



A COMMUNITY'S RIGHT TO DECIDE: FREE, PRIOR, AND INFORMED CONSENT (FPIC)



Oil, gas, and mining projects often have significant negative impacts on people's lives. Involving communities the right way can mean a lasting and positive legacy for communities and companies.

WHAT IS FPIC?

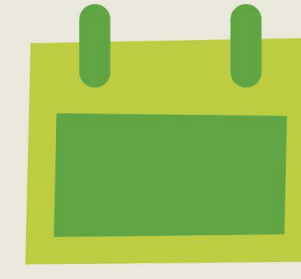
Communities have a right to know and to make decisions when it comes to projects that affect them.

FREE



Free from manipulation or coercion

PRIOR



Occurs in advance of any activity associated with the decision being made and allows adequate time for traditional decision-making processes

INFORMED



Facilitates the sharing of objective, accurate, and easily understandable information

CONSENT



Allows communities to approve or reject a project

FPIC PROCESSES SHOULD BE ONGOING THROUGHOUT THE LIFE OF THE PROJECT.

COMMUNITIES HAVE RIGHTS.



FPIC is a collective right for indigenous peoples under international law, and it is emerging as a best practice for safeguarding the human rights of all communities affected by extractive industry projects.

All project-affected communities have the right to information, consultation, and participation in decision-making processes that affect them.



Local communities and indigenous peoples often have to fight for their rights and for recognition from governments and corporations. When they are not recognized, there are many negative implications.

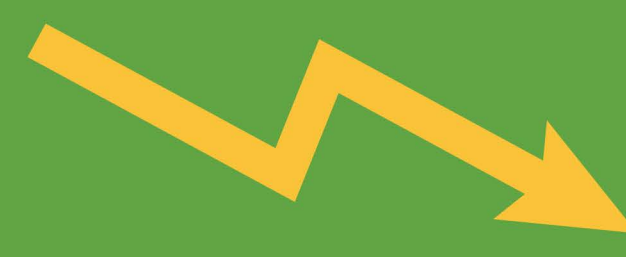


Oil, gas, and mining companies that ignore the right to FPIC may unleash many problems:



DISPLACEMENT SOCIAL UNREST
HUMAN RIGHTS VIOLATIONS

When companies fail to uphold FPIC and fail to respect community views, they can see a negative shift in public image and revenue.



A world-class mining project stands to lose approximately \$20 million per week in lost productivity as a result of production delays from social conflict.



\$20 MILLION PER WEEK

Source: Rachel Davis and Daniel M. Franks, "Costs of Company-Community Conflict in the Extractive Sector," Corporate Social Responsibility Initiative Report 66 (Cambridge, MA: Harvard Kennedy School, 2014).

FPIC INVOLVES EVERYONE.

FPIC is an inclusive process that empowers affected communities. It is important that all community members are involved throughout the process, including women, men, and young people.

HERE'S HOW TO MAKE FPIC WORK:

- 1. FIND OUT WHO IS DEVELOPING THE PROJECT**
 - ▶ Governments
 - ▶ Private companies
 - ▶ Banks or financial institutions
- 2. REQUEST DETAILED INFORMATION FROM THE PROJECT DEVELOPERS**
 - ▶ Project developer must provide information in a community's preferred language
 - ▶ Project details may be available from government departments
- 3. HOLD DISCUSSIONS WITHIN THE COMMUNITY**
 - ▶ Involve the whole community, including women, men, and young people, for a complete perspective
 - ▶ Work with other affected communities to discuss project terms and impacts
- 4. NEGOTIATIONS WITH PROJECT DEVELOPERS**
 - ▶ Project developers are required to consult and negotiate with communities
 - ▶ Developers must gain a community's FPIC at each project stage
- 5. SEEK INDEPENDENT ADVICE**
 - ▶ Affected communities have the right to seek independent legal and technical advice to reach an informed decision
- 6. MAKE DECISIONS AS A COMMUNITY**
 - ▶ Communities should make decisions according to traditional decision-making processes
 - ▶ Final decisions and agreements should be made in writing
- 7. ONGOING COMMUNICATIONS WITH PROJECT DEVELOPERS**
 - ▶ Projects may impact a community for many years
 - ▶ Permanent forums can provide an effective means for ongoing consultation and negotiations

FPIC can mean the difference between positive outcomes for both companies and communities—or projects that lead to human rights violations and social conflict.

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