



Is the Juice Worth the Squeeze?

A Guide for Communities, Workers, Civil Society and Trade Unions
Considering Using Transnational Non-Judicial Redress Mechanisms

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About this report series

This report is part of a series produced by the Non-Judicial Human Rights Redress Mechanisms Project, which draws on the findings of five years of research. The findings are based on over 587 interviews, with 1,100 individuals, across the countries and case studies covered by the research. Non-judicial redress mechanisms are mandated to receive complaints and mediate grievances, but are not empowered to produce legally binding adjudications. The focus of the project is on analysing the effectiveness of these mechanisms in responding to alleged human rights violations associated with transnational business activity. The series presents lessons and recommendations regarding ways that:

- non-judicial mechanisms can provide redress and justice to vulnerable communities and workers
- non-government organisations and worker representatives can more effectively utilise the mechanisms to provide support for and represent vulnerable communities and workers
- redress mechanisms can contribute to long-term and sustainable respect and remedy of human rights by businesses throughout their operations, supply chains and other business relationships.

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Executive Summary

Around the world, communities and workers have their human rights violated by companies – land rights are disregarded, companies cause environmental pollution and health problems, workers experience poor working conditions and are denied their rights to freedom of association and fair wages.

Faced with these violations, many communities and groups of workers, with partners and allies including local, national and international non-government organisations, trade unions and researchers, choose to resist and to seek justice or remedy.

This report shares lessons from ten case studies of how communities and workers responded to rights violations in the mining and industrial, agribusiness and garment and footwear manufacturing sectors in India and Indonesia.

Structured as a guide, this report firstly considers the kinds of actions communities and workers can and do take including long term organising, shorter term campaigns, seeking remedy through non-judicial redress mechanisms and through formal judicial processes. These options are not mutually exclusive and in our research, these were most often used together or at different points in time in the same case. The guide shares our analysis of the possibilities, costs and risks of these approaches.

The guide results from a research project on non-judicial redress mechanisms that operate transnationally. As such, it provides a longer examination of different kinds of non-judicial mechanisms and how they operate. It sets out how communities and workers can think about engaging with a non-judicial mechanism at key stages including developing and lodging a complaint, mediation (if appropriate), evidence and fact-finding, campaigning alongside a grievance, and responding to a result.

A key theme of the guide is the crucial importance of communities and workers being able to make informed decisions about their strategies, including whether or not to use a non-judicial redress mechanism. Partners – such as local, national, and international non-government organisations and trade unions play an important role in sharing and translating information and supporting inclusive decision-making by communities and workers. Communities and workers face decisions about which organisations they partner with and in which ways – again, their empowerment to make decisions about the shape of partnerships is central.

The question in our title – is the juice worth the squeeze? – is asking whether or not putting time, resources, energy into engaging with non-judicial redress mechanisms produces enough to make it worthwhile. While this is a question best answered in retrospect by looking at what such engagement produced, we hope that this guide helps communities and workers to consider this question in making their own decisions about how to seek remedy and justice considering their own aims and circumstances.

Through three years of research our research team was inspired by the commitment, resilience and creativity of communities and workers facing violations of their rights and working to gain redress from more powerful actors. We hope that this guide also helps share some of their experiences to support the struggles of other groups around the world.

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Why this guide?

Around the world, communities and workers experience human rights abuses from companies. Land is taken without consent. Rivers and land is polluted. Workers work long hours for low wages, in unsafe conditions. Workers cannot organize collectively and bargain with employers. Workers die from unsafe conditions and face abuse and harassment.

What are the options for communities and workers to try to hold these companies to account and to gain some remedy for the harm they have experienced?

This guide shares the findings of a three year research project focused on whether or not a type of complaint mechanism – non-judicial mechanisms operating across countries – are effective in providing some kind of redress to workers and communities. It shares findings in a form that can potentially help communities and workers, or their partners – trade unions, community organizations, local, national and international non-governmental organizations – to make decisions about whether or not to use such a mechanisms, and if yes, how.

One of the key themes running through this guide is the crucial importance of community and worker informed consent and involvement in all stages of decision-making. We hope that this guide contributes to the possibility of open and informed discussions by sharing the experiences of communities and workers in India and Indonesia who have tried to use a variety of means to achieve some remedy or justice.

The guide draws on research into the following case studies during 2011-2015:

| Case | Sector | Country | Strategies and mechanisms used |
|--|---------------|-----------|---|
| Footwear home-workers | Manufacturing | India | Some campaigning by outsiders |
| Global Footwear and Apparel Supply Chains | Manufacturing | Indonesia | Long term organizing, campaigning, non-judicial mechanisms (national and international) |
| Bonded and forced labour in garment and textile industry | Manufacturing | India | Campaigning, non-judicial mechanisms and legal cases. |
| PT Weda Bay | Mining | Indonesia | International non-judicial redress mechanism. |

| | | | |
|-----------------------------------|--------------------|-----------|--|
| Rajasthan stone | Mining | India | National non-judicial redress, national legal cases mechanisms, programmes by multi-stakeholder initiatives. |
| Vedanta Bauxite Mine | Mining | India | Long term organizing, campaigning nationally and internationally, non-judicial mechanisms, legal cases |
| POSCO Steel | Industrial project | India | Long term organizing, campaigning, national administrative and legal avenues, international non-judicial redress mechanisms |
| Wilmar Palm Oil | Agribusiness | Indonesia | Organizing, campaigning, non-judicial redress mechanisms. |
| Tea Plantations | Agribusiness | India | Estate-level mechanisms, local government, international campaigning, international non-judicial redress mechanisms. |
| REDD+ Siwan Belida Project | Reforestation | Indonesia | Transnational non-judicial mechanisms technically available but not used; project level consultation and grievance-handling processes. |

If you want to read more about specific cases or specific mechanisms we discuss in this report please see the full reports for each case and each mechanism at our website at corporateaccountabilityresearch.net/.

How to use this guide

We hope that this guide is useful as you plan or have conversations within communities, organizations or networks about the best strategy to adopt. The guide does not advise anything specific but tries to set out some of the considerations and explore what the possibilities, costs, and risks of different approaches may be.

You can use the table of contents below to dip in and out to look at specific issues or approaches.

Where possible, we include examples from the cases studied.

This guide does not contain a template for your strategy but we hope that it helps to inform your discussions and ultimately, your decisions about how to try to seek remedy or justice.

