



WORLD BANK GROUP
Governance



Columbia Center
on Sustainable Investment
A JOINT CENTER OF COLUMBIA LAW SCHOOL
AND THE EARTH INSTITUTE, COLUMBIA UNIVERSITY

ResourceContracts.org and OpenLandContracts.org Contract Posting Policy

ResourceContracts.org and OpenLandContracts.org will post any natural resources contract or related document (covering an oil, gas, mining, commercial agriculture, or forestry investment) if it has been published or released in the public domain. For purposes of the foregoing, means of publication or release in the public domain include: (a) publication on a government website or in an official government publication; (b) publication on a contracting party's company website or through its public filings; (c) government release in response to access to information requests; or (d) release online by a non-contracting party. On request, ResourceContracts.org and OpenLandContracts.org will also work with host governments interested in making their contracts more accessible to develop dedicated, country-specific front-end websites.

In addition, when ResourceContracts.org or OpenLandContracts.org gains access to a natural resources contract or related document by some other means, the contract or document will be posted on the respective ResourceContracts.org or OpenLandContracts.org site only if it meets the following criteria and processes. First, either (a) there must be a law or formal government policy in the relevant country that mandates or permits its disclosure; or (b) a representative of a party to the contract or relevant document who, in the reasonable belief of either ResourceContracts.org or OpenLandContracts.org, is authorized to disclose it publicly shall have shared it (i) directly with ResourceContracts.org or OpenLandContracts.org, or (ii) with a third party who has shared it with either site and documented the circumstances by which it gained access. Second, the contract or document must, in the reasonable opinion of either ResourceContracts.org or OpenLandContracts.org, bear sufficient indicators of authenticity (for example, dates and signatures of the parties' authorized representatives, seals, or initials on individual pages). Finally, prior to publication, ResourceContracts.org or OpenLandContracts.org will send a letter via certified mail to the relevant government agency or Ministry, requesting authentication and stating that such contract or document will be published, unless such agency or Ministry delivers written objection to the applicable site's return addressee (via mail or email) within 30 days of receipt. The applicable site will also use reasonable best efforts to deliver a copy of this letter by email to a relevant government official. If no such objection is made within such timeframe, ResourceContracts.org or OpenLandContracts.org will presume there is no public objection by the government party to inclusion of such contract or document on the website.

If, upon receipt of the letter requesting authentication, the government party objects before the contract or document has been posted, or if any contracting party makes an objection after any contract to which it is party has been posted, the matter will be referred to the ResourceContracts.org and OpenLandContracts.org joint Contract Posting Committee (the "Committee"). The Committee will be composed of five people representing different stakeholders, and will advise on whether the contract should be posted or removed. After receipt of the Committee's recommendation, the ResourceContracts.org team or the OpenLandContracts.org team, as applicable, will make a final decision. If a contract or document is removed from either site, the site will include a note explaining why it was removed.