 2) *Notes* that a focus on sustainability should be a requirement of foreign investors in order  
53 to stabilize and diversify our African economy fostering a mutual benefit for both parties;  
54
  - 55 3) *Demands* the creation of a framework, the African Mining Advisory Board, modeled  
56 after the existing legal advisory board from the African Development bank which shall be  
57 divided into three separate divisions: a legal, and economic and environmental one;  
58
  - 59 4) *Requests* that the African Mining Advisory Board shall consist of impartial technical  
60 advisors and committees including for example academic, governmental, economical and  
61 civil experts with special concern for indigenous representatives that will assist African  
62 nations with mining development issues, environmental best practices and production  
63 capacities;  
64
  - 65 5) *Affirms* that the board is not responsible for directing monetary values towards member  
66 states, however the board is responsible for allocating all funds towards exploration and  
67 for purpose of research and development:  
68
    - 69 a) Recommends Economic Commission for Africa members to elect ten officials to the  
70 board by simple majority vote, from various expertise and backgrounds,  
71
    - 72 b) States that officials must be members of the Economic Commission for Africa,  
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    - 74 c) States the top five elected officials will remain on the board for a mandate of six  
75 years,  
76
    - 77 d) Stating that remaining five elected officials will be replaced by newly elected officials  
78 in terms of four years,  
79
    - 80 e) Requires board members and advisors to relinquish any and all public or private  
81 business associations during their appointment period;  
82
  - 83 6) *Requests* that the United Nations Development Programme and the United Nations  
84 Environmental Programme provides a onetime operating grant to establish the African  
85 Mining Advisory Board;  
86
  - 87 7) *Designates* a Legal Division that:  
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- 89 a) Ensures transparency through initiating sustainable development within each nation's  
90 unique mining contract while being mindful on infringing upon state's sovereignty  
91 and respectful of the interests of private mining companies with equal emphasis on  
92 individual government,  
93
- 94 b) Stresses the need of including local and/or indigenous stakeholders during the process  
95 of negotiating and drafting contracts in order for any mining contracts to be legally  
96 binding,  
97
- 98 c) Provides legal expertise who shall be made available upon a need basis throughout  
99 the entirety of each individual contract to arbitrate any conflicts as outlined by said  
100 contracts prior to moving to national jurisdictions,  
101
- 102 d) Supports the environmental and economic divisions in their respective efforts to  
103 establish a more sustainable and fair approach to mineral trade by providing legal  
104 consultations to both divisions,  
105
- 106 e) supports nations to establish schemes to source the origin of raw materials;  
107
- 108 8) *Calls upon* the African Mining Advisory Board to provide tactical conflict resolution  
109 consultation services to nations that are in need of and request such assistance;  
110
- 111 9) *Strongly recommends* every mining contract outlines an arbitrary clause for litigious  
112 cases, for the purpose of taking preliminary measures to avoid any legal justice action  
113 being taken and that parties to contracts have the liberty of choosing an arbitrator from a  
114 compiled list and overseen by the African Mining Advisory Board legal advisory;  
115
- 116 10) *Encourages* that all mining contracts, including on research, extraction or transformation  
117 of the raw materials, would require an official administrative and fiscal stamp to be  
118 considered legitimate;  
119
- 120 11) *Establishes* an Economic Division that:  
121
- 122 a) Utilizes environmental and social best practices to customize a plan applicable to the  
123 territories of the Member States of the ECA with respect to their particular resources;  
124
- 125 b) Advises nations in creating customized environmental regulations which are  
126 applicable to the territories of the member states;  
127
- 128 c) Urges to implement carbon emission caps and testing general water quality affected  
129 by mining operations on a period of 18 months for run offs from the mineral  
130 extraction and to monitor deforestation due to mining activity in report form  
131 providing respective ministries of environment deliverable to the African Mining  
132 Advisory Board;  
133

