

UNDERSTANDING COMMUNITY EXPERIENCES OF CERTIFIED COCOA FARMING AND EXTRACTIVE SITE SECURITY

A Workshop to Explore Community Engagement in the Voluntary Principles on Security and Human Rights and UTZ Certified

Summary report of a workshop held on June 20-21, 2017, in Port Harcourt, Nigeria



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EXECUTIVE SUMMARY

Multi-stakeholder initiatives (MSIs) are most often established to benefit or protect an identifiable stakeholder group. Members of this group, which MSI Integrity refers to as the “affected population” (or, on a more local level, “affected communities”), are most deeply affected by the activities of the initiative, as it is their human rights or living conditions that the initiative seeks to protect or improve. Affected community involvement is critical to an MSI’s effectiveness, as community members hold critical information relevant to whether the initiative is designed well, bring local perspectives that can help put the issues at hand in cultural and geographic context, and are best-positioned to understand whether the initiative is having an impact on the ground. However, there is little documentation of the practical effects of MSI implementation on these “intended beneficiaries.” Even less is known about what function affected communities *would like* MSIs to be serving.

The workshop, “Understanding Community Experiences of Certified Cocoa Farming and Extractive Site Security,” brought together 20 civil society representatives and community leaders affected by UTZ Certified (UTZ) and the Voluntary Principles on Security and Human Rights (VPs). The workshop aimed to understand community experiences of these initiatives and to brainstorm principles and good practices for how MSIs (or their company, civil society, or government representatives) can thoughtfully identify and engage local communities in their governance and activities. Over the course of two days, workshop participants engaged in discussions and small group work sessions to identify the most pressing issues facing communities in the two MSI relevant industries (cocoa farming and oil extraction); to share knowledge around the strategies that have been used to address these challenges in the past; and to consider the ways in which MSIs might serve as community tools to address industry challenges and meet community needs. Participants then crafted community “action plans,” describing the ways in which communities might benefit from increased initiative awareness and engagement.

Overall, workshop participants expressed significant interest in learning more about UTZ and the VPs, and using these initiatives to support their work and improve their quality of life. Participants were even eager to learn more about the MSI without direct relevance to their community (i.e. cocoa farmers wanted to better understand the VPs, and oil extraction community members wanted to learn more about UTZ). Participants also had an immediate desire to implement the action plans devised, including conducting awareness campaigns, creating informational materials, and developing improved complaint-filing systems. That said, participants raised concerns about the feasibility of implementing these community action plans without considerable resources and the buy-in of the MSIs themselves.

This workshop served as part of the research project, “Marginalized Community Inclusion in Global Multi-Stakeholder Initiatives: A Spotlight on Women and Indigenous Communities,” funded with Learn from Innovation Grant from Voice, an initiative of the Ministry of Foreign Affairs of the Netherlands managed by Oxfam Novib and Hivos. The suggested community

engagement plans outlined in this report have been communicated to the relevant MSIs.

ABOUT THE WORKSHOP

MSI Integrity convened “Understanding Community Experiences of Certified Cocoa Farming and Extractive Site Security” on June 20 and 21, 2017, in Port Harcourt, Nigeria, in partnership with RELUFA – Cameroon, and Social Action – Nigeria. This workshop was conducted as part of a joint project by the three organizations: “Marginalized Community Inclusion in Global Multi-Stakeholder Initiatives: A Spotlight on Women and Indigenous Communities.” Financial support was provided by a Learn from Innovation Grant from Voice, an initiative of the Ministry of Foreign Affairs of the Netherlands managed by Oxfam Novib and Hivos.

Workshop participants included 20 individuals from oil extraction-affected communities in the Niger Delta and cocoa farmers from Cross River State, in addition to human rights and subject matter experts, academics, and local civil society representatives. Of the 20 participants, half were community members directly affected by UTZ Certified and the Voluntary Principles on Security and Human Rights. Workshop organizers also sought to include a diverse group of participants, devoting particular attention to the inclusion of women and ethnic minorities from a wide range of age brackets. Overall, workshop participants were 25% female and included individuals from the Ogoni, Efik, Ikwerre, Erema, Ibibio, and Ijaw ethnic groups.

The discussion was conducted under Chatham House rules to protect workshop participants. This report has been released only with the prior review and agreement of the attending individuals.

This meeting followed an interactive program that drew on design thinking principles to both solicit input from community members about their experiences of various industry-related issues, and to guide participants in thinking about how MSIs might be adapted to serve as tools to address those issues. In this way, the workshop served both a research function and an empowerment function – enabling participants to use their reflections on their own experiences to shape proposals for their desired outcomes from this research project. Attending individuals were guided in an in-depth training on community-centered solutions to industry-related human rights issues, and a reflection on the existing resources they may have to drive change in their communities using local/national laws, community organizing strategies, MSIs, and other tools. Throughout, participants were encouraged to ground their conversations and recommendations in personal experience.

Due to the sensitive nature of the workshop subject matter, this initial conversation was held without the presence of government, company, or MSI officials. Of note, several cocoa farmers decided not to participate in the workshop hours before the workshop commenced due to fears that they would face retaliation for their participation in the meeting. It is hoped that similar discussions with other relevant stakeholders will be held in the future.

BACKGROUND

Multi-stakeholder initiatives (MSIs) are collaborations between businesses, civil society, and other stakeholders that seek to address issues of mutual concern. In the human rights and environmental context, MSIs frequently develop and apply standards for corporate or government conduct. While MSIs are optional for companies and other stakeholders to join, once a member, compliance with certain standards may be mandatory.

MSIs are most often established with the intention of benefiting an identifiable stakeholder group, such as workers, small-scale farmers and local populations. However, there is little documentation of how these groups perceive MSIs or what they experience as a result of initiative implementation. From January 2017 – February 2018, The Institute for Multi-Stakeholder Initiative Integrity (MSI Integrity), in partnership with The Network to Fight Against Hunger (RELUFA), has undertaken a project to examine standard-setting MSIs from the perspective of their intended beneficiaries: communities and rights-holders. Principally, the project aims to gather community perspectives on:

- whether MSIs are achieving their intended impacts and have enhanced the protection of human rights; and
- how MSIs can serve community interests and needs, and meaningfully engage and empower rights-holders.

