

**Helpdesk Research Report: Legal and technical support programmes for negotiations on extractives or land deals**

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**Query:** Please identify a selection of legal and technical support programmes designed to help governments and communities in sub-Saharan Africa engage with extractive and other companies in order to get good extractive/ land deals. Identify the type of support provided and how/ on what scale providers function.

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**1. Overview**

This report identifies a selection of legal and technical support programmes designed to help governments and communities in sub-Saharan Africa engage in contract negotiations with extractive and other companies in order to get good extractive and/ or land deals. It looks at the type of support provided (including how, by whom and on what scale), as well as how successful these initiatives have been.

Sub-Saharan Africa's abundant natural resources – including 15 per cent of the world's oil reserves, 40 per cent of its gold and 80 per cent of its platinum (World Bank 2012) – could significantly boost the region's economic growth and development. Large-scale projects carried out by potential investors, if strategically managed, are a potential source of fund generation. Yet, many country governments lack robust regulatory frameworks, specialised knowledge and technical expertise, and the necessary resources to navigate complex contract negotiations in a way that maximises the benefits for the country and affected communities. Resource constraints are often the key reason for poorly negotiated deals. Other challenges include: lack of experience in negotiating complex contracts; high turnover in key government agencies; difficulty attracting or retaining qualified, experienced staff; asymmetry of available information between government and corporations; time

pressures to conclude negotiations; internal competition between various ministries; and corruption. Corporations tend to be better resourced and skilled; have direct access to external networks of experts; have more coherent negotiation strategies and goals; and may use information asymmetries and loopholes in the legal or regulatory frameworks to obtain short-term advantages (Vale and Humboldt-Viadrina, 2012a). Poorly negotiated contracts frequently lead to drawn out, and costly, re-negotiation processes. Understanding these challenges is key to designing appropriate support programmes.

Contract norms may vary significantly across countries and sectors. Negotiation process, type of support required and source of funding for securing assistance will, therefore, also differ. Nevertheless, several common phases in contract negotiation have been identified (Vale and Humboldt-Viadrina, 2012a). These include

- (1) setting the investment environment;
- (2) pre-negotiation phase
- (3) negotiation phase; and
- (4) contract implementation phase (the last three are project specific).

Where existing skill sets for navigating these phases are weak or non-existent, a government might engage in capacity building (to acquire and retain qualified expertise) or outsource technical assistance to a third party. Capacity building is generally a long-term process, while technical assistance usually involves short-term contracting of external experts with specific skill sets. Demand for technical assistance has increased as a result of the global financial crisis, as well as countries seeking to strengthen their own economic and political institutions (IMF 2010).

A range of legal and technical support programmes exist in sub-Saharan Africa, although these tend to vary as much as the contexts in which they are carried out. An expert contacted in the course of this research noted that 'during the 90s, donors dabbled in providing advice and support to developing nations in negotiating concessions but then privatisation got a bad name, sullied this type of support and there has been much less thinking directed towards how donors can support local communities and governments in securing a better deal.' As a result, it seems, many existing legal and technical support programmes have only been developed in recent years. The expert suggested that 'negotiating concession agreements is a really interesting area for DFID to start thinking about in a systematic way.'

A large number of initiatives identified in sub-Saharan Africa provide support mainly to governments, although capacity building is often extended to civil society and community actors. A review carried out by Vale Columbia Center and Humboldt-Viadrina School (2012a) found that existing legal and technical support to African governments ranges from assistance provided in creating the investment environment and during pre-negotiation phases (for example, research, policy formulation, legislative and regulatory reform, bid preparation, and evaluation of proposals), as well as during the contract negotiation phase. Capacity building can be provided during all of these stages, though this tends to take the form of short-term training courses rather than sustained involvement. Limited support is available during the contract implementation or monitoring stage. As the review points out, however, even where assistance is available it may, in reality, be limited. Notably, very few programmes provide assistance during actual negotiations. Where this is available, funding often limits its scope. Donors may also limit work at the negotiation phase for political reasons, in order to be seen as neutral. Legal support is the most common type of support provided. Financial/economic analysis is

available, but less common, whilst sector-specific and technical expertise is the most lacking. Quite a few programmes provide short-term training courses on issues related to long-term investment contracts.