- 134 d) Endorses a joint project with the United Nations Conference on Trade and  
135 Development and the African Mining Vision to carry out comprehensive geological  
136 surveys of sub-soils and establishment of a Geographic Information System;  
137
- 138 e) Encourages the *African Mining Advisory Board* to run a Geographic Information  
139 System Survey when a nation applies for assistance in order to outline general  
140 mineral resources and to determine potential environmental damage;  
141
- 142 f) Encourages North to South technological exchange , vocational training and capacity  
143 building relating to sustainable mining technologies to promote higher grade  
144 technology and skills in hopes to achieve a more economically and environmentally  
145 sustainable mineral sector;  
146

147 *12) Recommends* an Environmental Division that:  
148

- 149 a) Directs mining companies to submit exploration reports to the African Mining  
150 Advisory Board and requires that said report will include thorough environmental  
151 impact analysis, a methodology to mitigate such impacts and a reclamation report that  
152 focuses on alternative uses;  
153
- 154 b) Strongly encourages the African Mining Advisory Board to require corporations and  
155 organizations to include indigenous people to assist in carrying out any and all  
156 exploration activities for the purposes of accessing their knowledge and perspective  
157 of their lands;  
158
- 159 c) Reaffirms that all findings shall be addressed to the Economic Advisory Board and  
160 the Legal Advisory Board;  
161
- 162 d) Draws attention to the need to create infrastructure to support transportation and  
163 refinement of minerals and create better chances for inter-African trade to promote  
164 the economic benefit of each individual Member States especially landlocked  
165 countries;  
166
- 167 e) Emphasizes downstream processing such as refinement and manufacturing with an  
168 emphasis on green technology;  
169
- 170 f) Expresses its hope to create economic transparency reflecting revenue development  
171 over time;  
172
- 173 g) Recommends that experts are consulted upon for the purpose of efficiently harnessing  
174 the land that is currently being used for mining practices that leave the soil fallow;  
175
- 176 5. *Further recommends* that though the utilization of the Economic Advisory Council and  
177 following the recommendation of Millenniums Development Goals the status of the  
178 African continent could be greatly improved.

Code: ECA/1/2

Committee: Economic Commission for Africa

Subject: Pursuing Socially and Environmentally Sustainable Practices in Mineral Trade

1 *Acknowledging* the negative consequences that mineral extraction has on the environment  
2 and the importance of environmentally sustainable practices,

3  
4 *Fully aware* of conflicts associated with the attainment of minerals by violent groups and  
5 the impact on peace, safety, and security of people in affected regions,

6  
7 *Recalling* the Economic Commission for West African States' (ECOWAS) Directive  
8 C/DIR.3/05/09 on the Harmonization of Guiding Principles and Policies in the Mining  
9 Sector by the Sixty-second Ordinary Session of the Council of Ministers which works  
10 towards implementing the Unified Mining Legislation in the region by setting out the  
11 guiding principles and premises of a regional common mining code,

12  
13 *Noting* the General Assembly's Second Committee's creation of the Global Compact  
14 principles that serves as a code of conduct for environmentally and socially sustainable  
15 practices,

16  
17 *Bearing in mind* the importance of regional cooperation as a means by which the African  
18 States can move forward in pursuing environmentally sustainable practices,

19  
20 *Reaffirming* Security Council Resolution 1493, adopted in 2003, which imposes sanctions  
21 to freeze assets against corporations who violate mineral trade regulations,

22  
23 *Recognizing* the significance of the Common Market for Eastern and Southern Africa  
24 (COMESA) and the success of the economic integration of sustainable development  
25 through regional cooperation,

26  
27 *Deeply concerned* about weak practices and illegitimate trade of minerals that have arisen  
28 as a result of poorly regulated mining industries,

29  
30 *Alarmed* by the use of revenue from the extraction of resources to fund illegal activities,

31  
32 *Fully aware* of conflicts associated with the attainment of minerals and the impact on  
33 peace, safety, and security of people in the affected regions,

34  
35 *Recognizing* the importance of the Kimberley Process Certification Scheme and its  
36 commitment to the certification of conflict free diamonds,

