

CSO Roundtable on Business and Human Right Report
 Hosted by: The Leadership Initiative for Transformation and Empowerment (LITE-Africa)
Location: Search for Common Ground Office,
Port Harcourt, Rivers State
Date: March 12, 2013



National-Level Implementation

15 Key Elements	Legislation Enactment of laws and policies to address human rights violations	Workforce Education of staff on human rights and business practices	Scoping Review of laws and policies to identify areas for improvement
Complaints Highly visible, external, and accessible	Case Study Use of case studies to inform and improve policies and procedures	Pay Structure Review of pay structure to ensure it is fair and competitive	Reporting Establishment of a reporting mechanism for human rights violations
Outcomes Highly visible, external, and accessible	State of Affairs The implementation of laws and policies to address human rights violations	Work Plans Incorporation of human rights into work plans and budgets	Training Establishment of a training program for staff on human rights
Monitoring Regular monitoring of the implementation of laws and policies	Public Security Establishment of a public security mechanism to address human rights violations	Implementation Implementation of laws and policies to address human rights violations	Recruitment Establishment of a recruitment process that ensures human rights



Introduction

This report has been written to document the discussions, insights and outcomes from the inaugural Nigerian CSO Coalition on Business and Human Rights held in Port Harcourt, Rivers state on the 12th of March 2013. The event brought together approximately 13 participants including CSOs working on issues of environment, transparency and accountability, corporate social responsibility, human rights, peace and conflicts, and community development. The event was convened by Leadership Initiative for Transformation and Empowerment in Africa (LITE-Africa) with partnership from Search for Common Ground who provided the space for the meeting to take place.

The Objectives of the Roundtable

The purpose of the roundtable was to follow up with Nigerian CSOs on ongoing multi-stakeholders consultations on business and human rights- especially the voluntary principles on security and human rights (VPs), identify the drivers and the challenges to implementing the VPs and concrete steps towards VPs implementation, and to agree a framework for setting up of Nigerian CSO coalition on Business and Human Rights.

This meeting was also used to:

- Discuss VPs implementation guidelines within the Nigerian context
- Establish the Nigeria CSO Coalition on Business and Human Rights
- Provide a learning environment regarding some of the concrete practices put in place by stakeholders, including how this relates to emerging expectations (from government, civil society, corporations and wider societal expectations).

The Roundtable began with an opening session which provided the opportunity for the event facilitators to introduce the agenda, current state of VP implementation in Nigeria and outline the objectives for the session. It also provided some time for participants to introduce themselves to each other. The key speakers on behalf of the conveners were Mr. Jerry Nwigwe, Senior Programmes Manager, LITE-Africa, Chom Bagu, Country Director, SFCG-Nigeria, and John Onyeukwu who moderated the sessions.

Mr. Bagu began by providing a background of SFCG work in Nigeria and also stated that SFCG is a member of the NGO pillar of the Voluntary Principles. He emphasized the need for members to put individual interests' aside and work towards a collective goal to ensure the Coalition stands the test of time. He further advised that the Coalition should not be allowed to be subsumed into an NGO because most Coalitions have today been transformed as a fully fledged NGO. He welcomed all the participants and pledged the support of his organization to the coalition and its objectives.

John Onyeukwu who served as the meeting moderator provided an insight into Coalition management in Nigeria and shared his years of experience working with Coalitions. The participants raised questions on the nature of Coalition and expressed fears if this Coalition would not turn out like others that

started in this manner. Mr. Onyeukwu responded by informing participants that the foundations of coalitions are always contributory to their sustainability. These feedbacks paved the way for participants to reason alongside and remain focused throughout the session.

The early phases of the Roundtable focused on the introduction of the VPs and the guidance tools for national implementation. This was facilitated by Jerry Nwigwe. He started by asking the participants to share their knowledge of the VPs, and most of the CSOs do not have strong background of the VPs and other business and human rights tools currently available. He outlined what the VPs were, its history, and various implementation frameworks of the VPs. He also used the presentation to showcase areas CSOs can play strategic role towards ensuring that the Nigerian government signs up to it and, corporations who had signed up implement the various elements of the VPs. He underlined the frameworks that would assist the companies to manage risks and where NGOs should track which include:

- Companies to carry out a comprehensive assessment of human rights risks associated with security,
- Ongoing engagement with public and private security service providers and surrounding communities in complex environments,
- Instituting human rights screenings of and trainings for public and private security forces, and
- Developing systems for reporting and investigating allegations of human rights abuse.

On opportunities and constraints, the participants noted that their concerns were on the need to have a very strong coalition devoid of personal interest. Most noted that experience has shown that most coalitions in Nigeria does not stand the taste of time, and advised that efforts should be focused on having a strong coalition that is accessible, transparent, participatory and accountable to its members and other stakeholders.