Overall, support – even from larger initiatives, such as the multi-donor trust funds – is often constrained due to limited availability of funding. Although many initiatives claim to be ‘demand driven’, lack of demand for support from governments was another challenge to providing support (Vale and Humboldt-Viadrina, 2012a). Demand might be lacking where need exists due to a number of reasons, including competition between different ministries over programme ownership, which might lead to a reluctance to outsource, for example, monitoring of contract implementation.

Perhaps because many existing support programmes are rather nascent, there appears to be a gap in literature that critically evaluates their success. In addition to a handful of overviews provided by providers of their own work (for example, Revenue Watch Institute, 2012), a useful review of existing support programmes was undertaken by Vale and Humboldt-Viadrina (2012a) to serve as the basis for discussion at a workshop to assess the need for negotiation assistance, analyse gaps between demand and existing support programmes and identify and assess new innovating approaches. In general, however, there seem to be few existing analyses of success, or clear guidelines or best practices emanating from existing initiatives.

## **2. Legal and technical support programmes**

### **African Legal Support Facility (ALSF)**

Based in Abidjan, Cote d'Ivoire, the ALSF ('the Facility') was established by the African Development Bank (AfDB) to provide technical assistance to the bank's regional member countries (RMCs). Countries that are not members of the ALSF may request legal advice but are given non-priority status. ALSF services can also be accessed by international organisations and institutions who 'meet the conditions governing eligibility for membership determined by the ALSF's Governing Council' (ALSF 2008:1). ALSF aims to support RMCs through the provision of legal assistance in dealing with vulture fund (pre-) negotiations and litigation, as well as provide (limited) capacity building to enable RMCs to undertake complex commercial transactions. Vulture funds refer to companies seeking to profit through buying up 'bad' debt at cheap prices, then trying to recover the full amount through aggressive litigation in the courts (ALSF, 2011:2). The Facility focuses on two specific types of activities: (1) vulture fund litigation; and (2) assistance with negotiating complex commercial transactions, particularly in the natural resources sector. The latter includes researching and locating local legal experts as well as providing legal advice during negotiations.

The ALSF provides legal assistance to African countries to strengthen their expertise and negotiating capacity. In particular, the ALSF focuses on matters pertaining to: (a) debt management and litigation; (b) natural resources and extractive industries management and contracting; (c) investment agreements and concession agreements; and (d) other related complex commercial transactions.

Responding to the shortage of African lawyers qualified to advise on complex commercial transactions and vulture fund litigation, the Facility also carries out capacity development across the continent. The ALSF jointly organises training and workshops with the Pan-African Lawyers Union (PALU) to help develop capacity.

The ALSF provides short- and long-term assistance (i.e. up to 1.5 years), both remotely (e.g. legal advice, capacity building) and in-country (e.g. legal assistance provided by local attorneys in the local language and capacity building). ALSF finances legal fees through grants, loans or alternative fee arrangements, for example, where an investor might pay legal fees into an escrow account. The ALSF assisted three countries in 2010 and seven countries in 2011. This number is projected to be between ten and twelve in 2012 (Vale and Humboldt-Viadrina, 2012a).

Established in 2009, the ALSF is a relatively new support facility and there appears to be limited information assessing the impact of its work. Some limitations were identified by the Vale Center and Humboldt-Viadrina School (2012a). First, ALSF's procurement process can lead to delays in delivering support. Second, ALSF does not deliver financial, economic or technical advice. And third, ALSF does not assist with re-negotiations.