Introduction

When communities or workers experience human rights violations by companies, they face a range of choices about how they respond. While governments are ultimately responsible for ensuring that all citizens' rights are respected and realised, and that everyone has access to remedy for any harm, there is not always an easy path to gain remedy through a judicial system. Communities' choices are often constrained by a number of factors: the already difficult circumstances they find themselves in, the relationships in the community or amongst workers, the support they receive from organizations, the sheer difficulty of challenging companies who hold power. Nonetheless, communities and workers around the world continue to choose to resist and to fight for justice and to hold both companies and governments accountable for their human rights obligations.

The first and most important aspect of thinking through strategies is that community members and workers who are most affected are those who make the decisions about what to do – ensuring that all groups within a community are included, for example ethnic minorities and women. Making these decisions means understanding what different options make possible and what the risks and costs of those options are. This can be hard to understand – many of the options are far away, in other countries, languages, and cultures. Coming to informed decisions can benefit from long term organizing in the factory or community that supports the process. We saw that such long term organizing in factories in Indonesia, and deep strength and organizing capacity in communities resisting displacement from large scale mines and industrial plants in India meant that these communities were able to take and maintain considered decisions about their strategies and their relationships with outside organizations. If such long term organizing and cohesion is not present, then even more time must be invested in achieving informed consent for strategies.

When thinking about options for communities and workers, there are some critical questions that can help to guide the discussion:

Does the group have a way of sharing information with everyone affected, and coming to a group decision? How will the group make decisions through the process? How will women or minorities be included in decision-making?

- 1 What do people want? e.g. Do people want to stop a project going ahead, get compensation, raise their wages? What are the differences in who wants what within the group? What can people agree on?
- 2 Does everyone understand the possibilities, risks and costs of different options?
- 3 Understanding the possibilities, risks and costs of different options, what results would make those options worthwhile?
- 4 What resources and support does the group have access to?

We hope that this guide will help inform your discussions of the questions above.

What are the options for seeking remedy and justice?

This section sets out four key approaches that communities and workers have used to pursue

remedy or justice. These are not mutually exclusive options and, in fact, some communities will pursue all of them over time. Each section explores the differences in how communities and workers have used these avenues, what the possibilities, costs and risks are for each option.

The four approaches are:

- Long term organizing
- Campaigning, organizing or resisting
- Engaging in non-judicial grievance mechanisms
- Pursuing legal remedies

Long term organizing

Long term organizing focuses on changing the underlying relationships between communities and companies or the laws and rules under which companies operate. In our cases, there were examples of long term organizing.

In Indonesia, the labour movement had been long engaged in demonstrations and strikes in support of workers rights, highlighting grievances in the media and increasingly savvy in their use of social media. A number of interviewees attributed significant minimum wage rises across many industrial regions to the increased political activism of Indonesian trade unions, including their mass strikes and demonstrations. This long term organizing has focused on building the power of workers and seeing improvements across the sector in their freedom of association, wages, and conditions.

In India, the long term organizing against displacement and for greater rights over land and land use laid the foundation for the long term struggles of peoples' movements against the Vedanta mine and the POSCO industrial steel site.

Another example of long term organizing is the campaign directed at Wilmar, the largest palm oil producer in the world by Forest Peoples' Programme and Sawit Watch. The campaign has aimed to change the company's entire operations and therefore affect the palm oil sector as a whole. These groups work with a wider network of civil society who may come together at certain times and may take different strategies at others.

At an international level, long term work to change corporate behavior led to the development of multi-stakeholder initiatives such as the Ethical Trading Initiative and the Roundtable on Sustainable Palm Oil, with non-government organizations working with companies to establish new standards.

The **possibilities** of long term organizing are that communities and workers build their knowledge, relationships with each other and power. Long term organizing is aimed at systemic changes, which are enduring changes in laws and policies that are implemented, changes in markets, and potentially changes in cultural and social norms. Such changes may include recognition of Indigenous peoples' rights to free, prior and informed consent, new regulation of companies, or greater rights for women workers. If achieved, these changes can affect a wider group of workers and communities than those involved in one case. Even if there are not significant wins, long term organising enables communities to be in a better position to decide to undertake specific campaigns, and pursue non-judicial or judicial cases.

The **costs and risks** of long term organizing are that it requires sustained work, can face significant opposition, and long term changes are not guaranteed. Where the long term organising is by coalitions of civil society (e.g. around the RSPO or ETI) there is a risk that claims and asks are watered down or that groups become coopted in solutions that do not provide significant or system change. The usefulness of specific cases alongside long term organizing are to bring attention to a particular instance, achieve something concrete for workers or communities, seek determinations that support the principles of the cause (e.g. The right to free, prior and informed consent) and use the case as emblematic for the larger cause.

Campaigning, organizing and resisting about a specific case

Either as part of long term organizing or on its own, communities and workers campaign against and resist human rights abuses. Compared to long term organising, campaigns are more time bound around a specific case or point in time. This can take a number of forms: blockades that prevent access to land, demonstrations, media and social media campaigns, connecting with international civil society networks to produce visibility and pressure on brands, and pressuring companies, institutions and governments to act.

Campaigns have the benefit of being geared at a specific harm or threat at a particular time and of articulating very specific demands at a particular company, institution or government.

In India, the PPSS engaged in ten years of non-violent direct action against the POSCO Steel Industrial plant that significantly stalled the project, attracted political attention, and generated time for other avenues to be pursued. Similarly, the Dongria Kondh's resistance to Vedanta's bauxite mine being built in their traditional lands was able to stall the project as judicial and political avenues finally sent the decision back to the Gram Sabha - the lowest level of decision-making in India, creating a potential new model for Free, Prior and Informed consent. In both cases, the energy and commitment of the affected communities was crucial to their success.

International NGOs may use specific cases to build campaigns to target companies. Within the long term organizing around palm oil, the specific cases in Jambi and Sambas in Indonesia were used by Forest People's Programme in their company and sector campaigns for free, prior and informed consent. This relied on local civil society channelling information to national and then onto international groups that could sustain pressure on Wilmar, the International Finance Corporation of the World Bank, and other financial institutions that had supported Wilmar. This pressure played a role in incentivizing Wilmar's engagement in problem solving processes and some of the changes within the IFC.

International campaigners working on abuses in Tea plantations have invested in research reports. Broader influence in these instances was only possible in rare cases where there was specific investment in supporting grassroots campaigning or organising.

Campaigning has the **possibility** to generate specific outcomes by producing pressure on companies and governments to act at a particular time. It can help get companies and governments to the table to negotiate or to engage in non-judicial mechanisms. Campaigns can also help direct attention to whether or not concessions and agreements are ultimately implemented. Campaigns usefully highlight a particular grievance in a way that can help drive broader changes in practice. To generate leverage over companies and governments, campaigns can benefit from collaboration with international campaigning groups who can exert pressure over brands in consumer markets, or over investors in large scale projects.