The challenges that most participants shared was the perception behind why the West wanted Nigeria to sign up to the VPs, the lack of knowledge and awareness about the VPs, lack of support or funding to drive the process in Nigeria, inability of members of the Coalition to identify what is in it, for their membership and to avoid mission drift. Most participants recognized the link between natural resources and environmental concerns and human rights. That being said, views as to the level of corporate abuse and the appropriate responsibility are far from uniform. For example, participants varied in opinions about the role of community members in this process and how they can key in.

Types of Coalition

After the discussion on various types of coalitions, the participants all agreed that the Coalition should be an issue-based coalition rather than focusing on structures, in order to be focused on the task ahead.

Focal areas for the Coalition

Participants all agreed that the Coalition should focus on the following:

Risk assessment (Due diligence): This include mandating companies to carry out risk assessment covering assessment on security and human rights due diligence.

VP accountability: These aspects involve ensuring that oil companies implement what they have signed up to instead of just being a member of the VPs; they should report implementation of all agreed standards. These also involve ensuring oil bearing communities put pressure on the oil companies to ensure compliance. The IOCs are expected to report to their host communities on what they are doing, not just carrying out VP trainings only, they should be able to implement all the four elements of carrying out risk assessment, facilitating stakeholders engagement, screening of their security operatives on human rights and ensuring culprits are reported to the authorities, reporting their efforts for stakeholders to track their progress.

This also includes multi-stakeholder engagements, forums and conferences with stakeholders on issues of business and human rights in Nigeria.

Advocacy and Campaigns: This involves embarking on advocacy and ensuring stakeholders are adequately sensitized on VP issues.

Capacity Development: This entails capacity building for communities, CSOs, government officials and Oil companies on VPs to ensure people have the needed skills and knowledge to implement VPs in Nigeria and also to support Nigeria government officials to understand fully what the VPs are all about.

Drivers and Champions

The participants all suggested that the Coalition should work with institutions rather than individuals when searching for champions. There was a feeling that a civil servant may not have the needed political leverage to champion issues of VPs in Nigeria, unless we approach any designated minister who can be in better position to champion the cause.

The following bodies and institutions were suggested for review and discussion:

- National Human Rights Commission of Nigeria
 - National Assembly (Senate Presidents or Speaker of the House)
 - Media (Driver)
- Professional Associations, such as, Nigeria Bar Association

Setting up of Working Groups

The moderator of the meeting suggested that because of the task ahead and need to provide direction on how the Coalition will operate, there was need to set up Working Groups that will provide further guidance on how the Coalition will operate and remain functional using agreed templates. Three working groups were set up and it include:

- **Guiding Principles and TOR** : Members of this group will develop the operational guiding policies/Terms of Reference for the Coalition
- **Coalition Focus Area**: Members of this group to expand on the focus areas and provide direction on the entry point for the coalition and to develop implementation guidance tool (IGT)
- **Contact and Mobilization**: Members of this group will provide strategic contacts for advocacy, guide the network on how to embark on such advocacy, mobilize more like-minded CSOs to sign up to the Nigerian CSO Coalition

Next Steps

Participants all agreed that CSOs are a key to VP implementation in Nigeria and the facilitator summarized the key actions for follow up as was contributed by the participants:

Submission/Reporting

- The Working Groups will work on their task and submit within two weeks (Week of March 25, 2013)
- Once the submissions are reported to the Secretariat, it shall be transmitted to the National Working Group housed at the National Human Rights Commission (NHRC)

Secretariat

- LITE Africa will continue to host and provide secretariat support for the Coalition
- LITE Africa will set up a separate E-Group for the Coalition
- LITE Africa will share available tools and members information and use
- LITE Africa will continue work to raise awareness of VPs and associated activities to wider audience and engage stakeholders on behalf of the Coalition.

Steering Committee

- Steering Committee to be constituted upon the approval of the coalition's guiding principles/TOR
- The Guiding principles/Terms of reference will provide mandate for the committee to carry out their functions

Next Meeting

- Next meeting was planned for May to allow members finalize on their working document and consult their organizations properly on the meeting outcomes

Closing Remarks

Mr. Chom Bagu, the Country Director of SFCG, thanked participants for honoring the meeting and pledged to continue to make space available for meetings at SFCG offices in Abuja and Port Harcourt while exploring the possibility of providing additional support for the coalition's work.

Port Harcourt Declaration on Nigerian CSOs engagement with global instruments on Business and Human Rights of March, 12, 2013.

