

INTRODUCTION TO

Local Engagement, Action, and Dialogue (LEAD)

FRAMEWORK



EARTHRIGHTS INTERNATIONAL

Introduction to the LEAD Framework

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Introduction and Background

EarthRights works to end human rights abuses and climate injustice by shifting power back to frontline communities. EarthRights believes the community must be at the center of actions and campaigns to defend their human rights and bring accountability to multinational corporations and governments violating those rights. In order to support those efforts, EarthRights, through its campaigns, legal, and training teams, has worked alongside communities to develop and implement effective campaigns, advocacy and legal actions, and training programs. These activities have drawn on and/or developed various tools and strategies to help communities in their efforts.

The Local Engagement, Action, and Dialogue (LEAD) framework aims to document EarthRights' community-centered approach to its work, and to integrate the different community-led strategies and tools used by EarthRights and partners into this Local Engagement, Action, and Dialogue (LEAD) introduction and an accompanying series of user guides for LEAD-endorsed tools. In bringing these pieces of work together, these documents are intended to enable EarthRights staff and partners to support communities more effectively by providing resources for identifying and utilizing the most relevant strategies, activities, and tools for stakeholder engagement and community action at any stage of a business activity or development project.

This document summarizes the LEAD framework and introduces the tools it uses to support a community-led campaign.



1. The LEAD Approach

1.1 What is LEAD?

LEAD is a framework that aims to capture EarthRights' community-centered approach to campaigning, legal advocacy, and training. It outlines ways to support community-led campaigns by helping communities to:

- Understand their rights and the obligations on the part of both private actors and governments to respect those rights;
- Identify actions they can take to protect and defend those rights;
- Develop and implement strategies that can strengthen those actions for strong community-led campaigns; and
- Increase their confidence to take the lead in protecting and defending their communities long-term.

The LEAD framework provides information on community-centered processes to build trust, support community-building, and build a strong campaign. It provides a single source where communities and supporting partners can access strategy development ideas and specific tools to help them strengthen their confidence and skills to better protect their rights.

Because the LEAD approach is community-centered, its resources are not a rigid set of guidelines or rules, but rather a menu of options that may be useful to a community. The activities and tools need to be adapted to each context, and the community will decide which one(s) are the most relevant and useful. As community goals change, the specific strategies, processes, and tools will be adapted and added to align with those changes.

1.2 Why Use the LEAD Framework?

Using the LEAD framework serves two complementary purposes. First, it provides communities with strategy development ideas and specific tools that may be useful for various advocacy, legal, or campaign strategies. The outputs from the tools in the LEAD framework provide concrete materials that communities may use for advocacy actions, engagement activities or legal proceedings. Second, the process itself is a form of community organizing that helps develop and amplify the skills, capacity, and interest that will help communities to engage directly and meaningfully in their particular strategy, as well as to use the increased skills and confidence to defend and protect their communities in the long term.

The community-centered focus of the LEAD framework welcomes and amplifies the power and knowledge already possessed by the community. This helps shift the power imbalances that often occur between communities and other actors involved in a project, such as companies and governments.

The LEAD framework is flexible and adaptable, which can be useful for communities in different, and sometimes sensitive and challenging, political contexts. It equips communities with practical and strategic activities and tools that can be useful for whichever advocacy and campaign goal they have,

helping them to develop their strategies more efficiently and advocate for themselves effectively. This flexibility also means that the tools and activities can be used separately or together, and that the approach will remain useful as the community goals change.

1.3 The Core Values

To align with the community-centered way that EarthRights conducts its work, the LEAD framework is centered around certain core values:

- Putting community at the center. Communities are key sources of knowledge, drivers of change, and decision makers. The supporting partners should see their role as allies, not leaders.
- Using existing structures and promoting participation. The chosen strategies should start from and build on traditional knowledge and decision-making processes that communities already possess and use. At the same time, they should encourage and support inclusive participation from the community. This means working to engage diverse groups of people within the community and to help amplify all voices, especially those that are often marginalized.
- Committing long-term. Support is not project-based, and does not stop once a particular campaign activity ends. The partner should be committed to long-term support, stepping back only once the community no longer needs the support that the partner can offer.
- Prioritizing community safety, security, and well-being. Advocating for rights can put communities at risk, and can disrupt their lives in various ways. Earth rights defenders (ERDs) are at significant risk while doing their work. Developing strategies with the LEAD framework must take into account the risks in each context, as well as the impact that it may have on people's everyday lives, help the community to identify how best to navigate those issues, and provide support if problems arise.