Campaigning has **costs and risks** that include targeting, harassment and abuse by companies and governments (especially as civil society space becomes more limited in certain countries). If led by outsiders, it risks appropriating and misconstruing the desires of the communities and telling their stories in ways that are not appropriate and could be harmful (even if effective in campaigning terms). If campaigns are too short term they risk not paying attention to implementation of concessions that have been made, and commitments can be quickly reversed.

Making a non-judicial complaint

Non-judicial mechanisms are mandated to receive complaints and resolve disputes, but are not empowered to produce binding adjudications. They therefore go beyond corporate self-regulation but stop short of legal regulation. Non-judicial mechanisms are a growing class of grievance mechanism created by companies, home or host states for investment, financing institutions and through multi-stakeholder initiatives. Non-judicial mechanisms take a range of forms including those that review evidence and produce a determination and others that focus on facilitating dialogue or mediation between parties.

Importantly, non-judicial mechanisms cannot determine *if* a project goes ahead but only contribute to agreements or provide recommendations on *how* it proceeds or on how people can be compensated for harm. This is a crucial limitation to the scope of non-judicial mechanisms and should be considered carefully if a community's aim is to stop a project altogether. That being said, non-judicial mechanisms can produce new evidence and determinations that can influence other actors – for example, leading to investors withdrawing money from a project in a way that may stall it significantly or indefinitely.

Many non-judicial mechanisms provide a way for parties to sit down and negotiate, for example through a mediation process. However, this problem solving approach cannot guarantee a company's compliance with human rights (even though all companies have a responsibility to respect human rights regardless of where they operate). More often, in reality, the kinds of concessions communities or workers can achieve depends on the motivation of the company, and to what extent the mechanism itself remains focused on redressing the power imbalances between communities and companies, its leverage over the company, the skills of the mediator (if mediation is offered), and, frequently, the ongoing pressure provided by outside campaigning. Communities may also face companies that ask or require NGOs to stop campaigning as a condition of taking part in a mediation.

Non-judicial mechanisms were used in the majority of cases we examined, but never on their own. They were almost always one of many strategies used by communities, workers and their allies and their main impact was often to generate new evidence, create public attention on the harms, and to agree to certain concessions or forms of compensation that rarely repaired the harm done.

In some of our cases, communities or workers never used non-judicial redress mechanisms even if they were available. This often reflected the significant barriers to access that remain, particularly for workers engaged in precarious jobs far down the supply chain, or who experience multiple forms of marginalization due to their ethnicity, gender and class. For example, very few complaints were taken in our Tea case despite the extent of human rights abuses, and the visibility of tea as a global commodity that goes to consumers. In our research into homeworkers making footwear in Tamil Nadu, the women were unaware of options for non-judicial

redress and were separated from each other and often from organizations working on labour conditions making it almost impossible to access a mechanism.

Even where communities did know about mechanisms they faced other barriers, including needing to produce significant evidence to a high standard to submit a claim (e.g. in some of the OECD National Contact Points). In almost all cases where workers or communities did access non-judicial redress mechanisms they did so with the support of local, national and/or international organizations that could inform them of the existence of the mechanisms and play a role in navigating the process, including producing the evidence and claim. Sometimes this role was to pursue the grievance themselves (e.g. in the cases of Vedanta and POSCO). In other cases, it was to support the communities to pursue it themselves (e.g. Wilmar).

The table below summarises our analysis of the non-judicial redress mechanisms by who and what they cover, who has access, the forms of engagement they undertake and the possible remedies. To learn more about these mechanisms, you can read the mechanisms reports in this series as well as the case study reports related to the mechanisms (listed on the far right). All available at corporateaccountabilityresearch.net.

Table 2: Summary of non-judicial mechanisms studied

| Non-judicial mechanism | Actors and issues covered | Access and standing | Forms of engagement | Possible current remedies | Used in cases |
|--|--|--|--|--|--|
| <p>OECD National Contact Points are set up by OECD member countries</p> <p>NB: each NCP operates under its own rules, which have to comply with the OECD Guidelines for Multinational Enterprises. This means that there is significant variation in how they operate.</p> | <p>Companies that are domiciled in that country, and actions by their subsidiaries, in some countries even when they are minority shareholders. Companies participate voluntarily.</p> | <p>Complaints are accepted from anyone, with different kinds of thresholds for evidence. For example, in the UK, the complaint needs to show evidence that human rights are likely to have been harmed.</p> | <p>Mediation between parties and NCPs can make determinations about a case. 6 NCPs currently do fact-finding investigations.</p> | <p>Mediated settlement, however with no enforcement. Some NCPs monitor outcomes. Determination providing assessment of the case and potentially new evidence. The Canadian NCP links non-participation to access to government support.</p> | <p>Vedanta, POSCO, Indonesia Labour rights</p> |
| <p>Compliance Advisor Ombudsman (CAO) for the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) (Part of the World Bank Group)</p> | <p>Any company with investment from the IFC/MIGA, including actions of subsidiaries and supply chains.</p> | <p>Complaints will be accepted “on the back of an envelope” in any language. Complainants must demonstrate a connection to affected people, and the views of affected people are prioritised in any problem solving processes.</p> | <p>Ombudsman/Dispute Resolution: a problem-solving / dispute resolution function – working with affected communities or workers and the relevant company Compliance: conducts investigations of IFC/MIGA’s own decision making Advisor: provides advice to the IFC and MIGA about their policies in relation to environmental and social sustainability based on lessons learnt from handling cases.</p> | <p>Any agreement achievable through collaborative problem solving (such as mediation). Assessment of the IFC/MIGA’s compliance with its own policies (no remedy for affected people). Policy advice to IFC/MIGA (no remedy for affected people).</p> | <p>Wilmar, Weda Bay, Tea</p> |