### **African Centre for Economic Transformation's (ACET's) Extractive Resources Services**

ACET, a think tank with offices in Washington D.C. and Ghana, provides capacity building, policy and some legal advice to African governments in extractive resources negotiation. In 2009, ACET worked with the government of Sierra Leone to bring its petroleum policies and laws up to global standards. Based on the success of this programme, the government of Liberia also requested assistance in developing its own petroleum policy. Together with the World Bank, ACET has begun comprehensive engagement with the government of Mozambique to develop the institutional and governance structures for the country's mineral, oil and gas industries. ACET provides both short- and long-term services, which are non-fee based and funded by donors including: the governments of Ghana, Netherlands and Norway; the Hewlett Foundation; the Rockefeller Foundation; the Open Society Initiative; the World Bank; and the UK Department for International Development. Although ACET engages in some capacity building, the core of its work is policy-oriented research.

### **IMF's Topical Trust Fund on Managing Natural Resource Wealth**

This multi-donor trust fund was set up by the International Monetary Fund (IMF) in 2011 to finance technical assistance to support effective management of natural resource wealth. Initially, US\$25 million was pledged over five years to scale up technical assistance to low-income and lower-middle-income oil, gas and mineral rich countries to help them deal with economic policy challenges. The support provided by the topical trust fund can be either short- or long-term. The trust fund's capacity building is focused on five areas: extractive industries fiscal regimes (including related contracts); extractive industries revenue administration; fiscal policies and public financial management specific to resource rich countries; natural resources related financial asset and liability management; and statistics for natural resources.

The trust fund aims to serve 15 to 20 countries from a group of 50 eligible countries worldwide. Substantial current, or prospective, extractive industry revenue, as well as country commitment to reform are key selection criteria. The trust fund's activities are intended to complement those of other international institutions and support the Extractive Industries Transparency Initiative (EITI). This trust fund also aims to be an effective vehicle for coordinating donors' capacity building initiatives for managing natural resource wealth.

While this trust fund is still in the early stages, it seems from this initial scoping exercise that its available support currently focuses on capacity building and technical assistance for managing natural resource wealth more generally. The trust fund does not provide support during actual contract negotiations.

### **International Development Law Organisation (IDLO)**

IDLO is an intergovernmental organisation that offers legal expertise, resources, tools and professional support to governments, multilateral partners and civil society organisations. It carries out research and advocacy at national and international levels. According to Vale and Humboldt-Viadrina (2012a), IDLO provides technical assistance to prepare beneficiaries for negotiation. Due to the organisation's neutrality policy, however, it does not engage in actual negotiations. IDLO works worldwide, and although it has country offices in Kenya (which also covers activities in Somalia) and South Sudan, it is not clear from the organisation's website to what extent it is involved in legal support and capacity building for extractive and land deal negotiations in these particular countries. Due to limited funding, it appears that IDLO engages mostly in short-term training initiatives and workshops in the countries in which it works.

### **International Senior Lawyers Project (ISLP)**

ISLP provides pro bono services of skilled and experienced lawyers in order to support human rights, equitable and sustainable economic development and the rule of law in African countries. ISLP volunteers include retired, semi-retired and practicing lawyers from global law firms with expertise in areas such as energy (including oil, gas and power), mining and agriculture, project finance, mergers and acquisitions, and public private partnerships. ISLP assists governments in contract and dispute negotiation, as well as legislative/ regulatory reform. The organisation also works to build legal capacity of governments and NGOs on topics related to the extractive industries; provides cross-border research and analysis on human rights and other issues; and delivers training programmes for local lawyers in developing countries.

ISLP runs a longstanding Commercial Law Training Program for historically disadvantaged African attorneys. The organisation recently expanded its trade negotiation training programme to Malawi, Zambia and Rwanda. In addition, ISLP worked closely with a Washington-based global firm to implement a programme of ongoing mentoring and training in trade negotiation and commercial law areas (such as intellectual property) to the government of Rwanda. ISLP has assisted the government in Liberia with reviewing and renegotiating natural resource concession agreements. It has developed a model mining agreement and a model agricultural concession agreement, and advised on various non-natural resource contracts. ISLP recently expanded its services in this area to Sierra Leone, where it is providing high-level counsel to review and negotiate contracts for the mining of gold, diamonds, rutile and other minerals.