Building off initial research to understand community perspectives and experiences of MSIs in Cameroon, MSI Integrity co-hosted a two-day workshop with Social Action, in Port Harcourt, Nigeria to understand MSIs in the Nigerian context and consider ways to meaningfully involve affected communities in these initiatives. Specifically, the goals of the workshop were to:

- i. Document the level of awareness amongst Nigerian community leaders and civil society of UTZ Certified and the Voluntary Principles on Security and Human Rights;
- ii. Educate convening participants about the two MSIs and tools within these initiatives that may advance or support their work and goals;
- iii. Discuss what multi-stakeholder solutions offer communities in various industry contexts/in the Nigerian context; and
- iv. Develop a set of recommendations and principles for how community members can be meaningfully involved in MSIs, as well as a set of tools for community members themselves to guide them in using MSIs as advocacy and empowerment tools.

First off, the workshop was designed to educate participants on UTZ Certified and the Voluntary Principles on Security and Human Rights, and to identify tools or resources within these initiatives that might advance or support community interests and goals. From here, participants were guided in discussions around what multi-stakeholder solutions could offer communities in various industry contexts and in the Nigerian context more broadly, including to brainstorm principles or good practices for how MSIs (or their company, civil society, or government representatives) could thoughtfully identify and engage local communities in MSI governance and activities.

Lastly, participants worked to develop community action plans to determine a community's desired level and format of engagement with an MSI. Affected community involvement is often critical to an MSI's effectiveness, as it is the affected population that has the most relevant knowledge of whether the initiative is designed well and is having an impact on the ground. Affected populations also bring local perspectives that can help put the issues at hand in cultural and geographic context, therefore ensuring that the MSI's mandate and goals are realizable and meaningful.¹ As such, the community action plans were developed with the intent to drive initiative improvement or reform from an affected community perspective. This final aspect of the workshop agenda was designed in response to advance feedback from participants expressing a desire to combine the workshop's research and training elements with practical applications, such as the development of MSI reform and community action plans.

Overall, the workshop was designed to explore the participating communities' preferred level and mode of engagement with the MSI. Throughout the workshop, participants were careful to consider how MSI-community engagement principles might apply to the most marginalized community members, including: women, ethnic minorities, youth, and other vulnerable groups. In this way, convening participants devoted particular attention to how communities may become involved in MSIs in ways that overcome pre-existing power imbalances at the local level.

Initiatives of Focus

The Voluntary Principles on Security and Human Rights (VPs) and UTZ Certified (UTZ) are two of the most established MSIs in their respective sectors. Moreover, the specific focuses of each of these initiatives, namely security at extractive sites and cocoa farming, have particular significance in the Nigerian context.

There is perhaps no single event that brought more attention to the human rights issues surrounding extractive site security than that of the movement of the Ogoni people to evict the Shell Petroleum Development Company from their land in the early 1990s. After years of witnessing the severe environmental degradation of the Niger Delta due to Shell's oil exploration and exploitation activities, the Ogoni people, led by the writer and activist, Ken Saro-Wiwa, organized the Movement for the Survival of the Ogoni People (MOSOP) in 1990. In the years that followed, MOSOP faced significant challenges from Nigeria's military forces including harassment, arbitrary arrests and detentions, destruction of property and killing of its members, such as the execution of nine Ogoni leaders – including Saro-Wiwa – in 1995. Although the degree of Shell's involvement in the military's abusive treatment of the Ogoni is still widely debated, it is generally agreed that, at the very minimum, Shell's extensive and influential presence in the region meant that it could have influenced the government to abstain from some of its abusive actions.

In terms of agriculture, Nigeria is the seventh largest cocoa-producing country in the world, and like many cocoa-producing countries in West Africa, faces numerous industry challenges such as child labor, land tenure disputes, gender inequality, and low wages. At the same time,

¹ See, for example, MSI Integrity, *The Essential Elements of MSI Design* (2017).

Nigeria has made considerable efforts to boost its cocoa industry in recent years, including through UTZ certification. In 2011, Nigeria's former Agriculture Minister, Dr. Akinwumi Adesina, set out clear goals in his "Cocoa Transformation Agenda" to double cocoa production in Nigeria from 250,000 to 500,000 metric tons by 2015 and achieve a 25 percent processing rate of the national output within four years. To drive this effort, the government claimed it would "focus on educating and providing local farmers with crucial equipment such as agro-chemicals and imported fertilizer, formulated specifically for cocoa farming, insecticides and hybrid pods, as well as improving farmer skills."²

But while the government's Cocoa Transformation Action Plan for the cocoa sector (also called the Cocoa Growth Enhancement Scheme) looked promising in its early years (Nigeria's cocoa production in 2013/14 was forecast to increase to 300,000 tons, up from about 280,000 tons in 2012/2013), Nigeria's cocoa sector sunk dramatically in 2014, 2015 and 2016. In fact, Nigeria's cocoa production crash in 2014/2015 and 2015/2016 (down to approximately 190,000 tons per year) resulted in the International Cocoa Organization downgrading Nigeria from the fourth to the seventh biggest cocoa producer in the world.³ At present, there has been little research into understanding what can account for Nigeria's disappointing cocoa growth. Specifically, though the Nigerian government expected the expansion of UTZ Certification to boost production and "[shore] up demand and prices for Nigeria's cocoa at the international market," little is known about the effects of UTZ certification on the ground.⁴

Of the 20 workshop participants, 15 completed MSI-specific awareness surveys to assess their knowledge of the initiative relevant to their work or where they live (UTZ Certified or the VPs) and their involvement in the initiative to date. Six had no familiarity with either MSI, one had a low level of understanding of the MSI relevant to their work or experience, six had a mid-level understanding of the relevant initiative's purpose and operations, and two had a high level of understanding.⁵ Nine of the surveyed participants were directly affected community members. Amongst directly affected community members, five had no familiarity with the relevant initiative, and four had a mid-level understanding. Though several attending civil society participants assisted with workshop facilitation, no advanced materials were circulated to workshop participants in an attempt to assess baseline MSI awareness amongst participants.