| | | | | | |
|---|---|---|---|---|--|
| <p>Ethical Trading Initiative (ETI) is a non-state multi-stakeholder initiative</p> | <p>Companies that are members of the Ethical Trading Initiative concerning alleged violations of the ETI code.</p> | <p>Any alleged code violations must be lodged by a member of the ETI, so most likely a civil society member of the ETI.</p> | <p>Any alleged code violations must be lodged by a member of the ETI, so most likely a civil society member of the ETI.</p> | <p>Negotiations between the ETI civil society member that raised the alleged code violation and ETI company; programmes are developed largely between ETI members.</p> | <p>Sumangali forced labour case, Garments and footwear in Family Nadu, Rajasthan quarry mine</p> |
| <p>Roundtable on Sustainable Palm Oil (RSPO) is a non-state multi-stakeholder initiative</p> <p>NB: at time of writing the RSPO complaints system has undergone significant recent changes and further reforms are being considered.</p> | <p>Companies that are members of the Roundtable on Sustainable Palm Oil concerning any codified RSPO standards or rules.</p> | <p>Members and non-members can use the system. There are no formal evidentiary requirements but the onus of demonstrating a case at the initial stage rests on the complainant, and there is an expectation that attempts at bilateral dialogue be exhausted before a formal complaint is lodged with the RSPO.</p> | <p>Dispute Settlement Facility: facilitates dialogue and mediated negotiations between parties Complaints Panel: A last resort mechanism if other processes involving dialogue have failed, and hears complaints against the RSPO itself. Complaints regarding certification processes are referred in the first instance to the relevant accreditation or certification body. A separate pathway also exists to deal with alleged non-compliance with RSPO provisions relating to land clearance without prior High Conservation Value assessment, or adherence to Procedures for New Plantings.</p> | <p>Negotiated settlements. Suspension or revocation of RSPO membership. The RSPO may also suspend a company's certification certificates. These penalties are rarely applied.</p> | <p>Wilmar</p> |
| <p>Freedom of Association Protocol is a non-state multi-stakeholder initiative</p> | <p>Members including international brands, tier one suppliers and any other suppliers where the brand conducts or commissions audits, all in Indonesia. Violations of the Protocol.</p> | <p>Workers at any covered factory in Indonesia.</p> | <p>Factory-level Committees: investigate any complaints, reporting outcomes to the national committee. National Committee: Investigates cases that cannot be resolved at factory level within 40 days, and agrees (by consensus) on whether a violation has occurred, makes recommendations. The Committee's recommendations must be implemented by the supplier within 30 days or the responsible brand must apply sanctions or other corrective action and report that action back to the parties within three weeks.</p> | <p>Outcomes of factory or national committee determinations including remediation and change at the factory level. Often, instead of this formal process, complaints have been dealt with informally through dialogue between the unions and factories or brands.</p> | <p>Indonesia Garments</p> |

There are two other forms of non-judicial grievance mechanisms that are worth noting but which we did not study in detail – company grievance mechanisms and national human rights institutions.

Company grievance mechanisms can be set up by an individual company either for the whole company or, more often, in relation to a specific project. Company grievance mechanisms remain rare, as only some companies have established them. Where these mechanisms exist, they aim to provide a first avenue for communities to raise complaints. However, they have been consistently found to be inappropriate for raising serious human rights abuses and to fail in addressing such issues if they do arise.¹ For example, PT Weda Bay Nickel operated a very



Kapuas Hulu district, West Kalimantan.

Photo: Sindhunata Hargyono

From *The Siawan Belida REDD+ Project in Indonesia: Community-Oriented Approaches to Consultation and Grievance Handling* by Kate Macdonald and Samantha Balaton-Chrimes. [Click here to view this report.](#)

well-developed company-level grievance mechanism, but it was unable to adequately manage the complaints about land acquisition and address the human rights issues around land rights. Similarly, grievance handling mechanisms at the tea plantation estate level were found to, in some cases, resolve minor grievances such as leaky roofs on houses, but were subject to high levels of variation across plantations and high levels of discretion by management. This means that where grievances are handled through these mechanisms, this occurs not through a rights-based framework in which workers claim entitlements, but through a discretionary and paternalistic system dependent on the goodwill of estate management.

Many countries have **National Human Rights Institutions**, such as human rights commissions, which may accept complaints for human rights abuses in that country. Such institutions were used in cases we studied in both India and Indonesia. In our stone quarry case in Rajasthan, India, the National Human Rights Commission awarded compensation to workers and widows for health damage and death from silicosis. National Human Rights Institutions vary in what they can provide, including compensation, and broader recommendations.

¹ See: Human Rights Clinic (Columbia Law School) & International Human Rights Clinic (Harvard Law School) (2015), *Righting Wrongs? Barrick Gold's Remedy Mechanism for Sexual Violence in Papua New Guinea: Key Concerns and Lessons Learned*; and Mining Watch Canada and Rights and Accountability in Development (2015), "Broken Bones and Broken Promises – Barrick Gold's North Mara Mine Fails to Address Ongoing Violence". Available at <http://www.raid-uk.org/sites/default/files/pr-barrick-mara-broken-promises.pdf>.

The **possibilities** of non-judicial grievance mechanisms are that communities or workers can access some form of remedy faster than if they pursued a formal legal (judicial) avenue. It can create conditions for negotiations between parties that can resolve an issue or solve a problem. It can also provide a real case as a focus for ongoing campaigning and organizing. In some cases, it can produce changes in policy within institutions - such as within the World Bank's International Finance Corporation.

However, the **costs and risks** of non-judicial grievance mechanisms are significant. Firstly, engaging with such a mechanism requires significant investments of time and also significant expertise to navigate engagement (especially when those affected are distant from the mechanism – geographically, linguistically, culturally). This investment of time may result in some helpful statements or agreements but may be time better spent pursuing other strategies.

Secondly, there is the risk that communities and workers seeking either the end to a project or compliance with human rights will not receive anywhere near the redress they hope for. Instead, they may bargain away a chance at legal action or agree not to speak publicly despite receiving very little in the form of compensation or concessions. Communities and workers should pay close attention to what mechanisms cover and what kinds of remedy are feasible before deciding whether or not it is worthwhile to lodge a complaint. In our cases, non-judicial mechanisms often didn't cover the issues that communities and workers identified as most important to them – for example, not being able to stop a project from going ahead, or covering health issues for workers but not wages.

Thirdly, companies may engage in bad faith and may try to take divide and conquer strategies, spurring conflict within communities or between communities and NGOs, or between workers or within trade unions. Fourthly, communities and workers may face harassment, intimidation and violence that may make such processes not only unsafe but directly harmful themselves.

Pursuing legal or administrative remedies

Judicial or administrative avenues provide ways that workers and communities can take action through a state institution to hold companies accountable or gain access to remedy for harms.

Some of the key types of avenues for communities and workers to consider include:

- **Administrative complaints:** particularly in the case of large scale developments, there are often channels to dispute clearances or licenses given to companies, particularly on the basis of a lack of consultation, free, prior and informed consent of Indigenous peoples (where that is recognized), and environmental or social impacts. Communities may engage early in the administrative process of granting exploration licenses, issuing permits or giving approval for a new project, or may object once such approvals, licenses or permits have been issued. The bodies that issue such licenses, permits or approvals differ by country.
- **Administrative, political or traditional complaints channels at local or national levels:** in many countries, government agencies or departments may have their own arrangements for handling issues related to human rights in particular industry, district or provincial governments may provide avenues for dispute settlement, and communities or workers may also pursue disputes through traditional dispute resolution. Communities or workers may raise concerns with their elected officials at different levels.

