

[The role of human rights defenders in promoting corporate respect for land and environment rights](#)

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Thanks to the work and bravery of many human rights defenders around the world, corporations are beginning to understand the importance of respecting human rights with regard to the land they or their suppliers lease, use, or impact. As their operations and supply chains extend into many of the countries where ISHR has partners, from Cambodia to Colombia, we asked The Coca-Cola Company to discuss the importance of working with civil society to reach their goal of zero land grabs.

A '[social license to operate](#)' is not something a company applies for and obtains at the local government office; there are many factors that can contribute to obtaining or losing it. The respect for land rights (or lack of thereof) in the communities surrounding supply chain operations, including land acquired by suppliers, are one of those factors. Effective and secure land rights need to be legally and socially recognized, well-defined, enforceable, long-term, transferable, able to withstand changes in the structure of families and communities, and equal and enforceable for women and men.

Secure and enforceable land rights for communities and individual smallholders are important to strong economic development and to sustainable livelihoods. Secure rights spur investments in the land, increase environmental stewardship, and add significantly to household wellbeing, particularly when women have land rights. On the other hand, where land rights are inadequate or poorly governed and enforced, the community and individual land users suffer. These aggrieved populations can pose substantial risks for investors. In this context, respecting local land rights is not corporate philanthropy. It is effective risk management, good business and the right thing to do.

In late 2013 The Coca-Cola Company made a commitment to zero tolerance for land grabs. Given that in some parts of the world 90% of land is undocumented and land governance is almost non-existent, fulfilling the commitment is not as easy as simply drafting a corporate policy. Any such company policy is tangled up in the reality of implementation and the fact that in many countries clear land laws and regulations are not in place. Governments often lack the capacity to enforce existing regulations, or the required resources. Government

programs for documenting and protecting land rights usually require, at a minimum: new or amended laws and regulations, specialized expertise, an ability and system to resolve disputes, and a consultative process that includes individual users and communities.

Under any approach to formalizing and protecting land rights, government should ideally take the lead. Nevertheless, there is a corporate responsibility to uphold and respect the legitimate but sometimes informal rights of land users - even when the government isn't able to provide the enabling environment. Over the last year and half the Company's work on land rights has centered on building internal knowledge and capabilities, establishing requisite policies, and engaging with NGO partners, bottlers and suppliers in working toward stronger and more consistent respect for land rights.

As part of this commitment, The Coca-Cola Company is undertaking 28 third-party country studies, in many with the partnership of Landesa, which focus on land rights, child labor and forced labor in the sugar supply chain, recognizing sugar as a commodity at risk globally for land rights issues. This effort is more challenging than it may appear as the Company does not purchase land for sugarcane, and does not directly control sugar-related land investments. As a result, the approach to real change needs to be collaborative and locally driven and adapted. With social license in the balance, stakeholder engagement with a range of civil society groups needs to be at the very center of the work.

The first two of these country studies, [Colombia](#) and [Guatemala](#), have been published on The Coca-Cola Company website and several more will be published by early 2016. These studies serve as an important vehicle to build understanding of Company policies internally, and enable the Company to better prevent or mitigate potential future violations in collaboration with our bottlers, suppliers, and other key stakeholders. The intent of the studies is to conduct a rigorous review of Coca-Cola's supply chain and research the overall state of the industry. In Guatemala, for example, all authorized sugar mills supplying the Company participated in the research. Over 30 stakeholder organizations involved in the sugar sector or focused on the key issues were consulted and 579 workers were interviewed.

For the Brazil country study, which will be published in the coming months, Landesa developed tools for the researchers to use when talking with various stakeholders to better understand land use, rights and tenure security. Questionnaires were customized by stakeholder and ranged from smallholders and adjacent property owners to civil society to local government officials. While the studies may uncover existing practices that need remediation or even show the need for entirely new measures, the studies also provide information on good practices that can better inform replication and implementation.

In India, in advance of the Company's country study, the Company looked to Landesa to help increase employee knowledge on national and state land rights. Navigating the intricacies of land rights in India is immensely challenging given disparate state laws and regulations that are overlaid with layers of varying historical and cultural norms. Landesa is helping traverse these issues starting with a day-long training provided for internal staff and another day-long session for the research firms.

Land rights is increasingly a focus area for the development and business communities alike. Despite a landscape of oftentimes confusing or poorly implemented laws, companies must figure out how to do the right thing. Fortunately this landscape is also giving rise to new approaches, new technologies and new partnerships such as that between The Coca-Cola Company and Landesa. All of these efforts are getting us moving in the right direction towards our collective goal of zero land grabs and respect for human rights.

In the weeks and days leading up to the UN Forum on Business and Human Rights, ISHR will publish a series of articles by leading experts including human rights defenders, UN representatives, diplomats, businesses and international NGOs. Each article will include an analysis of the important role of human rights defenders and will be compiled in a special edition of ISHR's Human Rights Monitor, to be launched in English, French and Spanish on November 9. The views expressed in the pieces are personal and do not necessarily represent the position of ISHR.