

Clean Trade Trustees Report and Financial Statements 2024- 2024

Financial period: 1st September 2023 – 31st August 2024

Charitable Incorporated Organisation Registration number 1177571
Reference & Administrative Details:

Board of Trustees:

Prof. Leif Wenar (Chair) (indefinite appointment)
Mr. Paul Jourdan (re-appointed 23rd June 2023 for a five-year term)
Mr. Richard Meeran (re-appointed on 17th June 2022 for a four-year term)
Dr. Octavio Ferraz (re-appointed on 23rd June 2024 for a five-year term)

Chief Executive:
Mr. Andrew Togher

Registered Office:
78 Offord Road
London
N1 1EB

Principal Bankers:
Virgin Money
154 – 158 Kensington High Street
London
W8 7RL

Type of Governing Document: Constitution of a Charitable Incorporated Organisation whose only voting members are its charity trustees.

INTRODUCTION

The Trustees of Clean Trade present their report and accounts for the financial period 1st September 2022 - 31st August 2023.

Clean Trade was incorporated as a Charitable Incorporated Organisation on the 14th March 2018.

The trustees would like to offer sincere thanks to all those involved in

supporting Clean Trade, for their hard work in seeking to establish the right of peoples to benefit from their countries' natural wealth and resources.

Objectives for the financial period ending 31st August 2024 were to continue research and outreach to put into action the strategy agreed by the Trustees in September 2019. Funding was retained to allow operations to continue in the following financial year 2024-25.

The core strategy of engagement with the United Nations Human Rights Treaty Bodies had been derailed by the global pandemic, but in 2022 Clean Trade was able to hold successful events involving the United Nations Human Rights Treaty Bodies, investors and the legal profession. The development of these contacts was the foundation of work carried out during the 2023-24 financial year.

Governance

Clean Trade was formed using the standard Foundation constitution for Charitable Incorporated Organisations (CIOs) provided by the Charity Commission of England & Wales. The charity was formed with four trustees who will each serve terms as listed above, as founding trustees. The charity has been formed as a CIO whose only voting membership is its charity trustees. The founding trustees were selected by the Chair based on their respective sets of expertise; future trustees will be selected based on their relevant expertise and will be appointed by the existing Board of Trustees.

Policies & Procedures

Clean Trade has in place policies and procedures on the following subjects:

- General Data Protection Regulations
- Fundraising
- Health & Safety
- Whistleblowing, Complaints & Safeguarding
- Risk Management
- Anti-Money Laundering
- Conflicts of Interests

As the charity currently has no direct employees, with staff working on a consultancy and/or voluntary basis, human resources policies are not yet required.

Objectives

The trustees confirm that they have complied with the duty in Section 17(5) of the Charities Act 2011 and the Charities (Accounts and Reports) Regulations 2008 to have due regard to the Charity Commission's general guidance on public benefit.

The charitable objects set out in Clean Trade's incorporation documents are: *To promote human rights (as set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and subsequent United Nations conventions and declarations), and in particular the right of all peoples to enjoy and utilise fully and freely their natural wealth and resources, so that they may for their own ends freely dispose of their natural wealth and resources.*

The activities Clean Trade has pursued for the public benefit during the financial period of 1st September 2023 – 31st August 2024, were in pursuance of these charitable objects.

Background and mission

By 2012, the world's leading resource-rich states outside the West were on average no richer, no freer and no more peaceful than they were even in 1980. What drives these failures is who controls resource revenues in these states. In most major resource-exporting states, the revenues are controlled by authoritarian regimes and armed groups that are entirely unaccountable to the people of the country; this empowers them to be more oppressive or violent or corrupt. Authoritarians and armed groups in countries that export high-value extractives - oil, metals and gems - can ignore their citizen's rights while sponsoring wars and terrorism that impact the security and prosperity of people around the world.

Most civil wars, most authoritarian regimes, most hunger crises, and most highly corrupt governments are in countries rich with oil, metals or gems. These countries are also the source of most of the world's refugees and will soon be home to most of the world's extreme poverty.

Western consumers sponsor misrule when they buy products - from oil to mobile phones - without knowing where their raw materials come from, or that they are sending trillions of dollars a year through supply chains to fund authoritarian regimes. Stolen resources make their way into every facet of daily lives across the world.

Since the 17th century, national trade laws made it legal to buy natural resources from anyone who has control over them, even if the control is by force. This rule of 'might makes right' is what gives legitimacy to the purchase of resources from oppressive regimes and armed groups. Other forms of 'might makes right,' such as the slave trade and colonial rule, have long been abolished in international law—yet coercion-based trade in resources remains the international norm today.