- **Taking a formal legal case in their own country:** this could include civil cases (suing for access to their land, wages, or compensation for harm), criminal cases (such as in the case of assault, abuse, or where human rights abuses are criminalized under law), and also providing evidence into legal cases taken by the government against a company's breach of laws (e.g. For environmental damage).
- **Taking a legal case in another country:** in some circumstances, it is possible for workers or communities to take a legal case against a company or investor in the country in which that company or investor is based to hold them accountable and seek remedy for human rights or environmental harms in their communities. This depends on whether or not the country where the company or investor is based allows cases to be brought about actions overseas, and how direct a connection is needed to the local company.

Pursuing legal or administrative remedies creates **possibilities** to stop a project from going ahead, and in contexts where judicial or administrative mechanisms are functioning and effective, can lead to significant penalties for companies and rectification, compensation or other remedies for communities and workers. Across our research, a judicial remedy was frequently seen as ideal – being backed by state power and therefore (theoretically) capable of enforcement. Although, this ideal was rarely found in reality.

In the case of the Vedanta bauxite mine in India, a case that made its way to the Supreme Court then sent the decision concerning the mine back to the lowest level decision making body under the Constitution of India, the Gram Sabha. These are localized decision making bodies where adult community members can vote. In this case, that led to the decision for the mine not to continue. This result was enabled by the broad standing rules of the Supreme Court that enabled a range of voices to give support to the affected people in court. It also relied upon the democratic structures set out in the Indian Constitution.

In the POSCO case, communities submitted various complaints challenging the process by which authorizations or licenses to clear forest, acquire land and have environmental clearance had been granted. Using these avenues means that only narrow and technical complaints are possible, despite the deeper ideological, social and environmental grounds on which the community objected to the POSCO Steel Plant. There were some minor gains from these cases, particularly around land. However, they did not address the larger question of the project going ahead.

The **costs and risks** of legal and administrative remedies are their slow pace, high costs, difficulties of access, evidentiary barriers, potential for corruption and influence, imbalance of legal resources, limited forms of remedy and at times, lack of enforcement. Legal avenues, in particular, can be extremely slow, taking many years and many resources – for example up to ten years around land in Indonesia, and typically 2-6 years around labor disputes in the tea sector in India. For example, in the Wilmar case, communities were concerned that taking a legal route would maintain the 'status quo' meaning that the company's land license would trump community rights to occupy or use the land, making their living there and harvesting of fruit, illegal. Judicial processes can also result in settlement terms that communities can find problematic (e.g. confidentiality clauses that restrict the ability of the community to talk about the case publicly).

In many cases, communities or workers wanted to ideally take a legal case but even if they could have raised the funds and found the support required, they did not believe that the judicial system would side in their favor due to corruption, influence or the likelihood of a company

having a much stronger and larger legal team. In other cases, such as on Tea plantations, there was a fear that using formal avenues would run the risk of escalating disputes and could lead to retaliation at the garden level.

Communities also face challenges in establishing sufficient evidence, for example, of the health effects of pesticide use in women in tea cases. In other cases, legal systems would not sufficiently recognize Indigenous or customary rights in formal processes. In the Weda Bay Nickel Mine case, Sawai villagers and the Tobelo Dalam faced weak (although growing) recognition of Indigenous rights and land rights. The legal system privileges private land titling and Indigenous communities lack the formal documentation to make a legal claim and so would quickly reach a dead end.

The costs and challenges of taking a judicial case transnationally are even more significant: requiring substantial legal expertise and support, and investment in evidence gathering. This is compounded by challenges of legal barriers to overseas claimants and the limits of how courts will address overseas human rights abuses, especially within broader supply chains or investment relationships.

Although complaint mechanisms involving state institutions can play a crucial role in facilitating redress in some circumstances, there remain pervasive limits to the scope and effectiveness of such local, state-based systems of regulation and grievance-handling

It's not an either/or choice

In all cases we studied, communities and workers pursued multiple avenues to try to stop a project, achieve better wages and conditions, or gain compensation for harm. They did this in parallel and also over time. In many cases the work to find any form of remedy or justice was long.

For example, Indonesian trade unions in the garment and footwear manufacturing industry generally use multiple strategies to pursue particular grievances, including non-judicial mechanisms, formal legal complaints and informal campaigning strategies. The worker organisations we interviewed believe that pursuing these strategies simultaneously allows them to maximise their leverage and increase the likelihood that their grievances will be resolved. For example, some unions use complaints to non-judicial mechanisms, such as the National Human Rights Commission, the Ombudsman of the Republic of Indonesia and non-state Multi-Stakeholder Initiatives, together with informal campaigning as a strategy to increase the responsiveness of formal, state-based industrial-relations and law enforcement institutions. As the above example demonstrates, strategies can interact in a variety of ways:

- Organizing or campaigning can help get companies to the table in non-judicial contexts as it provides an impetus to want to solve the problem.
- Non-judicial mechanisms may produce evidence or statements about company behavior that can be used in some judicial processes or in public campaigning.
- Judicial cases can bring significant public attention to a particular case and bolster organizing or campaigning efforts.
- A campaign can spark a longer term organizing effort.

While it's not a either/or choice, the choice is constrained by access to different kinds of avenues due to access to resources and support, language, distance, standing or eligibility, and safety concerns. For communities and workers there is the consideration of which option to invest the most time and energy into and also if there are trade offs in combining strategies in certain ways. For example:

- Some non-judicial redress mechanisms may ask that claimants don't speak publicly about the complaint while it is underway or companies may ask NGOs to stop campaigning as a condition of mediation. However, not being able to speak publicly may allow the relevant company to act in bad faith and have no public consequences for doing so. It may also stall ongoing organizing or campaigning.
- Company mechanisms have been known to require community members to sign that they will not take judicial cases. In our view this is never valid. However, if engaging with such a mechanism means trading away rights for some short term benefits communities would have to make that decision carefully.
- A judicial process requires significant resources and may take attention and resources away from other strategies, especially if parties to the judicial process are not allowed to pursue parallel proceedings at the same time. A judicial settlement may include confidentiality clauses that stop communities from ongoing organising even if the case did not resolve or remedy all the issues.

In addition, this is not a decision that workers or a community takes once. It is an ongoing set of decisions to consider what other avenues may contribute, what their costs and risks are, and how they will interact with prior choices.

Who can communities and workers partner with to pursue remedy?