1.4 A LEAD Person

In line with the Core Values above, the role of a partner such as EarthRights is to support the community in their efforts. It is NOT to dictate or act as a decision maker. And the safety and security of the community needs to be prioritized.

In order to effectively support strategy development with the community, EarthRights and close partners have a responsibility to understand the various tools and activities included in the LEAD framework. This will help the community identify and refine their goals into a strong strategy. Additional support from other partners with experience in specific strategies or tools may be brought in if helpful.

Transparency and expectation management are also crucial. Because these tools are to be led and run by the community, the partners must be clear about the time commitment and level of work required to implement the tools and activities chosen by the community. They should openly discuss the potential of each tool, as well as its limitations. It is also important to be clear that none of these tools can offer a guarantee of success, although the development of a more organized community can be a success of its own.



2.

Three Areas of “Building” in the LEAD Framework



The LEAD framework centers on processes of “building:” building trust, building community, and building campaigns. These processes can be imagined as a garden, where roots are strategies, tools, and activities, and flowers are the goals. With strong roots, the flowers will have a better chance of growing. The flowers in this document represent broad goals, but when applied, they would be the specific goals identified by the community.

The purpose of building trust is to establish trust between communities and supporting NGOs, to develop a strong, sustainable, and equitable relationship. The purpose of building community is to support communities in developing the necessary interest, cohesion, and skills to identify goals, as well as strategies to achieve them. The purpose of building a campaign is to support communities in developing and implementing engagement, advocacy, and campaign actions to reach their goals.

The different processes of “building” are closely connected to each other, and can overlap. For example, building trust and building community can help create a trusted working relationship between the community and supporting partner, and help strengthen the existing community capacity and skills. These help strengthen their campaign-related goals. Alternatively, a community may want support but may not have an existing network of potential allies. Another example is a community that may request support to strengthen their skills and capacity before being able to identify and develop strategies for campaign goals.

This framework offers guidance and information on activities and tools used by EarthRights and partners to support community goals – including training and workshops, network-building and strategic collaborations, and engagement and advocacy actions. These activities reflect the community-centered approach of the LEAD framework. They are context-specific, adaptable, and can form a strategy for the community-led campaign.

2.1 LEAD-Endorsed Tools

Within this framework are LEAD-endorsed tools. These tools are more structured and formal activities, and each has its own user guide. They include tools developed by EarthRights (designing a CD-OGM) as well as tools developed by others but used by EarthRights. New tools may be added in the future, but currently they include:

- Community Natural Resource Mapping (CNRM)
- Community Health Impact Assessment (CHIA)
- Community Engagement with Environmental Impact Assessments (CEWEIAs)
- Designing a Community-Driven Operational-level Grievance Mechanism (CD-OGM)