The time-scale of ISLP's involvement depends on the service being provided. For example, training tends to be delivered on a short-term basis, while more in-depth capacity building can be carried out over the longer term. Support in contract negotiations can continue over multiple projects lasting several years (for example, ISLP has supported work in Liberia for the past six years) (Vale and Humboldt-Viadrina, 2012a).

More detail about ISLP's legal support and capacity building work in specific countries can be found at <http://www.islp.org/economic.html>

### **Norad – Oil for Development**

The Norwegian Government's Oil for Development (OfD) programme was launched in 2005. The programme aims to strengthen economically, environmentally and socially responsible management of petroleum resources, through providing economic and legal expertise to governments, government agencies and civil society organisations. Assistance to partner countries is demand driven tailored to

domestic contexts and demands. Requests for OfD assistance and funding to OfD country programmes are usually channelled through Norwegian embassies, whilst key implementing agencies include the Norwegian Petroleum Directorate, the Petroleum Safety Authority Norway, the Climate and Pollution Agency, The Directorate for Nature Management and Petrad (a non-profit Norwegian government foundation working to facilitate knowledge and experience transfer on petroleum management). Norad supports government's preparation during the pre-negotiation phase, but does not get involved in actual negotiations. In addition, the OfD programme supports capacity building of civil society organisations in partner countries, including media institutions, within two main areas: enhanced transparency and accountability in petroleum governance and revenue management; and environmental and social sustainability in petroleum activities.

Since 2006, OfD has been engaged in 'long term petroleum related programmes' in Angola, Madagascar, Mozambique, South Africa, Sudan, Tanzania and Uganda (Norad ND). OfD has also provided assistance in Ghana and South Sudan. Shorter-term cooperation has included courses in management and administration of petroleum resources, environmental management, field visits, seminars and exchange of delegations. Although OfD claims on its website to cooperate with the World Bank, EITI and IMF, the Vale Columbia Center and Humboldt-Viadrina School review (2012a:22) indicated that the OfD programme does in fact have limited coordination 'on the ground' with other institutions providing support to the oil and gas sector. It also critiqued the programme for its 'propensity to apply the Norwegian model over other alternatives'.

### **Pan African Lawyers Union (PALU)**

PALU is the umbrella association of African lawyers and law societies. It brings together the continent's five regional and 53 national lawyers' associations, as well as individual lawyer members. PALU's mission statement sets out legal capacity building as one of its key aims. PALU works closely with the African Union and the African Development Bank. In 2010, the union received a US\$900,000 grant from AfDB's African Legal Support Facility in order to increase the capacity of African lawyers to engage more effectively in complex commercial transactions and litigation. This capacity building project set out to train more than 150 lawyers across Africa. PALU has also held regional training seminars in Rwanda, South Africa and Cameroon. A number of limitations were identified by Vale and Humboldt-Viadrina's 2012 review. First, PALU's workshops are short-term, limiting sustained capacity building. Second, the initiative does not provide support directly to governments. Third, there is no provision for direct assistance for negotiations.

### **Revenue Watch Institute (RWI)**

RWI is a non-profit policy institute and grant making organisation that promotes effective, transparent and accountable management of oil, gas and mineral resources, predominantly – but not exclusively – in sub-Saharan Africa. RWI's services include providing (non-fee based) expert legal advice to both citizen groups and government officials in the negotiation of extractive deals. This includes support in structuring of negotiation processes, developing negotiation strategies, as well as providing support during negotiations (and re-negotiations) (Vale and Humboldt-Viadrina, 2012a: 16). In addition to supporting technical analyses of the legal and economic implications of various decisions regarding oil and mineral contracts, legislation and strategy, a core aspect of the organisation's work is capacity building. RWI provides financial and technical training and support to more than 50 partner organisations worldwide on all aspects of oil, gas and mining. Based in New York, the organisation also has a satellite office in Ghana. RWI's has a team of in-house lawyers, economists and governance experts, and frequently works in partnership with the International Senior Lawyers'

Project (ISLP). The organisation's approach combines international advocacy with strong country-level support to governments and civil society, lawmakers and media.