Fortunately, the language of international Human Rights law is clear: it insists that it is the people, and not the powerful, who have the ultimate right to control the resources of their country. Clean Trade works to bring resource trade into the modern era by increasing recognition of the human right of all peoples to the natural resources of their country. Countries where the people can hold their government accountable for resource exports are much less likely to suffer authoritarian rule, grand corruption, civil war, and their resulting tragedies.

Clean Trade's vision is for a world in which all peoples can hold accountable those who sell off their natural resources. Our mission is to see citizens' rights to their natural resources respected worldwide, as a matter of national and international law.

Strategy

Clean Trade's strategy seeks to promote peoples' rights to their natural resource wealth. These rights in international law are based on the human rights treaties that form part of the International Bill of Human Rights: the International Convention on Civil & Political Rights (ICCPR) and its Optional Protocols, and the International Convention on Economic, Social and Cultural Rights (ICESCR).

Clean Trade's aim is to seek clarification of the natural resource rights elements of these Human Rights treaties. We focused on the articles affirming the resource rights of peoples, common to both treaties. Article 1.2 of both treaties states:

All peoples may, for their own ends, freely dispose of their natural wealth and resources... In no case may a people be deprived of its own means of subsistence.

In addition, Articles 1.3 of both treaties states:

The States Parties to the present Covenant... shall promote the realization of the right of self-determination..

Such clarifications would underpin and bring credibility to our quest for legal remedies, for government legislation, and help bring about the adoption of natural resource rights in business and investor standards. The route to achieve this is to prepare the case for a General Comment or other clarification on the interpretation of the articles affirming the resource rights of peoples, to be made by one or both of the two relevant UN Treaty Body Committees (CESCR and HRC). We were fortunate to be joined by Prof. Jérémie Gilbert who is based at the University of Southampton, and has extensive experience in this area.

Our strategy focuses on engagement with the key UN committees, investors and the legal profession. These strands reinforce each other.

Activities and achievements

In September 2023 Clean Trade submitted a response to the 'Issues Paper on Sustainable Development' following an invitation from the CESCR Drafting Group. This was well received and has deepened our relationship with the CESCR.

The UN Human Rights Committees CESCR and the HRC regularly review country reports on human rights, and civil society organisations are encouraged to present shadow reports commenting on the countries' submissions. In October 2023 Brazil reported to the UN Committee on Economic Social and Cultural Rights (CESCR). To build on the success of Clean Trade's shadow report on Brazil, presented to the HRC earlier in 2023, we developed a further report for the CESCR in partnership with Brazilian NGO Terra de Direitos and the Transnational Law Institute at King's College London.

Compared to the earlier HRC discussions, the session saw many more groups, including indigenous rights organisations, arguing in support of resource rights. The report was positively received, and Clean Trade's profile was raised within the UN and with civil society peers.

In early October 2023 Leigh Day Solicitors worked with Clean Trade and the

Transnational Law Institute to host an event to discuss transnational litigation and Clean Trade's submissions to the UN Human Rights Committees. Speakers included representatives from Clean Trade, Leigh Day, the UN CESCR and European NGO's.

In November Clean Trade joined the Corporate Justice Coalition, a grouping of nearly eighty NGOs including Action Aid, Amnesty, Client Earth Global Witness, Leigh Day, the London Mining Network and Share Action. The CJC offers the opportunity to network with NGOs, circulate research, access MPs and participate in conferences.

A representative of the Committee on Economic, Social, and Cultural Rights invited Clean Trade to develop a groundbreaking complaint under the Optional Protocol to the ICESCR. Clean Trade and the TLI undertook scoping work to identify which states might be plausible as origins of such a complaint, and conversations were held with the Human Rights Clinic of the Stanford Law School on possible cooperation between the schools.

Clean Trade trustees and Leigh Day staff separately investigated the possibility of litigation against a major multinational. This work is ongoing, and confidential.

From mid-2024 Clean Trade began to plan research to prepare for the submission of a Shadow Report on the United Kingdom's submission to the CESCR, due in January 2025. This report was designed to point out the flaws in the UK's supervision of its certifying bodies, transnational corporations, and arbitration procedures that lead to violations of the resource rights of foreign peoples.

From July 2024 Clean Trade, the Transnational Law Institute and Leigh Day worked together to develop the agenda for an event discussing Human Rights and Natural Resources to be held in November 2024, after the end of the financial year.

Clean Trade representatives attended conferences and networking events with investor bodies such as the UK Sustainable Investment Forum and contributed to strategy development with Publish What You Pay and the Corporate Justice Coalition.