Communities and workers rarely pursue justice alone. They work and interact with a wide number of organizations and institutions. This section explores two parts of this reality: the importance of community or worker consent and decision-making and the kinds of roles that INGOs, trade unions and community organizations can play in supporting the decisions that communities and workers make. The final section provides advice on things to consider for outside organisations seeking to provide support.

Community and worker informed consent and decision-making

While communities and workers often rely on the support of others to be able to understand, access and navigate complaints processes – especially international ones – they have the right to make the ultimate choices about what they want, and which avenues to pursue.

For any organizations that are working to support communities and workers to seek remedy or justice, being able to support a process of informed consent and decision-making is critical. This means taking the time to provide information that is accessible, in local language, with time for long discussion and deliberation. It also means not pushing overly hard for one particular option, while providing appropriate advice if requested. This is made easier where there are existing representative structures that are inclusive. However, outside organisations can also work to sup-

port inclusive engagement in a community, making sure that women and minorities are involved.

In our Vedanta case study, an important factor in the community's success was the fact that the affected people developed a clear representative structure. This resulted in a transparent method for outside groups to consult with the affected Kondh tribes regarding matters of strategy. The Dongria Kondh did not seem to have been hampered by any deep divisions among the communities themselves. The other factor for success was that this was met with an ethic of solidarity and respect from other activists in Odisha. Our interviews revealed that the idea of 'solidarity' has a long history and is a well-honoured concept amongst these activists. Individuals and groups differentiate themselves on the basis of whether they take direction from the community in relation to strategy or develop strategies independently of the affected community in accordance with external priorities.

However, organizations (including non-judicial mechanisms themselves) can fail to take the time required to really share information in appropriate ways to enable community decision-making despite their well-meaning efforts. For example, the community members behind the CAO complaint about PT Weda Bay Nickel were a minority in their community, with the majority having already accepted compensation packages for their land that fall short of international standards. These community members were fearful for their safety if their identities were revealed and rejected the offer of a problem-solving process. Our research found that it is not clear that the affected communities fully understood what mediation, or any other problem solving options (such as shuttle diplomacy) offered, could do for them, and therefore did not necessarily make a fully informed decision when rejecting it. Though the CAO did conduct workshops with both community groups and NGOs in North Maluku, and the company separately in Jakarta, our research unfortunately suggested the communities remained ill-equipped to make an informed decision about problem solving process including and beyond mediation.

Roles for outside organizations

Outside organizations can support communities and workers in a variety of ways. Some of the most common roles include:

- Providing information in an accessible way about the kinds of avenues that do exist (e.g. In our research, this was largely the only way that community members or workers learnt about the existence of complaints mechanisms as the outreach by mechanisms tends to be insufficient).
- Supporting local decision-making with information and advice, particularly about the possibilities, costs and risks of different avenues and throughout the process.
- Providing research support to collect evidence and produce complaints (for judicial or non-judicial mechanisms);
- Providing funding for the community to be able to pursue its cause, including, at times providing support for the livelihoods of community members who may be displaced or be investing time in the campaign or complaint.
- Liaising with non-judicial mechanisms, companies, government, or the legal system;
- Lodging a case directly with a non-judicial mechanism – e.g. In some cases NGOs have lodged complaints with OECD National Contact Points as the complainants; in some complaints mechanisms (such as the Ethical Trading Initiative) only existing members can raise an issue or complaint.

- Supporting communities or workers throughout the process of a negotiation, mediation, non-judicial complaint, or legal case.
- Supporting human rights activists if they face security threats and providing legal support if they are jailed.
- Supporting communities and workers in strengthening their organising or campaigning, including training on non-violent civil resistance, power analysis, campaigning strategies and tactics.
- Doing campaigning or advocacy on the case or situation in their own context – for example, in labour rights cases campaigners will often campaign against brands in consumer markets, whereas in mining or industrial projects, overseas campaigners often target investors. Outside groups can identify links into their own political system or diaspora groups in their country that may provide support and pressure on decision-makers.
- Supporting communities and workers to monitor compliance with any agreement that is made, and being ready to campaign or advocate if the company fails to implement.
- Supporting communities and workers to share lessons and experiences around different strategies, including use of non-judicial redress mechanisms, through exchanges, visits, meetings and building networks.

In the majority of cases we examined, local community organizations and national NGOs with close relationships with communities, or established trade unions and factory level unions played a primary role of support to communities and workers. This makes sense if there are existing relationships of trust, understanding and legitimacy. However, local and national organisations often rely themselves on international NGOs in navigating international non-judicial mechanisms, campaigns in consumer or investor markets, and legal cases in other countries. For example, in all the cases examined in the Indonesian garment and footwear sector, contact between local unions and international civil society organisations or networks was a precursor to the use of any international complaints mechanisms. In lieu of additional support, most Indonesian unions do not have the internal capacity to engage with international complaints forums. Even where unions know how to lodge direct complaints to brand representatives or through company grievance mechanisms, they usually lack the capacity to leverage support from global consumer markets and investor groups, which often proves necessary to prompt a more proactive brand response. For this reason, many worker representatives seek to build relationships with international labour advocates and networks who may provide support in accessing formal complaints mechanisms and ensuring that buyers respond to their grievances.

The relationships through this chain – from community members and workers, through local community organisations and structures, to national organisations and trade unions, to potentially multiple international NGOs, trade unions or networks – operate best where there is respect for what each party brings, and most importantly, as above, respect for the decision-making of communities and workers.

Of course, this is not always the case. There are times when international NGOs decide to campaign on a particular case without consulting or without involving the community and this can, at worst, undermine local efforts or lead to perverse results – for example, a research report and campaign by an INGO on homeworkers in the footwear industry in India resulted in a

work center that shifted the work from women to men who could work out of the work center leaving the women in an even more precarious position than before.

However, sometimes the distance and lack of coordination between the local organizing and international efforts through campaigns and non-judicial mechanisms can be helpful. The campaign against the Vedanta mine involved many local, national and international actors. Each of those actors had its own interest in supporting the fight against the proposed Niyamgiri mine, whether due to a focus on the environment, fauna or indigenous/tribal rights. These groups were only loosely coordinated, with no formal means for meeting and deciding the direction of the campaign between Odisha and the UK. At times, the weaknesses in coordination between actors resulted in tensions, as certain groups disagreed with other groups' strategies. For example, a number western activists, such as Survival International and ActionAid, likened the Vedanta dispute to the popular blockbuster 'Avatar' – a tactic which was effective but was also criticised by some Odisha-based activists.