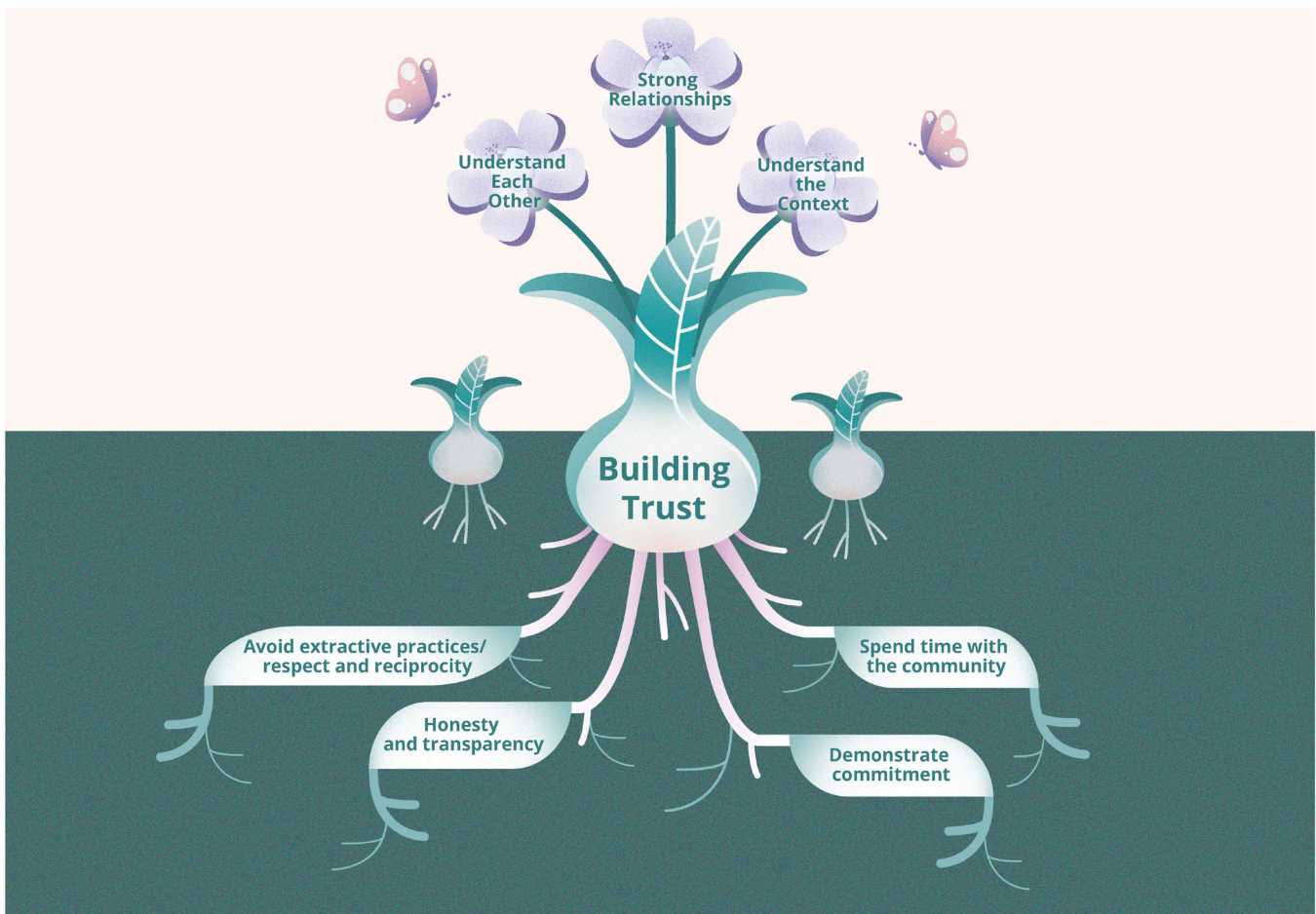
Community Natural Resource Mapping (CNRM) is an information-gathering tool for communities to document their physical, social, and cultural environment. Community members are trained on various activities and take the lead in documenting their environment. This may include documenting water sources, farmland, the local economy, and the cultural and historical importance of land and resources. The documentation helps establish an accurate and verifiable description of the land and its true value, and supports communities to understand and communicate the value of the natural resources in their area. It provides baseline information which may be useful in future advocacy.

Community Health Impact Assessment (CHIA) is another information-gathering tool that helps communities document the potential impacts of a project on their community. Community members are trained on various activities and take the lead in identifying and documenting the impacts or potential impacts a project may have on their natural resources, economy, health, culture, and historical heritage. Some activities overlap with those in the CNRM. The use of the term “health” refers to the holistic health of the community, including a range of factors that may be impacted as a result of a project. The information gathered may be useful when engaging in advocacy and/or seeking remedy.

Community Engagement with Environmental Impact Assessments (CEWEIAs) is an engagement and advocacy tool to equip communities to influence a development project or seek to stop it if the harmful impacts can't be addressed. An EIA assesses the impacts of a project and this process must be completed before a project is approved. Each country has different laws stipulating public participation requirements. But, in general, at different stages of the EIA process, there should be opportunities for potentially impacted communities and civil society to intervene, raise concerns, and suggest solutions or changes to the project. If a community chooses to participate in the EIA process, this tool provides them with the necessary guidance.

Designing a Community-Driven Operational-level Grievance Mechanism (CD-OGM) is an emerging engagement tool to help access remedy for harms arising out of a project by articulating and advocating what they want a local remedial mechanism to look like. According to the United Nations Guiding Principles on Business and Human Rights (UNGPs), companies are expected to create or participate in local remedial processes where they have a business activity. These are often called operational-level grievance mechanisms (OGMs). OGMs tend to be designed and operated by the company, but in a CD-OGM, the community leads the design – explaining what they want the process to look like, which harms should be addressed, and the types of remedies that should be provided – and proposes that the company participate in that as their OGM. Alternatively, the community may seek to design it in collaboration with the company.