² Nzeka, "Nigeria Hikes Target on Cocoa Production," (2014). *USDA Foreign Agricultural Service, Global Agricultural Information Network*.
<https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Nigeria%20Hikes%20Target%20on%20Cocoa%20Production_Lagos_Nigeria_5-8-2014.pdf> 2.

³ Awere, "Nigeria's Cocoa Association Confirms Production Downgrade," (2016). *Bloomberg News*.
<<https://www.bloomberg.com/news/articles/2016-09-19/nigeria-s-cocoa-association-confirms-production-downgrade>>

⁴ Nzeka, "Nigeria Hikes Target on Cocoa Production," (2014). *USDA Foreign Agricultural Service, Global Agricultural Information Network*.
<https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Nigeria%20Hikes%20Target%20on%20Cocoa%20Production_Lagos_Nigeria_5-8-2014.pdf> 1.

⁵ For the purposes of this survey, a low level of understanding was defined as initiative name recognition without substantive knowledge of its scope, mandate, or operations. A mid-level understanding was defined as baseline familiarity with the initiative's scope and mandate, but with incomplete knowledge of initiative standards, governance, or implementation. A high level of understanding was defined as comprehensive knowledge of the initiative's standards, governance, and implementation processes.

Workshop Design

The “Understanding Community Experiences of Certified Cocoa Farming and Extractive Site Security” workshop served as one part of MSI Integrity’s research project to understand community experiences of MSIs – both in terms of whether MSIs are achieving their intended impacts and have enhanced the protection of human rights, and in terms of how MSIs can serve community interests and needs and engage and empower rights-holders. Building off preliminary research on community perspectives and experiences of MSIs in Cameroon, the workshop proceeded in three stages. In the first stage, researchers documented workshop participant awareness of relevant MSIs (either UTZ or the VPs) through the use of an awareness survey. 15 out of 20 workshop participants completed awareness surveys. The second stage of the workshop then offered participating affected community members the opportunity to share their MSI-relevant experiences and to discuss the most significant challenges they face, both as they relate to MSI-regulated industries and otherwise. From here, the third stage of the workshop worked to chart the path between where communities currently stand in relationship to the relevant MSIs and where they would like to be.

Importantly, in order to get a sense of whether and how MSIs can serve as meaningful tools or platforms for communities, the workshop began with first principles: first assessing the relevant industry issues, then considering the full range of tools and strategies communities can use to address these issues, and, finally, introducing MSIs as one potential tool within this landscape. Such an approach sought to draw on community experiences and other community advocacy strategies to brainstorm community engagement principles in the MSI context rather than simply taking MSIs “as they are.” In this way, the workshop strove to develop an authentic set of recommendations for how community members can be meaningfully involved in MSIs, and tools for community members themselves to use in navigating MSIs and using them to their own advantage. Throughout the workshop, participants were also encouraged to consider:

- The self-advocacy tools, resources, and networks currently available to communities and how MSIs might complement them;
- The strengths and weaknesses of MSIs;
- The external factors (good and bad) that can impact the effectiveness of MSIs;
- The actors that might support or hinder community advocacy or participation in MSIs.

The workshop was structured around a few information and discussion sessions held in plenary, with the rest of the time spent in MSI-specific breakout sessions. While community members affected by both the VPs and UTZ were present at the workshop, participants spent most of their time with community members and civil society representatives affected by the same initiative. In other words, all the cocoa farmers were in one group while all the community leaders from oil-extraction sites were in another. While the workshop organizers sought to facilitate as much cross-cutting dialogue and reflection as possible between the two MSI-specific groups, it was determined that separate working groups were more suitable to the short, two-day timeline of the workshop, as many of the workshop activities required deep context specific knowledge that might have been difficult to explain quickly to outsiders

during the action plan development process. Discussion summary notes were then shared back to the plenary for feedback after each session.

Of note, several cocoa farmers decided not to participate in the workshop hours before the workshop commenced due to fears that they would face retaliation for their participation in the meeting. As such, the VPs breakout session had 13 participants while the UTZ breakout session had 7 participants. This workshop program was developed in close consultation with MSI Integrity's local partners and advisors and may be replicated in different geographic or issue areas in the future.

WORKSHOP ACTIVITIES SUMMARY

Day I

I. Introduction to Affected Communities and Relevant Issues

The first session of the workshop aimed to introduce the affected communities and issues of focus. This session was conducted in MSI-specific breakout groups. To begin, participants introduced themselves and explained their reasons for being at the workshop. Affected community members were provided with additional space to share their personal experiences of either the extractive or cocoa industry. As relevant, these narratives also touched on community relationships to specific companies. Participants then identified some of the industry-related issues affecting communities as well as the most pressing issues affecting communities broadly. Some of the issues shared are noted below.

Issues noted by the Oil Exploitation Communities Group:

- Oil exploration activities and the facilities of International Oil Corporations (IOCs) can cause water and land pollution.
- Oil exploration activities and oil facilities can cause destruction to plant and animal life which can have a significant impact on community livelihoods.
- Gas flaring in particular can cause pollution and health issues in oil bearing communities.
- Additional health issues, including mental health issues from continuous exposure to terror or violence.
- Oil exploration activities often have disproportionately adverse effects on women in oil bearing communities.
- Poorly trained and unprofessional security operatives attached to IOCs have been known to inflict physical injuries to local community members, sometimes resulting in loss of life.
- IOCs often enforce “divide and rule” tactics in oil bearing communities – using the political and monetary implications of oil exploration activities to divide and destroy local social structures and even entrench divisions and conflict.
- There is no dependable system of redress for the human rights violations experiences by community people living in areas of oil exploration.
- The Voluntary Principles on Security and Human Rights has failed in promoting respect for human rights by IOCs (who demonstrate little to no knowledge of the Voluntary Principles with respect to their operations in oil-bearing communities).

Issues noted by the Cocoa Farmers Group:

- Very low wages.
- Many instances of child labor and forced labor.
- Land grabs by large-scale industrial cocoa producers and eviction of local populations.