RWI has worked with legislative drafters in Ghana and Niger to develop laws that improve public oversight. The organization has also worked in Sierra Leone to gain improved terms in major mining deals and supported legislative analysis of a major mineral bill in Tanzania. In other cases, RWI has advised civil society groups advocating for new policies and greater accountability. RWI helped citizen groups analyse technical decisions of their governments and develop effective campaigns to ensure that natural resource policy promotes citizens' interests.

In addition to providing expert advice, RWI strives to build local expertise through the creation of regional training centres, or hubs, in partnership with local academic institutions in both anglophone and francophone Africa. For example, in Zimbabwe, RWI supported the Zimbabwe Environmental Law Association (ZELA) to organise a two-day workshop for members of parliament preparing to debate mining legislation and contracts in their respective committees. Participants on RWI's core courses also include civil society leaders, legislators and journalists. RWI aims to build the skills of its partner academic institutions, helping them become self-sustaining centres of expertise and support for their regions. In francophone Africa, RWI has partnered with Catholic University of Central Africa (CUCA) to give participants a better understanding of governance challenges and the skills to engage with governance issues more effectively from their respective fields.

In anglophone Africa, RWI works with the Ghana Institute of Management and Public Administration (GIMPA) to deliver summer school programmes to senior civil society activists engaged in oil, gas and mining issues; members of parliament serving in relevant committees; journalists or editors covering relevant topics; and sub-national government officials. Over the last three years, 120 participants have attended the summer school from Tanzania, Uganda, Nigeria, Sierra Leone, Liberia, Ghana, Mozambique, Zambia and Zimbabwe. Trainers are experts from academia and industry from across the continent. RWI's support to concession negotiations with ArcelorMittal and Firestone in Liberia is detailed in RWI's 2009 report 'Getting a Better Deal from the Extractive Sector' – although as one expert points out, the foreword is written by President Ellen Johnson Sirleaf, which raises questions about the neutrality of the report. RWI's 2012 report 'From the Ground Up', also details the impact of some of its recent work in more detail. Vale Columbia Center and Humboldt-Viadrina School (2012a) indicated that RWI's capacity to support negotiations is limited by funding constraints.

### **UNDP Regional Project for Capacity Development and Negotiation and Regulation of Investment Contracts**

The UNDP's Regional Project for Capacity Development for Negotiation and Regulation of Investment Contracts is no longer operational. Initially, however, it aimed to strengthen the capacity of African states to negotiate, manage and regulate large-scale investment contracts in the natural resources sector, through capacity building and pre-negotiation support for African government officials. Technical assistance was provided by external experts, dedicated project staff and African lawyers in the region. Introductory missions were set up in 2008 in Sierra Leone, Liberia, Ethiopia, Rwanda and Mozambique. These were overseen by UNDP's regional office in Senegal. External partners included ISLP, RWI and Advocates for International Development. Through a direct presence on the ground, the project was able to develop relationships with governments and other stakeholders. Hosting the project within a multilateral institution also created some limitations including: bureaucratic structure and regulations; political pressures; and shifting organisational priorities (Vale Columbia Centre and Humboldt-Viadrina School, 2012a). The project was ultimately terminated due to funding limitations.