2.2 Building Trust

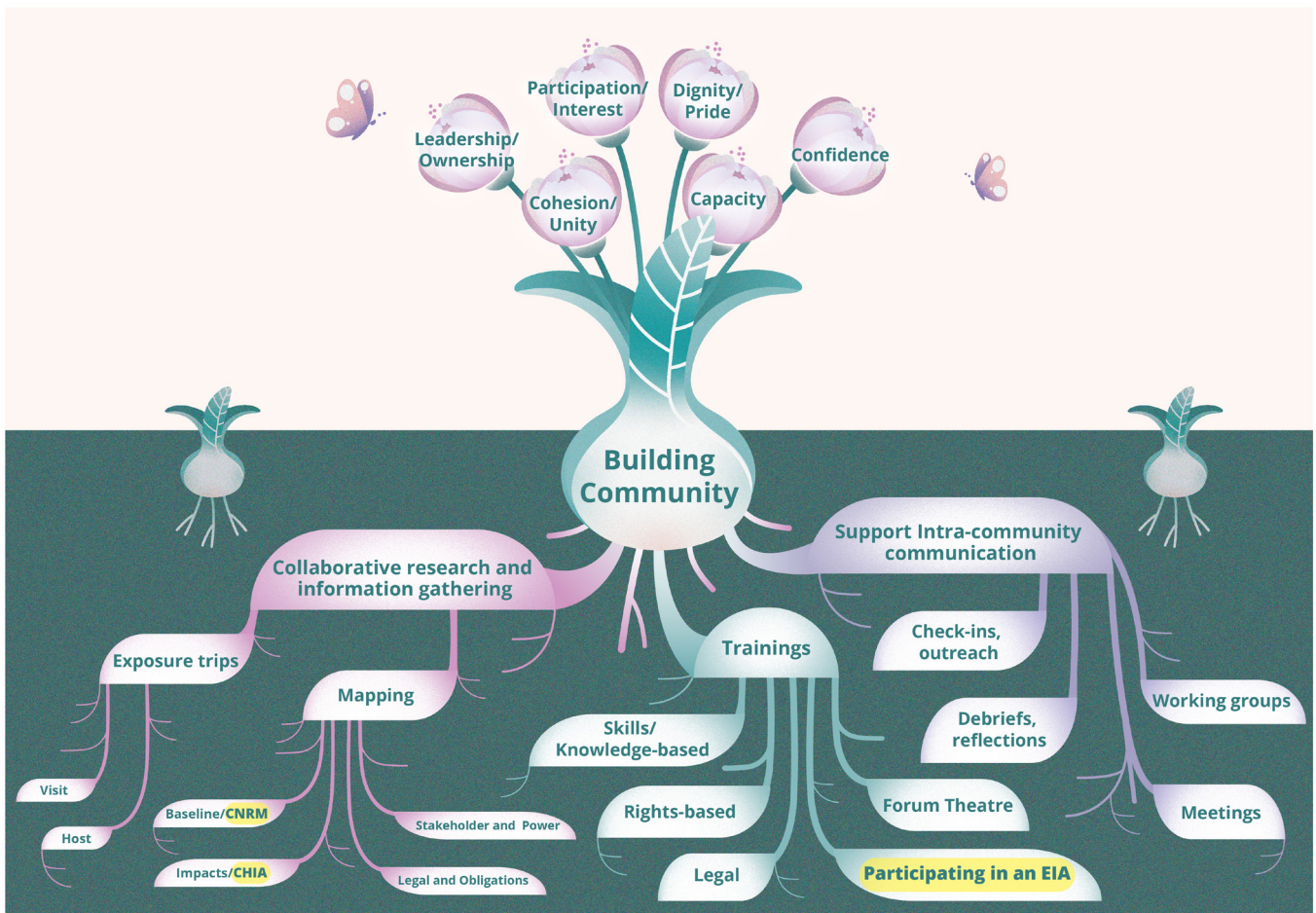


Building and maintaining trust is both critical and context-specific. It will depend on whether or not the partner has an existing relationship with the community, the community's perceptions of and previous experiences with partners (particularly with NGOs), logistical and practical issues, as well as the sensitivity of the political environment. Building trust requires reciprocity, honesty, and respect. Establishing and maintaining trust takes time, and is an ongoing process.

- **Avoiding extractive practices and showing respect.** Follow the Core Values and remember the central role of the community. Demonstrate through your actions that your role is to support, that local knowledge and ownership is crucial, and that the purpose of the partnership is for their benefit.
- **Being honest and transparent.** Be clear about your role, about the limitations of any strategy or activity, and the risks involved. It is important to understand the community's expectations and to clarify your relationship.
- **Spending time with the community.** Spending time with the community that you are supporting is an important way to build a strong relationship. It will also help understand the community and the project.