- Cocoa farming can expose farmers to dangerous chemicals due to improper handling and storage. Farmers rarely use protective gear and often apply chemicals to their crops just before eating or cooking, thus contaminating their food stores and making them very sick.
- Cocoa farming chemicals can also pollute the environment. Generally low levels of understanding about farm sustainability.
- High cost of farming inputs (chemicals, labor, etc.).
- Long working hours and hard physical labor.
- Difficulty in accessing cocoa farms – cocoa farms are often far from where farmers live due to unavailability of land.
- Poor farm worker management and bad contracts.
- Poor cocoa quality (due to improper storage and processing).
- General poverty, manifest in the inability of farmworkers to pay for school fees or healthcare, and poor living conditions.
- Disconnect between cocoa producers and consumers, or cocoa brokering through buyers who “act” as producers within certification initiatives.
- Lack of farmer training or poor training.
- The fact that there is little to no difference between certified and un-certified cocoa in practice because farmers will resort to those farming techniques that provision them with the most cash in the shortest time (ex. most farmers will not follow official certified cocoa fermentation timelines so that they can sell their beans sooner).
- Poor management of the UTZ premium, including withholding the premium from end producers.
- Company intervention in farmer support programs. One farmer explained that companies (buyers) often try to intervene in farmer training programs, such as those required by UTZ, because such programs will inform farmers of their rights (including their right to demand a higher price for certified cocoa) which is not in the company’s interest. Companies may try to dissuade farmers from attending trainings by threatening to stop buying their cocoa, or else may mischaracterize what the trainings are for.

Throughout this activity, participants were encouraged to consider the ways in which the issues discussed are connected to each other and to try and identify key “drivers” or “impact pathways” that are likely to affect many interconnected issues. For example, in the Cocoa Farmers Group, participants noted that many of the issues were connected to poverty and a general lack of economic development, instability in the global economy, and (lack of) access to information. Participants noted that cocoa is a major cash crop in Nigeria, and that most cocoa farmers are driven into the industry out of financial necessity because cash crops can provide them with more money than food crops. As such, many small-scale farmers enter the industry in a vulnerable position due to their economic disadvantage, and may become “trapped” in a cycle of poverty if they lack the skills or training to properly manage their farms or are subject to manipulation by large-scale industrial producers. In the Oil Exploitation Communities Group, many issues revolved around the theme of environmental damage.

II. Community Based Solutions

After identifying the most pressing issues facing the communities of focus, Fola Adeleke of the South African Human Rights Commission led the group in an activity to chart out community-based solutions to address these problems. Fola qualified the activity with a note that it may be difficult to develop solutions to the problems identified in the previous activity as many of them are so systemic. Nevertheless, he identified the goals of the activity as:

- i. Identifying solutions which have been successful in addressing the problems previously described;
- ii. Identifying the solutions which have been unsuccessful or challenging; and
- iii. Understanding why they have been challenging.

Using a visual aid, Fola described the activity using the analogy of a ship trying to get from one island (where all the previously identified problems lie) to the “island of tomorrow” (where such problems have been resolved). In the image presented, meeting participants were represented by the ship, trying to get to the island of tomorrow while navigating the waters in between. The ship’s journey is then impacted by a number of good and bad external factors (ex. the weather), good and bad external actors (ex. sharks in the water), and resources (ex. the ship’s crew). Fola instructed the workshop participants to apply the ship analogy to map the solutions they have tried to address their problems in the past. To do so, Fola provided several guiding questions for participants, including:

- Which solutions have been successful?
- Which solutions have been challenging?
- What tools have communities been using to engage companies?
- What type of resources have they been using? (ex. NGO or legal support)
- What are the good external factors that have enabled communities to find solutions to industry-related issues? (ex. NGOs, funders)
- What are the bad external factors? (ex. corruption)
- How have communities been relating with other networks in finding solutions to these problems?
- Who are the good actors, and the bad actors, that have influenced communities’ search for solutions to their problems?

Participants returned to their respective MSI-specific groups to complete the activity. At the end of this second break-out session, both groups came forth with their respective findings. Their presentations are summarized below.

For the Oil Exploitation Communities’ Group:

- **Successful solutions:** The Movement for the Survival of Ogoni People (MOSOP) and the Ogoni struggle.
- **Challenging solutions:** Militancy and the Niger Delta struggle for resource control.
- **Tools:** Letter-writing, petitions, protests, shutdowns, blockades, litigation, awareness-raising activities, advocacy, armed struggle, publications, and media.
- **Resources:** NGOs, media, academia.

- **Good external factors:** NGOs, media, academia.
- **Bad external factors:** none discussed.
- **Bad actors:** Government of Nigeria, International Oil Corporations (IOCs).
- **Networks:** NGO networks, community-based networks.
- **Challenges:** Unjust political systems, improper use of security agents, legal barriers (ex. land use decree), disunity, docility leading to inactivity, ignorance, fear of the unknown, poor educational system, greed, IOCs subverting NGOs to work for them, lack of political will, elite capture, extending networks to other communities,

For the Cocoa Farmers' Group:

- **Successful solutions:** none discussed.
- **Challenging solutions:**
 - Problem #1, Child Labor: State governments had tried to address child labor by giving cocoa producers farming inputs (pesticides, etc.) so they could reduce their overall cost of production and therefore decrease the chance that children would be employed. However, farmers reported that this program was largely ineffective and stopped operations several years ago.
 - Problem #2, Poverty Reduction: One of the workshop participants himself said that he had tried to assist farmers in their financial management, urging them to put aside some money out of each cocoa sale they make to pay for school fees, etc. Nevertheless, most farmers have not listened because they still don't understand the value in saving for when the cocoa season is low. They are so starved for cash when the cocoa sale comes that they immediately spend it. A common variation on this program is a kind of mutual fund program where someone comes around to collect small amounts of money from farmers which are pooled into a fund that the farmers can then draw from to make bigger purchases. That said, farmers reported that this program doesn't work because farmers are very skeptical of the people who come to collect the money. One workshop participant added that cocoa farming is not very conducive to a saving mentality in general because farmers get their money in large, unpredictable chunks, as opposed to a steady stream.
 - Problem #3, Access to Markets: Many small-scale farmers have difficulty accessing the cocoa market on their own and may be taken advantage of by cocoa buyers for big multinational companies. While cooperatives are often used to remedy this problem, the farmers explained that most of the registered cooperatives in their communities are ineffective because members don't understand how the cooperative model works and therefore became very skeptical when the cooperative takes their cocoa and either doesn't pay the farmers back immediately or requests membership dues.
 - Problem #4, Poor Cocoa Quality: One problem mentioned repeatedly by participating farmers was that of bad cocoa quality (which makes the cocoa