37  
38 *The Economic Commission for Africa,*

- 39  
40 1) *Suggests* strengthening the role of sub-regional offices of the United Nations  
41 Economic Commission for Africa for the purpose of enhancing economic



- 42 cooperation in mineral trade through the removal of trade barriers such as import  
43 taxes and tariffs between Member States;  
44
- 45 2) *Strongly urges* the reinforcement and enhancement of the role of the United  
46 Nations *Global Compact* code of conduct that mining corporations must adhere  
47 to for the purposes of:  
48
- 49 a. Establishing a set of regulations that is in accordance with  
50 environmentally sustainable practices, which consist of:  
51
- 52 i. Precautionary approaches to environmental challenges to reduce  
53 potential adverse impact;  
54 ii. Initiatives that alleviate the negative consequences of mineral  
55 extraction including but not limited to soil degradation,  
56 deforestation, desertification, and ground water contamination,  
57 such as pre-treatment of waste excreted from mining corporations;  
58
- 59 b. Ensuring the incorporation of socially sustainable practices through:  
60
- 61 i. Preserving human health by providing a secure work environment  
62 to all employees in order to ensure that the detrimental effects of  
63 conflicts do not put the lives of minors or the process of trade in  
64 jeopardy;  
65 ii. Providing comprehensive training to employees for the purposes of  
66 ensuring that duties are performed adequately as outlined in  
67 Article 11 of the Economic Commission for West African States  
68 (ECOWAS) Directive of 2009;  
69 iii. Assisting in the provision of education for the children of  
70 employees as an investment by the corporation into the local  
71 community, many of whom may seek future employment with the  
72 corporations;  
73 iv. Addressing the poverty and poor living conditions in rural and  
74 local mining communities;  
75 v. Assisting in the provision of a stipend paid by the companies for  
76 the dependent family members if the workers get injured or killed  
77 on the job;  
78
- 79 3) *Invites* Member States to require corporations to provide a yearly report on their  
80 practices at every stage of their mineral extraction projects, with special emphasis  
81 on environmental and social policies by:  
82
- 83 a. Instructing respective governments to assess these reports prior to the  
84 granting of the mining license and calls for a yearly analysis of the report  
85 by the government and an unbiased third party such as consulting  
86 expertise,  
87

- 88                   b. Calling upon the government of Member States where the minerals are  
89                   extracted to issue multiple warnings, in the case of repeated violations of  
90                   the report that will be submitted, after which the extraction license shall  
91                   be contested;  
92
- 93       4) *Invites* all Member States to join the African Peer Review Mechanism (APRM)  
94           and encourages the New Partnership for Africa's Development (NEPAD) to  
95           extend APRM to focus, in conjunction with the African Mining Advisory Board  
96           (AMAB), on the creation of a regular forum advising on the production of  
97           coherent standards to protect Africa's resources and environment by:  
98
- 99                   a. Encouraging Member States to volunteer to be part of a peer review  
100                  system focused on sustainable mining,  
101
- 102                  b. Promoting regular forums to be held every six months, hosted and led on a  
103                  rotating basis by states that have acceded to APRM, where countries can  
104                  assess their environmental impact and collaborate to employ solutions  
105                  that have been proven successful in other states, as well as creating  
106                  coherent standards to protect Africa's resources and environment,  
107
- 108                  c. Calling for voluntary bi-annual review of the progress made by Member  
109                  States towards environmental protection with emphasis on water  
110                  protection and mineral trade,  
111
- 112                  d. Recommending that the APRM Panel of Eminent Persons provides  
113                  suggestions and recommendations to willing Member States that show  
114                  signs of an impending crisis related to sustainable mining,  
115
- 116                  e. Further encouraging an increase in the current funding to the APRM to  
117                  finance the pre-existing Panel of Eminent Persons as well as the forum  
118                  which will be held every six months;  
119
- 120       5) *Recommends* the creation and implementation of the Guidelines for  
121           Environmentally Sustainable Practices, authored by mineral extraction experts  
122           provided by willing Member States, Non-Governmental Organizations, and  
123           educational institutions, which would be accessible to Member States under the  
124           Economic Commission for Africa, in order to:  
125
- 126                  a. Educate Member States on all forms of environmentally sustainable  
127                  practices in any form of mineral extraction,  
128
- 129                  b. Serve as a resource which provides additional methods of environmentally  
130                  sustainable practices after States have adhered to the Global Compact  
131                  Guidelines,  
132