- Demonstrating commitment.** Even if a partner is unable to remain in the community, or if the community prefers the partner not to, there are various ways for the partner to demonstrate its commitment to working with the community. Maintaining communication, reporting back on information that the community might need, and following through on commitments or promises made will all help to demonstrate to the community that the partner is committed to supporting them as an ally.

2.3 Building Community



2.3.1 Collaborative Information Gathering and Research

In many situations, a community may not know that a project is planned in their area. If they do, they may not have been told what it will entail and how it will affect them. They may not be told at all, or may be given partial or inaccurate information in order to push a project ahead. Access to information is a fundamental human right, but challenging to obtain. Accessing information remains difficult for communities facing impacts of business activities and development projects. Conducting collaborative research and information-gathering activities can not only assist communities in gathering necessary information, but the process of conducting these activities often increases community members' interest, confidence, and leadership.

■ *Exposure trips*

One effective way to help communities understand the potential impacts of a project is by seeing the impacts of similar projects firsthand. When project proponents talk to communities about a project, they often make it sound less harmful than it really is. It may also be difficult to imagine the scale of impacts described in documents such as EIAs. Exposure trips also create opportunities for solidarity and network building across communities who may be facing similar challenges and impacts.

■ *Mapping activities*

Mapping is very useful in building community by identifying and documenting relevant information and providing a space for collaboration and participation. Mapping activities help:

- Articulate an accurate picture of the community and its values, from the perspectives of the community. **Community Natural Resource Mapping (CNRM)** involves inclusive and collaborative information gathering and documentation, which helps develop and strengthen confidence and leadership skills. Through CNRM, communities can identify and articulate the value of their land. This may increase their sense of dignity and create a better understanding of how everyone in the community contributes to its value.
- Identify a more accurate scope of potential impacts of a project. **Community Health Impact Assessments (CHIA)** similarly involves inclusive and collaborative information gathering and documentation, developing and strengthening confidence and leadership skills. Such assessments can help enhance community unity by creating a common understanding of how the project may negatively impact the entire community and uplift community dignity by the self-led building of evidence for advocacy.
- Identify the relevant actors involved in a project, assess their level of power and positioning as supportive or opposing. Stakeholder and power mapping are common and effective campaign and advocacy strategies.
- Identify the legal obligations, commitments, and other potential leverage opportunities with these actors, as well as all legal and quasi-legal strategies available. **Designing a Community Driven-Operational Grievance Mechanism (CD-OGM)** involves inclusive and collaborative actions, where input on the process steps, oversight processes and implementation is sought from everyone. It helps develop and strengthen confidence and leadership skills. Successes in getting a CD-OGM negotiated and/or implemented may increase the community's sense of dignity, confidence, and unity.

2.3.2 Trainings and Workshops

Communities are the sources of important knowledge, but they may not have access to knowledge and information that would help them better understand a project, their rights, and how to engage to protect those rights. Training provides opportunities for community members to develop and refine the necessary knowledge and skills to develop and implement their strategies effectively. There are different types of trainings that can be helpful, including:

- **Skills- and Knowledge-Based.** These are context-specific, and may include training on how to participate in the mapping activities discussed above, on developing negotiation and public speaking skills, or other technical matters.
- **Rights-Based.** These help communities understand the domestic, regional, and international rights protections that they are entitled to and may seek to defend.
- **Legal.** These help the communities to understand the domestic, regional, or international laws relevant to their community and the project.
- **Forum Theater.** This is a specific methodology for engaging communities and civil society leaders.
- **Community Engagement with EIAs.** This helps communities to understand the EIA process and how to participate effectively if they choose to do so.

2.3.3 Supporting Intra-community Communication

There is strength in numbers and strength in information and knowledge. The more information a community has, and the stronger their communication and collaboration with each other, the better equipped they will be to make decisions, and will have a stronger leveraging position in any negotiations.