less desirable in the international market). UTZ Certified training, and similar certification training, is supposed to address this, but the training is largely ineffective. Problems with training include: the fact that trainers come and use language that is not understood by the local community (trainers also do not speak local languages, like pigeon); that trainers come mostly “to show what they know” and do not gear sessions towards farmers’ practical needs; and the fact that trainings are focused on rules but do not always provide information on the *resources* available to farmers to effectively live up to those rules. In practice, many farmers do not have the money to deliver on certification requirements, even if they understand what they are *supposed* to do. Here, the group reflected on the ways in which UTZ certification seems geared towards large scale commercial farming as opposed to small scale farming.

- **Tools:** Industry knowledge, education, support services.
- **Resources:** Government training, UTZ and other farmer training organizations.
- **Good external factors:** none discussed.
- **Bad external factors:** Cash-is-king, the buyer determines the price, pricing.
- **Bad actors:** Middlemen, exporters, buyers, large-scale industrial cocoa producing companies.
- **Networks:** none discussed.
- **Challenges:** Conducting farmer trainings in a way that is accessible, practicable, locally relevant, and rigorous. Participants noted essential qualities of trainings, including that trainings:
 - Convey the practical effects and advantages of attending training;
 - Are locally adapted and relevant;
 - Are followed up with independent monitoring; and
 - Are conducted in multiple ways (and potentially through multiple organizations) so that farmers can find a training style that works for them.

In synthesizing findings from the plenary share-out session, one participant suggested that there was a trend to group companies and government as bad actors while NGOs and the media were often portrayed as good actors. Another workshop participant challenged this assumption by saying that no one stakeholder group is a monolith, and governments and business can still be community allies in some circumstances. It was also noted that the fact that the government or a company chooses to align itself with some groups over others has been one of the origins of conflict amongst oil exploitation communities to begin with.

III. Initiative Awareness and Introduction to MSIs

This session served to introduce the concept of an MSI, and to provide tailored trainings on UTZ Certified and the Voluntary Principles on Security and Human Rights for relevant workshop participants. Madeline Hung of MSI integrity gave a presentation on MSIs, first providing a working definition of an MSI and explaining their history and context before narrowing the discussion to transnational standard-setting initiatives and their implications

for the protection of individuals adversely affected by business operations. Madeline then provided various explanations for why MSIs are significant – including that initiatives have absorbed a significant amount of time and resources, often form a key element of corporate and government business and human rights strategy, and have the capacity to impact the lives of workers, farmers, and communities, whether or not these populations are aware of the initiatives' existence. Lastly, Madeline raised several questions about the effectiveness of MSIs as instruments to promote and protect human rights; whether MSIs can be used as tools for communities to effectively engage companies on human rights violations; and “for whom” MSIs are designed and intended to benefit.

Immediately after Madeline's presentation on MSIs, the meeting went into the third break-out session for the day. In this session, each group was given a presentation on the particular multi-stakeholder initiative that is relevant to their community or work (either the VPs or UTZ). Both groups engaged in debriefing discussions around their initiative of focus following the trainings. Highlights from each debriefing discussion included below.

For the Oil Exploitation Communities Group:

Paulinus Okoro facilitated the discussion on the Voluntary Principles on Security and Human Rights (VPs), drawing on several years of research experience into the workings of the initiative throughout the Niger Delta region. After providing a high-level overview, Paulinus focused his presentation on the role of communities in the VPs. To begin, Paulinus defined a community perspective as a bottom-up approach that embodies a human rights perspective. Here, he further clarified that human rights are not benefits or “charity” delivered by a company or government, but are the entitlements of human beings. By comparison, Paulinus described the VPs as a mostly top-down initiative designed by governments and companies to advance their own interests and which overlooks some of the most critical contributing factors to extractive site insecurity, such the socio-economic rights of communities.

Paulinus noted that the Nigerian government has refused to implement the VPs owing largely to a lack of political will, though likely reinforced by the fact that Nigeria operates a rentier economy and has deep ties to many IOCs. Paulinus provided his personal assessment of the implementation of the VPs in Nigeria, which he described as “poor.” This he attributed largely to the lack of awareness of the initiative amongst affected communities, and the fact that Nigerian citizens are often unaware of their rights or, even when they do know, are reluctant to demand them. Nevertheless, Paulinus was optimistic that the VPs might be meaningfully reformed if citizens demand such action and are successful in using the media to expose perpetrators for their violations of the initiative's standards.

Paulinus concluded his presentation with a discussion on the visible absence of communities from the VPs framework. Though the VPs are standards for the ways in

which extractive company security providers interact with local populations in the company's areas of operation, communities are generally excluded from the VPs' standard-setting and implementation processes – or else are only involved at the discretion of participating companies. Nevertheless, and despite their systematic exclusion, Paulinus reflected communities appear very receptive to the idea of the VPs and are disposed to using them as a framework for their engagement with companies.

For the Cocoa Farmers Group:

Madeline Hung provided a training and facilitated a discussion on UTZ. Madeline described UTZ's history, mission, and vision, to "create a world where sustainable farming is the norm," and where "farmers implement good agricultural practices and manage their farms profitably with respect for people and planet; industry invests in and rewards sustainable production, and consumers can enjoy and trust the products they buy" (*UTZ Certified website*). Madeline explained that there are several MSIs that certify cocoa, including the Rainforest Alliance and Fairtrade International, and that as the standards are similar, some farms have multiple certifications.

From here, Madeline briefly covered the initiative's governance and certification process before diving into the initiative's benefits and protections for workers and farmers. Madeline highlighted worker and farmer rights protected by the UTZ Code of Conduct including the right to a living wage; safe and healthy working conditions; freedom from forced or child labor; provision of yearly trainings; access to a complaint filing procedure; and the fair and transparent management of the UTZ premium. Additional information was provided on the UTZ premium and Grievance Procedure.