- 133 c. Improve the environmental and social record in the extraction and trade of  
134 minerals,  
135
- 136 d. Highlight the advantages of implementing the practices of these  
137 guidelines;  
138
- 139 6) *Encourages* the enhancement of existing private Corporate Social Responsibility  
140 (CSR) rating agencies which would transparently assess corporation's social and  
141 ecological achievements in order to make governments benefit from unbiased  
142 information concerning the policy of each agency;  
143
- 144 7) *Emphasizes* the need for concentrated action of African states to preserve natural  
145 resources, particularly referring to areas in which bordering nations share mutual  
146 resources, by close cooperation in the form of:  
147
- 148 a. Establishing trans-boundary national parks,  
149
- 150 b. Increasing the area of government-issued protected lands in order to  
151 combat extensive deforestation,  
152
- 153 c. The protection of agricultural lands from pollutants produced by the  
154 mining industry, and by granting special environmental and economic  
155 status to farming land;  
156
- 157 8) *Commits* to regional cooperation by promoting the Common Mining Code (CMC)  
158 of ECOWAS throughout the African states, given that the objectives of this CMC  
159 include:  
160
- 161 a. Decreasing competition for market shares between Member States and  
162 increasing cooperation through legislation,  
163
- 164 b. Improving transparency regarding sustainable practices in the mining  
165 sector for both governmental and corporate bodies in order to protect the  
166 environment and local communities,  
167
- 168 c. Emphasizing the need to create a more competitive domestic market in the  
169 mining sector in order to prevent monopolistic situation;  
170
- 171 9) *Strongly encourages* member states to enhance the economic environment for  
172 local or domestic companies;  
173
- 174 10) *Recommends* the establishment of the CMC objectives by adopting the  
175 ECOWAS Directive of 2009 on a trans-regional level and providing a framework  
176 for Member States to pass their own legislation under a CMC, encompassing:  
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- 178 a. Mining ownerships and rights,

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- b. Localization policy,
- c. Employee and community rights,
- d. Dispute resolution procedures;

11) *Calls upon* willing Member States to implement certification measures for excavated mineral resources modeling the Kimberley Process Certification Scheme (KPCS) in order to:

- a. Sustain the mineral trade in African states;
- b. Maintain accountability for any and all institutions and peoples involved in the mineral trade, whether they be government institutions, corporations, or interest groups;
- c. Encourage increasing knowledge through awareness and reach of the Kimberley Process Certification Scheme to any mineral that can be identified and documented with assistance from the World Diamond Council and African Union in order to:
  - i. Achieve continent wide voluntary participation in creating a sustainable mineral trade through training and education,
  - ii. Promote sustainability and transparent trade amongst states while educating the people in all aspects of the mineral trade,
  - iii. Prevent the exploitation of indigenous peoples by those outside of state control or those seeking individual gain from mineral trade by increased scrutiny of the extraction and trade of minerals;

12) *Further encourages* the KPCS to adopt similar transparency policy initiatives to those already in place through the Extractive Industries Transparency Initiative to:

- a. Promote the use of third-party audits to ensure institutions report any and all financial transactions involved with the mineral trade,
- b. Ensure revenues remain beneficial of the people through the inclusion of civil society groups in the process of establishing industry infrastructure,
- c. Ensure necessary funding by the World Bank Group, through its established relationship with EITI, the African Union, and other partner agencies, to support the increased efforts of the KPCS,
- d. Call upon EITI personnel to establish a training program to educate officials in the KPCS in adopting transparent policies in the mining trade;

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- 13) *Urging* all Member States to focus on installing mineral processing industries in order to improve the value of African resources and to create additional jobs to the mining sector.