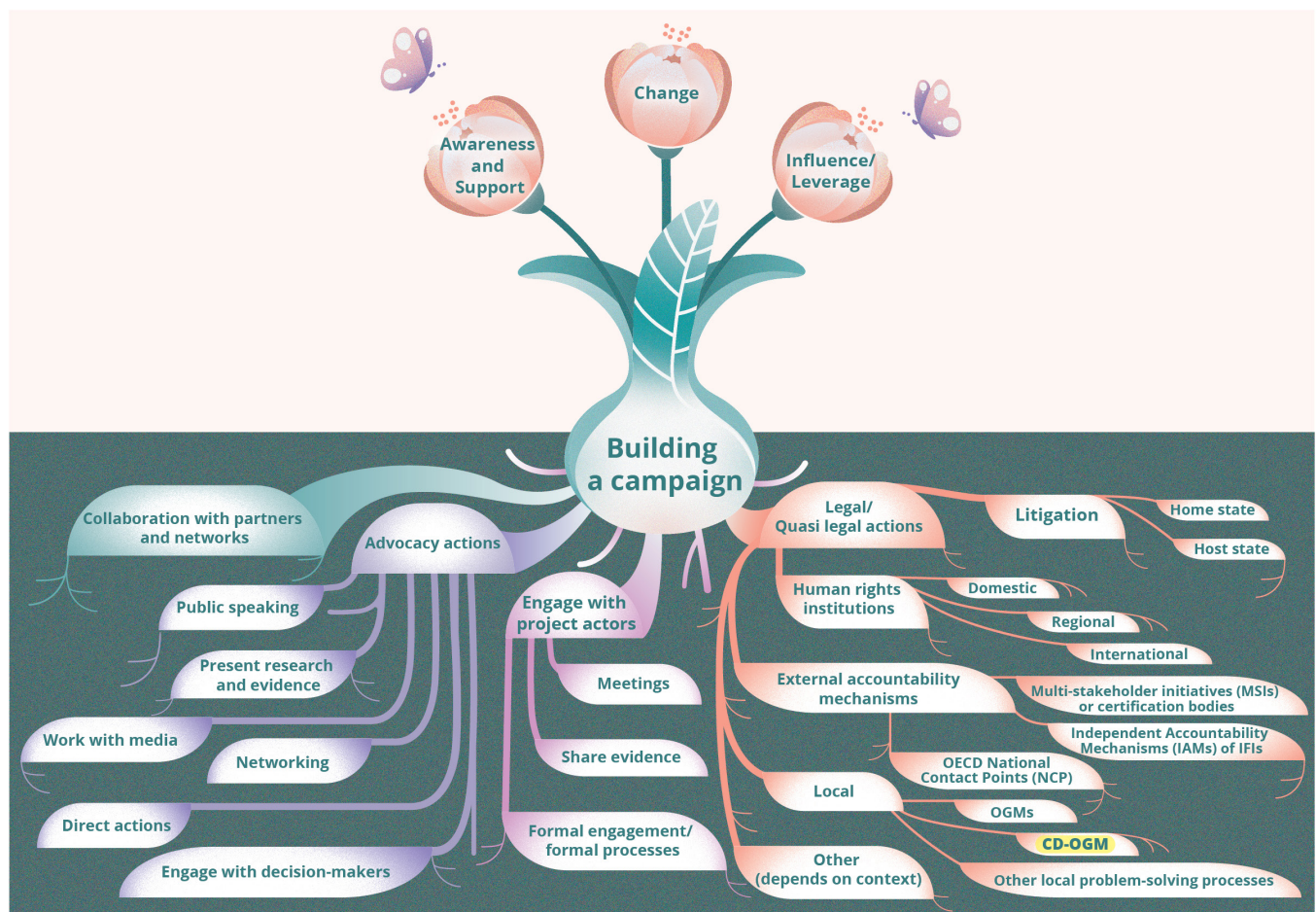
An inclusive communication approach will ensure that traditionally marginalized voices are heard. Having something to organize around can help foster a more inclusive environment. A more inclusive environment can then create a stronger community.

Each community will approach their organizing and communications strategies differently. Some helpful activities may include:

- Regular meetings, whether formal or informal
- Debriefs and reflections
- Regular check-ins
- Working groups



2.4 Building a Campaign



The role that the supporting partner will play in building a campaign will be context-specific, depending on the needs and preferences of the community. The support may be public or behind-the-scenes, and the supporting partner may be the only partner or one in a broader network.

2.4.1 Advocacy Actions

Advocacy actions refer to a broad range of activities that can bring increased attention to the issues that the community is facing in order to gain more support. An advocacy action can range from being gentle and informational to very confrontational, depending on the community's goals, leverage, and security issues.