After the training, Madeline answered participant questions about the initiative, and participants engaged in a discussion about potential community engagement mechanisms for UTZ. One participant mentioned several times that he thought that UTZ should establish a direct link between the farmer and the consumer, as this would motivate the farmer to deliver on certification standards and would also be a way to ensure that UTZ is certifying "real producers" and not intermediaries (such as cocoa buyers). Madeline explained that UTZ already operates a system like this called the Good Inside portal, but that the portal is not public facing. All reflected on the challenges farmers might have in accessing such a portal, once again suggesting that UTZ is designed for large scale commercial farming and not for small scale farmers.

Participants then discussed strategies to amplify community voices in UTZ. One participant suggested creating some kind of community convening structure that could feed into MSI decision-making meetings. An example of a community convening structure could be a large town halls for farmers, similar to the regional convenings used by communities in South Africa to organize around mining projects. Town halls would discuss what issues should be raised at the next MSI decision-making meeting, and what issues or areas are up for negotiation with the MSI. A representative of the town hall

(a farmer) could then go to convey whatever was agreed amongst the farmers at the MSI meeting. Madeline noted that this solution would require the MSI to have open, regional meetings to begin with, as this is not something UTZ currently offers or promotes. Some participants in the group also raised concerns that conflict could arise if the “representative” to the MSI meeting was bought off or perceived to be getting special advantages over other farmers.

Another participant proposed an alternative community engagement strategy using local “cocoa monitoring teams” made up of UTZ farmers. These teams could identify grievances in the community and log them into the UTZ grievance platform since UTZ’s existing grievance procedure is inaccessible to many farmers.

Lastly, another participant noted that the group should also consider ways for the government to be involved in UTZ as well, given the fact that it is an MSI. Here, one farmer pointed out that much of cocoa production in Nigeria is government-operated. As such, if UTZ certification is truly to be successful and have broad reach, government-owned farms must be involved as well.

IV. The Value in Multi-Stakeholder Solutions?

At the end of the first day, Madeline Hung from MSI Integrity returned to facilitate a discussion around the “value of MSIs.” The goal of this final session was to synthesize findings from previous sessions and to explore the potential role MSIs could have in addressing community needs by implementing elements of community based solutions within existing MSI frameworks. To begin, Madeline posed the questions, “*Who* are MSIs designed for?”

Here, one participant asked Madeline to share her views on efforts to increase community presence and participation in initiatives – specifically noting that the Voluntary Principles have now been in existence for 17 years and that calls to include community perspectives have been made in the past, but to little avail. The participant asked Madeline to speak to why efforts like the workshop might be more successful in promoting community voice in initiatives than previous attempts. Madeline responded saying that she remained hopeful that initiatives like the Voluntary Principles might still yet evolve to include increased community engagement.

Namely, Madeline noted her perception that many designers of MSIs/civil society in the Global North still believe that MSIs can be effective without the involvement of communities in initiative design and implementation. Madeline noted that this research could work to dispel that myth, and thus finally drive change within initiatives like the VPs (or else prove their ineffectiveness and encourage the development of alternative, community-centered solutions). Another participant, himself a community member from an oil-extraction site, noted the paradox of designing initiatives for communities without their involvement with the analogy: “you cannot shave a man’s head in his absence.”

From here, Ken Henshaw from Social Action summarized many of the Day I findings by reflecting on some MSI strengths and weaknesses, and areas for further inquiry.

Ken's perceived weaknesses of MSIs included:

- That MSIs often feel inadequately connected to or benchmarked against national or local laws;
- That MSIs often fail to adequately address or reflect the most pressing community needs on the ground;
- That MSIs rarely appear to have been formed and designed by the initiative's intended beneficiaries;
- Generally low community awareness of or involvement in relevant initiatives;
- That the voices of communities and workers are submerged and subdued by the voices of NGOs. Civil society has far too often adopted a "middle man mentality" where NGOs may seek to mediate communications between companies, governments, and communities but ultimately ends up claiming space that communities could have used to represent themselves directly;
- The risk that the capitalization and professionalization of standard-setting might compromise or distract from initiative impact and benefit;
- Weak monitoring and evaluation mechanisms; and,
- The embedded suggestion that the labor rights and human rights protected by initiatives are the "gifts" of a benevolent company to a deserving community as opposed to *laws* which imply a real capacity for enforcement.

Ken added several questions to his reflections, such as:

- Are MSIs allowing governments to abdicate their responsibility to protect and promote human rights?
- Do MSIs "take up space" where there could or should have otherwise been government action?
- Who do MSIs serve? And is it possible for communities themselves to "own" and operate MSIs?

Ken then identified some potential strengths in MSIs, noting:

- That MSIs might be used to strengthen local laws and frameworks; and,
- That MSIs, if properly utilized, could provide often forgotten stakeholders (farmers, workers, and community members) with a voice.

Ken closed the session urging participants to consider a few additional questions for the next day, including:

- How can we give communities voice? Make MSIs serve community needs?
- How can we create effective grievance mechanisms?
- How can we embed enforceability mechanisms – make the initiative "scarier?"
- How can we better connect MSIs to national and local laws?
- MSI legitimacy? How do we get community members to "buy-in?" Is this possible?
- Major decision for tomorrow: do we try to reform initiatives? Or do we throw the baby out with the bath water and start alternative "revolutions?"

Day II

I. Introduction and Community Engagement Case Studies

The second day of the workshop began with a review of the proceedings of the previous day and an introduction to community-based solutions and community engagement tools through a series of case studies. The goal of this session was to share examples of successful community organizing and engagement techniques that might be applied to the MSI context.

Case Study #1, The Ogoni People: The first case study, presented by Sebastian Kpalap, recounted the struggle of the Ogoni people, a minority ethnic group in the Niger Delta region of Nigeria, and their campaign for environmental justice. Ogoniland, the approximately 1,050 km² homeland of the Ogoni people, is a land with extensive crude oil deposits. Throughout the mid-20th century, oil exploration activities by the Nigerian government and prominent International Oil Corporations (IOCs), such as Shell and Chevron, caused grave destruction to Ogoniland. Apart from the environmental degradation, the Ogoni also felt alienated from the benefits that accrued from over three decades of oil extraction from their land and realized that they were losing many natural resources critical to their livelihoods.

