Company Commitments and Community-Led Initiatives: Making Meaningful Community Engagement Best Practice

Organized by the UN Working Group on Business and Human Rights, jointly with the Business & Human Rights Resource Centre, International Federation for Human Rights (FIDH), Oxfam, Project on Organizing, Development, Education, and Research (PODER), EarthRights International (ERI), Centre for Research on Multinational Corporations (SOMO), Coordinadora de Organizaciones Indígenas de la Cuenca Amazónica (COICA), and HIVOS

Background and focus of the session
While the Guiding Principles on Business and Human Rights emphasize the importance of consultation, dialogue, and engagement with all relevant stakeholders, affected communities continue to face challenges in ensuring their voices are heard. This panel looks at different approaches to improve business engagement with affected communities. All initiatives presented in the session highlight the importance of participation, transparency, and accountability to achieve meaningful engagement, with affected stakeholders at the center of decision-making.

The panel will present three types of community-driven initiatives, where affected communities take a leading role in designing and implementing processes to improve companies’ human rights due diligence: community-based Human Rights Impact Assessments (HRIAs), Operational-Level Grievance Mechanisms (OGMs), and Community-Led Environmental Impact Monitoring.

On the policy level, the panel will explore the Community Consent Index as a tool to encourage a race to the top among company policies, and to empower communities and civil society to hold companies accountable for their commitments. The Index examines public commitments and policies by extractives regarding community rights and engagement with a focus on free, prior and informed consent (FPIC). The session will also include views from companies on these initiatives and tools, and on ways companies have engaged with affected communities in their operations.

Aims of the session
- To reinforce the importance of meaningful community engagement and participation within companies’ human rights due diligence processes.
- To show how communities can drive initiatives to hold companies accountable for their policy commitments and due diligence responsibilities.
To show the benefits for both companies and communities of placing potentially or actually affected communities at the center of discussions around policies, impact assessments, monitoring and grievance mechanisms.

**Panel**

**Moderator:** Eniko Horvath, Business & Human Rights Resource Centre

**Introductory remarks:** Pavel Sulyandziga, UN Working Group on Business and Human Rights

**Community-based Human Rights Impact Assessments:**

- Alejandro Gonzalez, PODER
- Segundo Tarquino Cajamarca Mariles, community lawyer and human rights defender, Ecuador

**Community-driven Operational Grievance Mechanisms:**

- Katherine McDonnell, EarthRights International
- Aye Khaing Win, community representative from ERI pilot project in Myanmar
- BoBo Aung, EarthRights International (in Myanmar)

**Community-based social & environmental monitoring; FPIC process**

- Aurelio Chino Dahua, FEDIQUEP (Quechua Federation of the Upper Pastaza, Peru)
- Wendy Pineda, AIDIESEP (Interethnic Assoc. for the Development of the Peruvian Rainforest)

**Community Consent Index/company commitments:** Emily Greenspan, Oxfam America

**Company interventions:**

- Natalia Gonchar, Sakhalin Energy
- Jan Klawitter, Anglo-American.

**Key discussion questions**

The session will facilitate discussion on a number of questions, including:

1. What are the basic requirements for meaningful community engagement?
2. Process of meaningful engagement & community-driven initiatives
   - How are initiatives led by communities improving engagement processes?
   - What is the role of companies in FPIC and community-driven initiatives?
   - How to bridge the lack of trust between communities and companies, which often results in a perception of bias by the parties not conducting a given impact assessment or other initiative?
3. Role of monitoring & evaluation: What are some indicators that can inform the implementation of the Guiding Principles for meaningful community engagement, especially in indigenous territories?
4. The way forward: How can we drive a race to the top for companies to embrace FPIC and community-driven initiatives?

For more information about the initiatives presented during the panel, see: [http://business-humanrights.org/en/community-driven-initiatives](http://business-humanrights.org/en/community-driven-initiatives)

**Overview of organizers & relevant initiatives**

- **Business & Human Rights Resource Centre (BHRRC)** works to advance human rights in business and eradicate abuse by building transparency, strengthening accountability, and empowering advocates in civil society, companies and governments. BHRRC and ESCR-Net developed a [checklist](http://business-humanrights.org/en/community-driven-initiatives) to assist communities in effectively documenting human rights abuses by business. BHRRC is also a member of the Worker-driven Social Responsibility Collaborative and is hosting a [global knowledge hub on community-driven initiatives](http://business-humanrights.org/en/community-driven-initiatives).

- **Centre for Research on Multinational Corporations (SOMO)** is a research and network organisation working on social, ecological and economic issues related to sustainable development. SOMO works with partner organizations to improve the accessibility and effectiveness of non-judicial grievance mechanisms.
for affected workers, communities and individuals. Its Human Rights & Grievance Mechanisms Programme provides resources on grievance mechanisms for affected stakeholders.

- **Coordinadora de Organizaciones Indígenas de la Cuenca Amazónica (COICA)** coordinates the work of nine national Amazonian indigenous organizations. It aims to defend the self-determination of indigenous peoples, to respect the human rights of its members, and to fortify mutual collaboration between indigenous peoples of the region. AIDESEP is one of COICA’s member organizations

- **EarthRights International (ERI)** combines the power of law and the power of people in defense of human rights and the environment. ERI specializes in fact-finding, legal actions against perpetrators of earth rights abuses, training grassroots and community leaders, and advocacy campaigns. ERI is piloting a model for a community-driven operational-level grievance mechanism (OGM), as an alternative to company-driven mechanisms that is designed and implemented primarily by the affected populations to meet their needs and expectations as rights-holders seeking an adequate remedy.

- **FIDH** is an international human rights NGO federating 178 organizations from 120 countries. Since 1922, FIDH has been defending all civil, political, economic, social and cultural rights. FIDH and Oxfam have been working on capacity-building for community-based Human Rights Impact Assessments (HRIAs) through the Getting it Right tool, which uses a bottom-up approach empowering affected communities to claim their rights and ensure accountability.

- **HIVOS** is an international organisation that seeks new solutions to persistent global issues. HIVOS has worked with AIDESEP / Puinamudt on enforcement actions and community based impact monitoring projects to hold PLUSPETROL accountable to the Peruvian environmental regulations in the case of Block 1-AB operated by the company in ancestral territories of Pastaza Quechua nation.

- **Oxfam** is an international confederation of 17 organisations working in approximately 94 countries worldwide to find solutions to poverty and what it considers injustice around the world. Oxfam has been working with FIDH and other organizations on community-based HRIAs through the Getting it Right tool. Oxfam has also launched its 2015 Community Consent Index examining 38 oil, gas, and mining companies’ policies on community rights and engagement.

- The **Project on Organizing, Development, Education, and Research (PODER)** aims to improve corporate transparency and accountability in Latin America from a human rights perspective and to strengthen civil society stakeholders of corporations as long-term accountability guarantors. Currently it is implementing a community-driven HRIA in the State of Puebla, Mexico.