### **World Bank Extractive Industries Technical Advisory Facility (EI TAF)**

The Extractive Industries Technical Advisory Facility (EI-TAF), formally launched in July 2009, is a multi-donor trust fund managed by the World Bank's Oil, Gas and Mining Policy and Operations Division. The EI-TAF facilitates advisory services to resource-rich, developing country governments worldwide for capacity building related to extractive industry contract negotiations and associated policy reforms/frameworks. The objective of the EI-TAF is to assist resource-rich, developing countries – on a demand-driven basis – to structure extractive industry development projects and related policies, in order to reduce the risk of costly or politically difficult remediation at later stages. EI-TAF also supports the production and dissemination of global knowledge products on extractive industry sector issues, to help address the lack of an integrated body of good practice for sound extractive industry sector governance and management.

EI TAF works with partners on two levels: (1) donor contributions, which make EI-TAF interventions possible; and (2) operational partnerships globally and on the ground with bilateral and multilateral development partners and other stakeholders. The EI-TAF has worked closely with the African Development Bank's African Legal Support Facility, the IMF's Topical Trust Fund on Managing Natural Resource Wealth, UNDP's Africa Regional Project for Capacity Development for Negotiating and Regulating Investment Contracts (which is no longer operational), and the Norway/Revenue Watch Institute/ACET partnership in support of legal advisory services in Africa. Donor contributions have been committed by Norway's Oil for Development Program, Switzerland's State Secretariat for Economic Affairs, the International Finance Corporation's (IFC) Funding Mechanism for Technical Assistance and Advisory Services (FMTAAS), and the World Bank's Development Grant Facility (DGF) (The World Bank 2010). In addition to this, the World Bank recently published a concept note for a new trust fund (World Bank, 2012). While this builds to some degree on the experience of the EI TAF, this proposed facility differs from the EI TAF in two main respects. First, it is regionally focused and will only operate in Africa. Second, unlike the EI TAF, which operates globally, this new facility is intended to deal with environmental, social and economic sustainability at a local level. This proposed trust fund will provide technical capacity to assist African countries in securing improved contract terms from oil, gas and mining investments, while improving policies for enhancing environmental, social and economic sustainability. Since contracting differs across firms and commodities, advice will be tailored to suit specific country circumstances and sectors.

A number of additional smaller scale support sources – either direct or indirect - for negotiations are also outlined in Vale and Humboldt-Viadrina (2012a). These include AusAID's Mining for Development programme (capacity building); Centre for Public Interest Law (legal support and capacity building); Commonwealth Secretariat (technical support); International Institute for Environment and Development (capacity building); and International Institute for Sustainable Development (legal support and capacity building).

### **3. Other relevant initiatives**

#### **European Union's Strengthening Forest Governance Project**

The project seeks to contribute to greater transparency and accountability within the forest sectors of four key African timber exporting countries: Cameroon, Democratic Republic of the Congo (DRC), Ghana and Liberia. To do this, the project will improve links between key forestry stakeholders and create opportunities to foster improved forest governance. The project is led by the UK-based Centre for International Development and Training (CIDT) at the University of Wolverhampton working in



partnership with the IDL group, Fauna and Flora International (FFI) and Resource Extraction and Monitoring (REM), all based in the UK. The other project partners are Forêts et Développement Rural (FODER) in Cameroon, Réseau Ressources Naturelles (RRN) in DRC and Forest Watch Ghana (FWG) in Ghana. The overall objective of the project is to improve awareness of Forest Law Enforcement, Governance and Trade (FLEGT) and other international initiatives to combat illegal logging, as well as the engagement of civil society, communities and the private sector in forest governance. This also includes promoting debate and freedom of expression on forest policies in the four countries. Cameroon, DRC, Ghana and Liberia are all engaged in Voluntary Partnership Agreements (VPA) with the EU aimed at reducing illegal logging and improving forest governance. The project aims specifically to strengthen the engagement of civil society, indigenous communities and the private sector in multi stakeholder processes leading to VPA preparation, negotiation and implementation.