In contrast to campaigns in which international NGOs take the lead on a campaign, supporting local groups financially, this campaign was locally instigated and had significant local momentum. There is no sense that the local campaign depended on or would have ceased if it lost the support of international NGOs. Strategic and financial support for local groups was occasionally provided by international NGOs. Although these UK groups visited, consulted and gained some form of mandate to campaign on the issue from the Dongria Kondh, they acted largely independently of the local campaign being conducted in Odisha. ActionAid UK appears to have responded most directly to community concerns. However, both Survival and Amnesty became involved largely because British activists suggested that they should, and because the case offered a focal point for certain agendas around indigenous and tribal rights that they were already promoting. In interviews with local Odisha based activists, UK groups were criticised for the autonomous nature of their actions. However, there do not appear to be any detrimental outcomes from the limited extent of consultation and direction sought from the affected communities. Instead, in our analysis, one strength of the various campaigns appears to have been the capacity of groups to target key actors with influence over the case who were closest to them, or who they had the most robust capacity to influence. Campaign groups against the Vedanta mine and refinery in Odisha based in different locations throughout the world were able to act quickly and in accordance with their relative strengths.

Supporting communities and workers

As most complaints or campaigns will involve community organizations, international NGOs and trade unions (and even universities etc), and considering the issues that can arise, there are certain considerations that outside groups should take into account in their engagement with communities and workers.

- **Building empowerment:** outside organizations need to always consider whether their actions are helping to enable communities and workers to make their own decisions. This may mean taking more time with sharing information and respecting the processes and timeframes for deliberation. This will look different in communities that may be divided or may have existing, significant inequalities that marginalize certain groups including women or minorities, compared to communities with strong and inclusive representative structures and processes. However, the aim for outside organizations

should be to work towards real autonomy and independence for communities. NGOs, trade unions and community organizations can still act as representatives of communities or workers in certain processes if asked to – however, this must constantly involve significant communication back and forth to ensure that decisions that come up are understood and can be made by the community.

- **Building resilience:** outside organizations need to consider how they will support workers or communities to maintain their livelihoods if processes take a long time. Otherwise, companies can capitalize on the challenges that workers and communities face by providing minor concessions and getting agreement to not take the case forward. If organizations want to ensure that communities and workers don't have to trade their rights away for livelihood support, then providing some kind of support to communities and workers to develop livelihoods could be important.
- **Ensuring safety:** communities can face retaliation, firing, violence and harassment for their involvement in seeking justice or remedy. Organizations need to pay attention to what they can do to contribute to greater safety, working closely with communities and workers on what they think they need to be safe. One way of supporting safety is to have a long term commitment that means that if retaliation occurs, an outside organization will follow up and campaign on the issue. This has been successful in the case of some labour rights campaigning in Indonesia. Outside organizations need to also ensure that their actions – their interactions with a company, the information they make available about cases etc – do not undermine the safety of their partners by making their names or images public without their informed consent or by damaging relationships in ways that blow back onto workers or communities. Another way that NGOs can contribute to safety is by acting as representatives if the community or worker decides that this is what they want.
- **Managing intra-community conflict or disagreement:** Disagreements and divisions in communities can arise from positions about proposed projects or from pre-existing social divisions such as between families, ethnic groups, religious groups, and gender. These social histories also contribute to complex and often competing claims to resources (such as land) and leadership. Outside organizations seeking to work with communities need to be prepared for such division and disagreement as a normal part of complex decision-making processes. A significant amount of work and time may be required to consolidate community around a position – and this can be central to successful long term organizing as well as to engaging in mediation process through a non-judicial redress mechanism. If communities do not consolidate before and throughout a mediation process it is more possible for a company to use existing divisions to try to divide their opponents further and weaken their case. For example, of the ten community groups engaged in disputes with Wilmar subsidiaries across Jambi and Sambas, only three of them were able to maintain agreement on goals and process. Many of the groups were so troubled by internal disagreement that they were unable to proceed with mediation. Capacity building support for communities to manage dialogue within communities and establish ways of making legitimate and sustainable collective decisions is crucial. This currently often falls on under-resourced local community groups, however it could be better resourced by both international NGOs and non-judicial mechanisms themselves.
- **Communication:** All of the above is only enabled if there are clear and consistent and regular lines of communication in both directions.

How can you best engage with a non-judicial mechanism?

If pursuing a complaint through a non-judicial mechanism is one of the avenues that communities or workers choose, the processes they have to navigate are often complex. This section sets out the main phases or forms of interaction with a non-judicial mechanisms and shares lessons from our research.

Developing and lodging a complaint

There are three main things to think about in lodging a complaint with a non-judicial mechanism:

- **Eligibility or standing:** it is important to clearly understand what is required to lodge a complaint. This varies significantly – from the CAO accepting complaints “on the back of an envelope” to some OECD National Contact Points requiring enough material in a complaint to substantiate that a possible violation of the OECD Guidelines has occurred. In some cases, such as the Ethical Trading Initiative, a complaint can only be raised by an existing member of the initiative (e.g. one of the civil society members).
- **Evidence:** As above, some mechanisms will require a written complaint that contains some of the existing evidence about the human rights abuses. For this, communities or workers may welcome support from organizations to help collect and compile this evidence.
- **Representation:** Mechanisms have different approaches to representation. In the OECD NCPs any interested party can submit a complaint and so, for example, Survival International submitted the Vedanta case and the Dongia Kondh were never directly involved. The CAO prioritises hearing from the affected community with civil society organisations playing a supporting role as advisors to communities. Communities and workers need to consider what they want in terms of representation in a non-judicial mechanism process and, as discussed in the section above, how they will make decisions through the process.

Mediation

The majority of non-judicial mechanisms provide problem-solving processes by facilitating mediation between communities or workers and companies.

It is important for workers and communities and their allies and supporters to understand that a mediation based mechanism is aimed at solving problems, not at ensuring adherence to human rights. This means that communities and workers need to go into a process knowing that it cannot necessarily guarantee rights-compliance and consider whether or not it is the right fit.

Community groups and their supporters should be proactive in any negotiations to propose minimum standards that are more likely to protect their rights, and to propose a compliance check on any agreements. Communities and their supporters should also try to ‘build in’ to any agreements long-term support for their implementation, and the possibility of renegotiation if the underlying grievances and/or human rights issues are not adequately resolved by the agreement.

Strategic consideration needs to be given to ways to equalise leverage within negotiation processes. Learning from the experiences of groups that have gone through mediation is critical here. Some civil society groups may consider building expertise in this area and providing training and tactical support to community groups in negotiations. Groups might consider explicitly raising imbalances of leverage in early negotiation discussions to work towards a more level playing field.