Examples of advocacy actions include:

- Speaking at public events;
- Presenting evidence and research findings, including materials produced through **CNRM** and **CHIA**;
- Participating in network or collaboration activities;
- Using media in various ways, including holding press conferences, inviting journalists to visit and learn about a community's situation, and working with filmmakers to document and share a community's story;

- Direct action, including protests, demonstrations, and community events;
- Letters and/or materials sent directly to influence change at a company or government level.

2.4.2 Collaboration with Partners and Networks

While the communities are the key actors in a successful campaign, working with partners and networks can help to make it stronger. These groups may have access to specific expertise, may be able to bring the story to a broader audience or may offer opportunities to share strategies and ideas. These partnerships can be between different communities who may be facing similar problems, or with different groups within a single community. It can also include working together with NGOs, academics, think tanks, private institutions or others.

It is important that these partners and networks do not try to co-opt the decision-making or take leadership away from the community, but rather work in true solidarity with the community.

2.4.3 Engagement with Project-related Actors

The community may or may not want to engage directly with the project-related actors for a variety of reasons. Depending on the context, the extent of their ability to engage will also vary. Engagement may be formal or informal, and may be collaborative or confrontational. This will depend on the goals of the community, the leverage that they have, security risks, and other contextual factors. Engagement can take many forms, and may include:

- Direct meetings with project stakeholders;
- Sharing research and analysis related to the project, such as materials produced through **CNRM** and **CHIA**;
- Participation in formal consultations, multi-stakeholder activities, community monitoring activities, or **community engagement with EIAs**.

Engagement activities may be used alongside other strategies. For example, research and analysis results may also be used in advocacy actions, such as publishing the research analysis or conducting a press conference at a formal consultation meeting. Engagement activities may be done together with partners and networks in order to reach a broader audience. And engagement with the project-related actors may be required as part of participation in accountability mechanisms or dispute resolution processes.

The community can always re-evaluate their engagement approach. For example, if direct meetings and seeking collaborative actions are not working, they may decide to take direct actions, or to increase external publicity. Or if security risks arise, the community may want to change their engagement approach or stop engaging entirely.

2.4.4 Participating in Legal and/or Quasi-legal Processes

Legal and quasi-legal processes are often used when seeking remedy for harms from a project. They may also be used to seek to stop a project, temporarily or permanently. Each legal or quasi-legal process has benefits and challenges. Some are easy to access, but may not offer adequate results, or may not be enforceable. Stronger mechanisms like courts may be time-consuming and expensive. These processes also vary in how they operate and the intended results. They may be focused on problem-solving or on accountability.

A community may want to use a legal or quasi-legal process alongside other strategies. For example, gaining public and media attention when a complaint has been filed can put pressure on the actors and develop additional leverage for the community. However, some processes will not allow complaints to go forward if the community is engaged in advocacy activities, or may limit what can be said publicly. There may also be risks of retaliation from either the company or the government when participating in these processes, so security risks should be discussed when assessing the options.

Mapping activities and trainings or workshops can help develop an understanding of the relevant domestic, regional, and international legal protections and human rights norms, as well of the obligations and commitments of the actors involved in a project. This can help communities to make strategic decisions about which processes are the most feasible and beneficial.

Relevant legal and quasi-legal processes include:

- **Going to court (litigation).** Depending on the specific situation, the community may be able to access domestic courts or courts in the home state of the company.
- **Using domestic, regional, or international human rights institutions.** Depending on the specific situation, the community may have access to a national human rights commission or ombudsman, or a regional human rights institution. Communities may also seek support from relevant UN bodies.
- **Using external accountability mechanisms.** Many projects have external funding from development banks or other lenders. These groups often have social and environmental guidelines, and mechanisms available to file a complaint if the borrower (the company or government) is not following those guidelines. Some companies participate in multi-stakeholder projects or certification schemes, which also have commitments and obligations, and mechanisms through which complaints can be filed if those are violated. Others are from countries with membership in the Organization for Economic Cooperation and Development (OECD), which have National Contact Points (NCP) that receive complaints from communities.
- **Local grievance mechanisms.** Businesses are expected to have a local grievance mechanism in place to remedy impacts of the project. If one does not exist, or if it is poorly designed, designing **a Community Driven-Operational Grievance Mechanism (CD-OGM)** may provide a way to address the issues identified through the other tools.
- **Other local problem-solving processes** (which are context-specific).

3. LEAD and Human Rights

The LEAD tools and activities are intended to help communities to protect and defend their human rights in the face of business activities and development projects. Human rights include procedural rights such as the right to access information, the right to participation, and the right to remedy. They also include substantive rights such as the right to an adequate standard of living, the right to health, and others. The tools, which include information gathering and engagement activities, can help communities to effectively exercise their procedural rights.