One expert commented that ‘the FLEGT programme has been very effective in terms of creating space for government, civil society, communities and the private sector (logging companies) to come together and seek ways of promoting accountability and fighting corruption in the forest sector and ensuring that forest dependent communities benefit from the concessions that are given out to extract timber from forests that are very important for their livelihoods. For example, through VPAs any concessions that are issued should have provision for some of the revenues to accrue to communities through social agreements. Projects like ours support civil society and communities to follow up and ensure logging companies are complying with the provisions of the social agreements.’

### **Forest Peoples Programme (FPP)**

Founded in 1990, FPP advocates ‘an alternative vision of how forests should be managed and controlled, based on respect for the rights of the peoples who know them best’. The organisation works with indigenous forest peoples in Africa, South America and Asia to help them secure their rights, build up their own organisations and negotiate with governments and companies as to how economic development and conservation are best achieved on their lands. The organisation carries out its work through advocacy, practical projects and capacity building to help forest peoples to deal directly with the regional, national and international powers that impact on their lives.

Through its responsible finance thematic programme, FPP aims to make public and private finance for development and the environment fully accountable to the public and affected communities. Advocacy targets include the private sector, World Bank and bilateral aid agencies. Where requested by local partners, FPP may also assist community appeals and complaints to international financial institution (IFI) accountability mechanisms in order to help them secure redress and expose problems in IFI due diligence.

### **National Advocacy Coalition on Extractives (NACE)**

The National Advocacy Coalition on Extractives (NACE) in Sierra Leone grew out of the Diamond Area Community Development Fund (DACDF) coalition, which was originally established in 2003. The DACDF coalition included Catholic Relief Services, Network Movement for Justice and Development, Talking Drums Studios, Action Aid Sierra Leone, World Vision International, the Anti-Corruption Commission, Sierra Leone Indigenous Miners Movement and some government line ministries. The coalition strove to ensure that the Diamond Area Community Development Fund was efficiently and effectively utilised by beneficiary chiefdoms. Later, this coalition was scaled up to include other industries in the extractive sector. NACE’s objectives include empowering CSOs and activists to engage government and companies on extractives with the view to influencing their corporate

responsibilities in the interest of affected communities; empowering affected communities to define, articulate and defend their interests; working with the government of Sierra Leone to secure the best interest of Sierra Leone in the extractives industry; and forming coalitions and alliances with CSOs in the west Africa, and Africa as a whole, on securing the best interests of their citizens in the extractives industry. Some of NACE's activities in this regard have included: engaging in dialogue with the Ministry of Mineral Resources to discuss mining issues raised by the chiefdoms; carrying out training for communities; facilitating the reconstitution of CDCs to ensure that it was representative of all stakeholders (including women and youth); meeting with Paramount chiefs and their representatives of DACDF about their roles and responsibilities in this regard; continuous awareness raising activities regarding negative effects of illicit mining. NACE members have also provided technical and capacity building support to communities.

### **Overseas Development Institute's Budget Strengthening Initiative**

ODI's Budget Strengthening Initiative supports fragile and conflict-affected states to build more effective, transparent and accountable budget systems. In this context, ODI maintains a global network of experts, in order to match skills and knowledge with the needs of the countries it works with. Key aspects of the Budget Strengthening Initiative's work includes: providing high level policy advice and expert technical assistance in response to requests from partners in fragile states; conducting tailored research and disseminating existing knowledge on fragile states; and facilitating peer learning activities to foster South-South knowledge exchange. This work is led by partner governments. The type of assistance provided ranges from high level policy advice and technical assistance at the international, national and sub-national level. In contrast to other larger, more cumbersome initiatives, ODI claims that they 'highly responsive to requests for help and can deliver remote advice within a day and mobilise experts within in a matter of days.' The Budget Strengthening Initiative currently runs programmes in South Sudan (public financial management reform), Uganda (a peer learning programme) Liberia (technical assistance for public financial management, peer learning support and expert advice), the DRC (public financial management and budget monitoring at sector level), as well as the G7+ (operational support and capacity building of the G7+ secretariat). However, ODI does not seem to currently provide support for contract negotiations.

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**Experts consulted:**

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