During the financial year Clean Trade succeeded in further establishing its credibility with the legal sector, civil society and the United Nations. Research carried out under the supervision of Clean Trade contributed to the development of litigation in the UK, and relationships were formed with academic leaders in the UK and the United States. This was carried out with minimal expenditure, and the operational model is robust enough to continue for the foreseeable future.

Funds and Fundraising

Contact was maintained with funders, with updates and input to the Joffe Trust and Polden Puckham Charitable Foundation. Expenses were kept as low as possible and considerable pro-bono work was volunteered by the team.

Spend through the financial year totalled the remarkably low sum of £10, a nominal payment to Andy Togher to establish activity in the bank account. This low expenditure was enabled because events and meeting facilities were provided by trustees, and all research and work was provided pro bono.

The Financial Year 2023-2024 ended with £11,011 in the bank.

People

Leif Wenar and Octavio Ferraz continued in their roles at Stanford and King's College London respectively, and Jeremie Gilbert took up the post of Professor of Social and Ecological Justice at the University of Southampton. All work with Clean Trade on a pro-bono basis. Andy Togher works on a consultancy/pro bono basis.

We are extremely fortunate to have active and committed Trustees in the investment, legal and academic worlds, and we extend grateful thanks for their advice and participation to Paul Jourdan, Richard Meeran and Octavio Ferraz. Our Chair, Leif Wenar, continues to be the driving force behind Clean Trade and his involvement is very gratefully appreciated.

Risk

Risks are monitored closely by both trustees and colleagues. The following risks were identified as requiring monitoring and mitigation strategies:

Risk: Changing composition of UN Treaty Bodies lessens possibility of agreement on a General Comment

Mitigation: Seek clarification of Articles 1.2 via shadow reports; encourage supporters on treaty bodies to incorporate supportive language into current draft General Comments.

Risk: Insufficient funds to continue at current level with paid contractors and to pursue planned workstreams.

Mitigation: The team controls expenditure and dedicates significant resource to fundraising outreach.

Risk: Loss of core team member

Mitigation: Other members have agreed to take on increased responsibility if necessary, and arrangements would be made where possible to move the colleague into a trustee or advisory role to retain knowledge, skills and relationships.

Risk: Loss of access to research and facilities provided by Trustees.

Mitigation: Replacement of pro bono resources would require increased fundraising. The progress shown to date in the delivery of our strategy will increase fund raising opportunities.


Financial review

Clean Trade ended its sixth financial year with cash available at £11,011. This is sufficient to support activity at current levels for the next financial year and beyond, given the assistance provided by the trustees of Clean Trade, which is gratefully acknowledged.

There were no debts or financial commitments.



Clean Trade				No (if any)	CC16a
Receipts and payments accounts					
For the period from	Period start date	To			
	01-Sep-23		31-Aug-24		
Section A Receipts and payments					
	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
Sub total (Gross income for AR)	-	-	-	-	-
A2 Asset and investment sales, (see table).					
n/a	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	-	-	-	-	-
A3 Payments					
Expenses events June 2022			-	-	591
Expenses events June 2022		-	-	-	840
Brazilian AARJ project		-	-	-	1 000
Consultancy A Togher	10	-	-	10	6 000
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
Sub total	10	-	-	10	8 431
A4 Asset and investment purchases, (see table)					
n/a	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total payments	10	-	-	10	8 431
Net of receipts/(payments)	- 10	-	-	- 10	- 8 431
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	11 021	-	-	11 021	19 452
Cash funds this year end	11 011	-	-	11 011	11 021
Section B Statement of assets and liabilities at the end of the period					
Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £	
B1 Cash funds	Cash in bank (at 31 Aug 2024)	11 011	-	-	
		-	-	-	
		-	-	-	
	Total cash funds	11 011	-	-	
CCXX R1 accounts (SS)	(agree balances with receipts and payments account(s))	ok	OK	OK	15/06/2023

		Unrestricted funds	Restricted funds	Endowment funds	
	Details	to nearest £	to nearest £	to nearest £	
B2 Other monetary assets	No other monetary assets	-	-	-	
		-	-	-	
		-	-	-	
		-	-	-	
		-	-	-	
		-	-	-	
	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)	
B3 Investment assets	No investment assets		-	-	
			-	-	
			-	-	
			-	-	
			-	-	
	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)	
B4 Assets retained for the charity's own use	No retained assets		-	-	
			-	-	
			-	-	
			-	-	
			-	-	
			-	-	
			-	-	
			-	-	
			-	-	
	Details	Fund to which liability relates	Amount due (optional)	When due (optional)	
B5 Liabilities	No liabilities		-		
			-		
			-		
			-		
			-		
Signed by one or two trustees on behalf of all the trustees	Signature	Print Name		Date of approval	
		Leif Wenar		23-Jun-25	