That said, the Ogoni people realized that they were entitled to the right to a safe environment and thus began a campaign to reclaim their land and liberties. As part of the campaign, the Ogoni people:

- Became aware of their right to self-determination through sensitization efforts by writer and activist, Ken Saro-Wiwa;
- Recognized the existence of United Nations instruments that could be invoked to protect their rights and their environment, like the Universal Declaration of Human rights;
- Identified individuals and groups that could be powerful influencers – such as The Body Shop and Greenpeace;
- Understood the power of collective action and sensitized their people on the dangers they faced;
- Founded the Movement for the Survival of Ogoni People (MOSOP) in 1990 as an advocacy organization of the people;
- Drew up a charter of demands – the Ogoni bill of rights – and engaged the government of Nigeria with it;
- Drew the attention of the international community to their cause and canvassed for support;
- Exposed the harmful activities of the IOCs on their environment to the world through publications and campaigns using both local and international media outlets;
- Made use of hard evidence and facts that supported their claim that the activities of the IOCs eroded their rights and threatened their safety and that of their environment; and,
- Called on the UN and the international community to stop the operations of the IOCs on their land until their demands were met.

As a result of these efforts, Shell and several other IOCs ceased their operations in Ogoniland in 1993. In 2012, the United Nations Environment Project (UNEP) concluded its study of the devastation done to the Ogoni environment by the activities of the IOCs and recommended a massive clean-up and remediation of the area.

Case Study #2, The Ekuri People: The second case study was presented by Tijah Bolton Akpan and detailed the strategy adopted by the Ekuri people of Cross River State of Nigeria in halting a super highway project that was set to destroy parts of their community forest. The Ekuri are an indigenous forest community at the edge of the Cross River National Park, residing in one of Nigeria's last surviving rainforests. The highway-building project in question was a planned 12-lane, 260 km long road, set to link a proposed deep seaport in Bakassi through to Cross River's northern border with Benue State.

The project was approved by president Muhammadu Buhari in 2015, and was originally supported by the Ekuri people who believed that the project would "bring better transportation and greater economic opportunities to their people."⁶ That said, the original project proposal was submitted before the completion of an environmental impact assessment and failed to account for the fact that the project would demand that a 20-kilometer setback from either side of the highway also be transferred to the government for clear-cutting and commercial use. When the Ekuri community was informed about the 20-km setback that would be required through a Public Notice of Revocation published by the Commissioner for Lands and Urban Development, the community began to mobilize to stop the government from proceeding with the project.

The Ekuri organized letter-writing and protests to explain that the community relied heavily on the rainforest for its non-timber forest products and that the highway would have a significant impact on their livelihoods. Here, the community drew on several resources in their campaign, including:

- Local knowledge of the rainforest and local laws in making a case for why the project should be stopped;
- Use of community networks/existing community groups to mobilize people;
- Connection to international NGOs to draw attention to the issue;
- Connection to international laws and UN bodies to provide supporting evidence for the community's right to protect their land.

Ultimately, the community was successful in halting the project, though this has been a recent development and is subject to being overridden.

Case Study #3, The Fair Food Program: The final case study was presented by Madeline Hung and was about the Coalition of Immokalee Workers (CIW) and their efforts to improve the wages and worker conditions of tomato farm workers in Florida and the eastern United States. The case study focused on the Fair Food Program – and initiative organized by CIW

⁶ "Nigerian government urged to halt 'land grab' in Ekuri community forest" *Mongabay* (March 11, 2016) <<https://news.mongabay.com/2016/03/nigerian-government-urged-to-halt-land-grab-in-ekuri-community-forest/>>.

that commits tomato growers to allowing CIW to conduct mandatory trainings with farm workers on their labor rights; distribute informational pamphlets to farm workers; provide workers with a complaint hotline; and to allowing third party auditors to conduct regular inspections of their farms – including conducting confidential interviews with at least 50% of the farm’s workers.

The initiative applies pressure to growers to participate in the program by committing big-name tomato buyers – such as Walmart, McDonalds, and Whole Foods – to only buy tomatoes from farms that participate in the agreement. To get retailers to commit to only buy from Fair Food participating farms, CIW has used tactics such as:

- Boycotts and protests;
- Worker mobilization; and,
- Corporate “peer pressure.”

II. Developing a Community Engagement Work Plan

Having listened to the case studies and Madeline explained that the rest of the day would be devoted to developing MSI reform plans/community engagement plans. Madeline encouraged participants to customize their work plans as they saw fit, but suggested that participants consider the following issues in their drafting:

- What is the MSI weakness or problem of most concern (ex. initiative governance, monitoring, or grievance mechanism) you would like to address?
- What is the desired reform/solution you propose?
- What is your community engagement plan to achieve this reform?

At the end of their deliberations, the participants came up with the following engagement plans and recommendations:

For the Oil Exploitation Communities Group:

Identifying Weaknesses:

- Lack of community involvement in the crafting/design/implementation and monitoring of the VPS has led to the following problems:
 - Lack of awareness and needed buy-in from communities
 - Lack of commitment by IOCs to the VPs
 - Continued rights abuses by IOCs

Suggested Reforms:

- Educating communities on the VPs
- Identifying and articulating communities’ concerns within the VPs framework
- Creating a fourth pillar of the VPs to allow for community participation in the plenary

Community Engagement Plan:

- Community awareness building and sensitization on the VPs
 - Media:
 - Usage of community radio
 - Local papers and TV leverage
 - Mobile phones (bulk SMS)
 - Handbills, posters
 - Simplification of VPs tools and translation into local languages
 - Creation of web portals to showcase community experiences of, or feedback on, the VPs
- Community capacity building on leadership, human rights, and conflict resolution
 - Town hall meetings
 - Training programs
 - Developing human rights or community rights manuals
 - Creating VPs feedback mechanisms or informational tools such as toll-free hotlines or information portals managed by subject matter experts
- Media campaigns (both local and international)
- Creating networks of affected stakeholders and linkages (both local and international)
 - Involving the National Human Rights Commission
 - Creating a website to showcase VPS abuses
 - Create appropriate linkages with National/International Human Rights Organizations
 - Map all relevant security outfits around affected communities and relevant NGOs
 - Map all oil producing and/or oil bearing communities
 - Map and create networks of all VPs relevant communities
- Petitions
 - NGO supported campaigning
 - Letter writing or signature campaigning
- Advocacy engagement
 - Consult community leaders
 - Campaigns for Nigeria to become a signatory to the VPs
 - Visit security outfits and/or related NGO leaders

For the Cocoa Farmers Group:

Identifying Weaknesses:

- Lack of farmer awareness and expertise due to bad training
- Failure to connect UTZ buyers to “the real producers” (small scale farmers)
- Poor management of the UTZ premium (lack of transparency)
- UTZ standards seem catered towards large-scale industrial farmers, not small-scale farmers
 - Standards are too costly to implement
 - Lack of awareness/lack of access to information on the initiative

- UTZ Grievance Procedure is inaccessible:
 - Requires technology
 - Not in local languages
 - Privacy concerns

Suggested Reforms/Community Engagement Plan:

- Failure #1: small scale farmers don't know how to join the initiative and/or UTZ isn't connecting with "the real producers"
 - Solution #1: An NGO conducts periodic trainings with the community on the MSI or certification programs available to them
 - Solution #2: A regional, multi-stakeholder council acts as a liaison between communities and MSIs. One part of this council (made of community representatives?) conducts periodic trainings with the community on all the MSI or certification programs available to them (UTZ *and* others).
- Failure #2: grievance mechanism is inaccessible (requires technology), is only available in English, and doesn't provide sufficient complainant protections
 - Solution #1: A local monitoring committee collects farmer complaints, monitors worker rights, and identifies gaps in UTZ standards and trainings. The monitoring committee then feeds into the UTZ grievance procedure. Committee specifications:
 - Made up of local farmers, some nominated by the community and some nominated by the MSI
 - Strict by-laws and tenure requirements (ex. that representatives serve two years max.)
 - If the community is unhappy with a committee member, they can vote to replace him or her
 - Must include women in the monitoring committee

Some of the suggested community engagement plans are detailed in the following section.

Finally, the group considered what they might be able to do to immediately action aspects of both community engagement plans with limited resources. The group brainstormed several possible next steps, including:

- Creating "each-one-teach-one" community awareness or training programs
- Leverage MSI Integrity resources to design informational posters on MSIs
- Reach out to community radio stations
- Generate initiative awareness over Facebook, twitter, etc.
- Organize networks of MSI-affected individuals and communities
- Use existing community networks to raise awareness about initiatives
- Feature stories on community experiences in local media
- Seek journalists to conduct investigative reports on alleged abuses

SUGGESTED COMMUNITY ENGAGEMENT PLANS

- **MSI-specific infographics or other informational posters.** Despite reportedly low levels of MSI awareness among intended beneficiaries, workshop participants expressed a strong desire to learn more about relevant initiatives including about the MSIs' standards and the rights they purport to protect. One potential engagement strategy would be MSI-specific infographics or posters summarizing the most important MSI-related information (ex. rights protected, how to file a complaint, etc.) in easily accessible words or graphics, to be distributed amongst affected communities or posted in MSI-regulated farms or villages.
- **MSI awareness campaigns via social media or bulk text messages.** MSI rules, standards, and implementation initiatives often change over time. Moreover, MSI-affected populations may be dispersed or difficult to access. As such, one potential compliment to the aforementioned infographics and posters would be ongoing MSI awareness campaigns through widely available media, such as Facebook, WhatsApp, and SMS. Through these platforms, MSI Integrity and local partners could provide mini "trainings" on aspects of MSI standards, information about MSI complaints mechanisms, updates on changes to MSI standards, MSI implementation "tips," etc.
- **Community-developed MSI complaint or experience website.** Several workshop participants expressed a desire to share their experiences of MSIs (both their challenges and successes) with a broader audience. Though not explicitly a complaints mechanism, some community members thought that increased awareness of their experiences might encourage more consumer-driven MSI reform. One cocoa farmer suggested that community members might create and maintain their own blog-style website to share their experiences and discuss instances of rights abuse.
- **Affected community maps and networks.** Many workshop participants suggested that they would be better equipped to implement MSI standards, as well as to advocate for increased engagement in initiatives, if they were able to identify similarly positioned affected communities and communicate with an MSI-affected community network. One possible research output could be to map communities directly affected by, or eligible for inclusion in, MSIs, and establish contact persons within each community group.
- **MSI-specific complaints mechanisms.** While UTZ operates a Grievance Procedure, it is not well known and is largely inaccessible to communities (because it is only available online, requires complainants to be literate or speak English, cannot ensure the complainant's anonymity or security, etc.). Moreover, the VPs do not offer oil exploitation community members any mechanism to report instances of non-compliance with the VPs or other rights violations experienced. One potential community engagement strategy would be to develop community-based complaints mechanisms, either to compliment or feed into existing MSI complaints mechanisms. Workshop participants suggested various ideas for such mechanisms, including the establishment of local, community based monitoring teams, a complaints-filing hotline, or partnerships with local CSOs who might be able to work with MSI-affected communities to file complaints on their behalf.

PARTICIPANT LIST

Ken Henshaw – organizer
Prince Ekpere – organizer
Jaff Napoleon Bamenjo – organizer
Madeline Hung – organizer

Fola Adeleke – UTZ Certified breakout group
Sunday Ekekeh – UTZ Certified breakout group
Ndim Isaac – UTZ Certified breakout group
Mrs. Udie Dorothy Anyama – UTZ Certified breakout group
Tijah Bolton – UTZ Certified breakout group
Kentebe Ebi – UTZ Certified breakout group

Chamberlain Amadi – VPs breakout group
Paulinus Okoro – VPs breakout group
Che Ibegwura – VPs breakout group
Mrs. Comfort Eke – VPs breakout group
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