Evidence and Fact-finding

In many non-judicial mechanisms, communities can or will need to present evidence about their complaint. Again, the evidence gathering and compilation can be supported by a number of outside actors including community organizations, INGOs, and universities.

Communities may also participate in fact-finding by non-judicial mechanisms. There are some mechanisms (in our view, not enough) that invest in their own fact-finding to establish their view of the situation. In this case, communities can expect and should insist upon a significant number of interviews, in their own language, not just meetings with a small number of chosen people.

What “the facts” are can be highly politicized and conflictual. Communities need to be able to articulate and find ways to demonstrate their views of the evidence.

In cases where NGOs and universities take the lead in creating the evidence, it is important to check findings with communities and workers, as well as to involve them in discussions of strategy and be led by their decisions. There were examples in this research of outside research that disrupted negotiations between communities and companies or that resulted in perverse outcomes.

Campaigning, organizing or resisting alongside a grievance

Workers and communities most likely will not stop their ongoing organizing and campaigning due to submitting a complaint. Non-judicial processes, despite being more timely than judicial ones, still can take considerable time and also may not generate significant outcomes.

For some communities, such as those associated with the POSCO case, they will chose not to engage directly in non-judicial processes so that they can focus on campaigning, while international groups take the complaint. This can have the advantage of meaning that the community is never bound by any conditions of participation – and are free to keep up the heat as the complaint progresses. In some cases, this may help ensure that the company continues to participate by keeping some visibility and pressure on them.

Moreover, campaigning and organising can interact positively with a non-judicial mechanism by maintaining pressure on the company to participate in good faith, and also using the case to generate more support and visibility.

Responding to result

As discussed above, the kinds of remedies that non-judicial mechanisms make possible can include some agreed compensation or action by the company, however, non-judicial mechanisms have limited power to enforce these agreements. Where there is no compulsion at all, the main outcome may be a statement of what the mechanism thinks happened and their view of

the behavior of the company. Where this is coming from a non-judicial mechanism set up by government it may carry more weight with other governments and investors.

It is important for workers and communities to be prepared, and supported by partners to follow up to any kind of result from a non-judicial mechanism. This can include making sure that the results are seen by relevant governments, investors, and that they contribute to greater visibility where it matters.

Non-judicial mechanisms should be expected to monitor results and also support implementation. However, this is not always the case. Monitoring if the company has followed through and campaigning if they have not is a role that communities and their partners can play to ensure that a non-judicial complaint does not lead to nothing.

Working with partners

Where communities or workers are working with partners that they trust, they should have open discussions with them about the roles they can play during a complaint, from making the complaint and leading the process while consulting the community, through to advising the community through the process. Partners can also gather and analyze evidence, or stay outside the process to maintain pressure through public campaigning.

One of the most important roles civil society organisations can play is in the building of capacity for communities to make a complaint, navigate it, and then make use of any agreements through an implementation phase. Currently, this burden falls on local NGOs. ‘Higher level’ civil society organisations and donors should consider providing resource support for this critical work. It is appropriate, however, that local NGOs with close relationships with communities continue to play the role of primary support for communities to ensure relationships of trust, understanding and legitimacy. It is important to maintain community and civil society networks that already exist, and strengthen them. Strong networks can facilitate greater learning and advice-sharing between communities engaged in grievances, and greater use of individual cases to advance bigger issues where appropriate.

In our view, non-judicial mechanisms should accept whatever representational role communities or workers want to have their allies play. Communities and workers should be as clear and forceful as they want to be about insisting on having the support they want in the form they want it through the process, and requesting resourcing and support from mechanisms so that they can engage as they choose to.

Further Resources

Pursuing remedy or justice can be a long and challenging process. This report contributes some insights from our research but we encourage anyone considering engaging with a non-judicial mechanism to seek other advice and read other sources. The below provides some links to existing reports and guides, organizations that support communities and workers in their struggles, and websites of mechanisms mentioned.

Guides and resources

Access Facility - list of non-judicial grievance mechanisms: <http://accessfacility.org/mechanisms/all>

Accountability Counsel (2012), *Accountability Resource Guide – Tools for Redressing Human Rights & Environmental Violations by International Financial Institutions, Export Promotion Agencies, & Private Corporate Actors*, <http://www.accountabilitycounsel.org/wp-content/uploads/2012/04/ARG-7.1.pdf>.

Business and Human Rights Resource Center pages on access to remedies and grievance mechanisms: <https://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/access-to-remedies-grievance-mechanisms>

CORE, Holding UK companies to account in the English courts for harming people Titles in other countries: http://corporate-responsibility.org/wp-content/uploads/2016/08/CORE-Basic-Guide_English_final_2016.pdf

Human Rights & Grievance Mechanisms – Supporting you in seeking remedy for corporate misconduct: <http://grievancemechanisms.org/>

- Step by step guide to filing a complaint with a grievance mechanism: <http://grievancemechanisms.org/resources/guides/step-by-step-guide-1>

FIDH (2016), *Corporate Accountability for Human Rights Abuses – A Guide for Victims and NGOs on Recourse Mechanisms 3rd Ed*: https://www.fidh.org/IMG/pdf/corporate_accountability_guide_version_web.pdf

Oxfam (2012), *The Factory Floor Guide to Corporate Accountability – Seeking Redress for Labour Rights Violations in Global Supply Chains*: <http://www.ituc-csi.org/IMG/pdf/ml-factory-floor-guide-corporate-accountability-labour-rights-010912.pdf>

Protection International (2009), *New Protection Manual for Human Rights Defenders*, available in English, Arab, French, Indonesian, Spanish and Swahili at <http://protectioninternational.org/publications-protection-manual-for-human-rights-defenders/>

SOMO (2014), *The Patchwork of Non-judicial Grievance Mechanisms – Addressing the limitations of the current landscape*: <http://grievancemechanisms.org/attachments/ThePatchworkofNonJudicialGrievanceMechanisms.pdf> (includes links to resources on existing mechanisms).

Organisations

There are many organizations that support communities and workers in their struggles for justice and remedy. These include:

Accountability Counsel: www.accountabilitycounsel.org

ActionAid: <http://actionaid.org/>

Amnesty International: <https://www.amnesty.org/en/>

Clean Clothes Campaign: <https://cleanclothes.org/>

Earthrights International: <https://www.earthrights.org/>

International Corporate Accountability Roundtable: <http://icar.ngo/>

London Mining Network: www.londonminingnetwork.org/

Oxfam: www.oxfam.org

Rights and Accountability in Development: <http://www.raid-uk.org/>

SOMO: <https://www.somo.nl/>

Survival International: <http://www.survivalinternational.org/>

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