The exercise of procedural rights helps protect substantive human rights. For example, if there is a risk of mining waste getting into your water as the result of a mining project, various rights may be impacted. By exercising your rights of access to information and to participation, you can mitigate or prevent those harms. By exercising your right to remedy, you can seek reparations if those substantive rights are violated.

The procedural rights of access to information, the right to participation, and the right to remedy have been acknowledged as “fundamental” rights and have been articulated through international human rights instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In the context of business and human rights, the UNGPs include an entire section on remedy, and the human rights due diligence approach encourages engagement with rights holders. In the context of development and the environment, Principle 10 of the Rio Declaration explicitly names all three of those rights. Policy guidance and safeguard policies and guidelines of many financial institutions call for activities like sharing information and having consultations, and discuss the need for remedial processes. Additionally, individual countries may have specific laws and regulations related to these rights.

While the LEAD work is centered on acknowledging these as fundamental rights, it will be helpful to map out all of the relevant laws, regulations, frameworks, and commitments relevant to any individual project to identify the strongest ways to protect and defend those rights.

Access to information. Communities have a right to properly understand what is happening at all stages of a project. However, access to information remains a significant barrier for communities with most projects. Information-gathering tools like **CNRM** and **CHIA** help communities to gather their own information, and can also help communities to identify what information they still need access to regarding the project, its potential harms, who is involved, and the obligations of each actor. The mapping exercises that complement the LEAD tools can help to identify where and from whom to seek and demand that information.

Right to participation. Participation rights are central to protecting substantive rights. Requirements for actions such as “meaningful engagement,” consultations, and Free, Prior, and Informed Consent in the case of Indigenous communities provide a platform for communities to give their inputs, raise concerns, and propose solutions and alternatives. Effective engagement activities may influence a project to ensure that it goes forward in a way that avoids or minimizes harm to the community. In some cases, it may stop a harmful project. All of the LEAD tools can help communities to exercise their participatory rights. The **CEWEIA** process is the most closely linked, as it centers on participation specifically.

Using the results from information-gathering activities such as **CNRM** and **CHIA**, where communities document their environment and potential impacts from a project in their communities, strengthens their position while engaging in **CEWEIA**. While designing and advocating for a **CD-OGM**, communities can exercise the right to participation.

Right to remedy. The right to remedy is critical for giving meaning to human rights. When a project causes harm and violates human rights, communities have a right to remediation. This right includes both access to effective remedial mechanisms and adequate substantive remedies. Developing a **CD-OGM** helps exercise this right by articulating what a legitimate local remedial process and fair remedies would look like and then seeking to implement that process. Other complementary activities in the LEAD framework, such as mapping activities and legal and quasi-legal strategies, can strengthen the right to remedy as well by identifying all relevant remedial options and making strategic decisions about which to use. Importantly, participation in a **CD-OGM** should never preclude access to these other mechanisms.

4.

How to Use This Framework

The LEAD framework is intended to be flexible and adaptable to each community's context. It would be helpful to start by considering some preliminary factors about your relationship with the community, and the community's current capacity, knowledge of the project, goals, and desired support.

If you have not worked with this community before, or if there are trust issues with NGOs and CSOs, you will need to build and/or strengthen a relationship with the community. If the primary focus is to build community cohesion, leadership, and interest, or to support them to better understand the project, how it may impact them, and their rights, then it may be helpful to start with activities for Building the Community (in Section 2.3). If you already have a relationship with the community and they have an understanding of the project and their broad goals, then you can work together to identify their specific goals and start with Building a Campaign (in Section 2.4).

Together with the community, you facilitate their decision-making in regards to which tools to use, based on their priorities and goals. The specific tools may be more or less relevant at different times, as the community's goals change and/or the status of the project changes. The tools complement each other, and can build on each other. For example, conducting **CNRM** can provide baseline information that can be used for measuring potential impacts, such as in a **CHIA**. The results of both a **CNRM** and a **CHIA** can be used during an **CEWEIA** process, as well as when developing a **CD-OGM**. The **CEWEIA** process can provide evidence for seeking remedy if the advice given by the community during the process is not followed and impacts occur. Developing a **CD-OGM** can also provide negotiating leverage during consultations (often at the EIA stage), where a community could condition their acceptance of a project on the company agreeing to a **CD-OGM**.





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