Preamble

LITE Africa hosted a one day CSO Roundtable on Business and Human Rights in Port Harcourt with the primary purpose of following up with other multi-stakeholders engagement on business and human rights which has so far been led by some friendly High Commissions and Embassies in Nigeria. The roundtable was also intended to work towards developing concrete steps towards VPs implementation, and to facilitate the process for creating a CSO coalition on Business and Human Rights in Nigeria.

- 1) The Roundtable was attended by CSOs working on issues of human rights, environment, community development, and corporate social responsibility, Security, Transparency and Accountability in Nigeria.
- 2) The CSO Roundtable discussed the level of commitment to and implementation of the Voluntary Principles on Security and Human Rights, in Nigeria.
- 3) It also considered the opportunities and challenges as well benefits and Challenges, coordination and partnership necessary for setting up the Nigerian CSO coalition on Business and Human Rights.

Key Concerns

The Roundtable identified the following concerns:

- There is low level of awareness on Voluntary Principles and other business and human rights framework in Nigeria proves to be the major obstacle towards actualizing Nigeria signing up to the VPs.
- There is Lack of coordination and transparent partnership by NGOs in Nigeria especially in the Niger Delta has contributed to the problems being faced in the extractive sector and NGOs should work towards getting rid of self interest. There has never been a Coalition on issues of business and human rights or having a common place for them to meet, share ideas and embark on joint programmes and projects. The opportunity for leveraging on resources capacities and competences for development is lost, as there seem to exist a subtle and unhealthy rivalry between the various NGOs.

- There is lack of community voice on issues of VPs and other business and human rights standards
- There is lack of necessary knowledge, skills and competences on VPs for building collective community voice to advocate for Nigeria signing up to VPs and oil companies respect appropriate laws and regulations
- There is lack of coordination, collaboration and partnership within CSOs working on VPs and other business and human rights instruments in Nigeria

The Roundtable resolved that:

- Local CSOs remain a very important stakeholder group towards ensuring Nigerian Government signing up to the VPs
- All CSOs working on issues of VPs, business and human rights should be provided with the needed support to carry out their tasks to ensure that there is total mobilization and sensitization of Nigerians.
- Full membership of the national coalition is only open to local CSOs while other stakeholder groups are invited as associate members or observers.
- Awareness and sensitization sessions are needed very urgently and should target oil bearing communities, relevant govern MDAs, National Assembly and IOCs
- CSOs working on issues of the VPs, business and human rights in the Niger Delta should be carried along in any national discussion on VPs or Business and Human Rights because they represent a critical stakeholder group.
- Nigerian CSOs should have equal footings to be able to apply for membership of the NGO pillar of the VPs without any discrimination if we are being told that the process is transparent, accessible and participatory
- Nigeria should be allowed to adapt the existing tools on the VPs and other business and human rights instruments, according to its context.

Annex 1: Meeting Agenda

- 9:00 Arrival and Registration
- 9:30 Opening formalities and Introductions
- 10:00 Welcome remarks by LITE Africa and Search for Common Ground
- 10:30 Introduction to Voluntary Principles on Security and Human Rights
- 11:00 Tea Break
- 11:10 Discussion on opportunities/ challenges of implementing VPs and other Business and Human Rights guidelines in Nigeria
- 11:30 Discussion on champions and drivers
- 12:30 Discussion on area of focus by CSOs on the implementation of VPs and other Business and Human Rights Guidelines in Nigeria
- 1:00 Framework for and the constitution of the CSO Coalition and discussion on TOR
- 2:00 Election of Steering Committee
- 2:30 Lunch Break
- 3:00 Discussion of Next Steps and Timelines
- 3:30 Summary of proceedings and closing formalities

Annex 2: Attendance

S/N	Names	Sex	Organizations	Email	Telephone
1	Dr Fidelis Allen	M	Network against Oil Theft/Implementation of VPs in the Niger Delta	allfidelis@gmail.com	08075111856
2	Chom Bagu	M	Search for Common Ground	cbagu@sfcg.org	07037707724
3	John Onyeukwu	M	Moderator	onyeukwu@policy.hu	07064238981
4	Jerry Nwigwe	M	LITE Africa	jerry@lite-africa.org	08036720776
5	Misan Ruppee Rachael	M	Development Initiative Community Impact	rachaelruppee@yahoo.co.uk	07037489611
6	Lawrence Dube	M	CEHRD	Lawrencedub11@yahoo.com	07065458826
7	Nsirimovu Courage	M	Institute of Human Rights and Humanitarian Law	anyankwee@yahoo.com	
8	Samuel Agboola	M	SDN	Samuel@stakeholderdemocracy.org	08067976195
9	Legbosi Pyagbara	M	MOSOP	saropyagbara@gmail.com	08033392530
10	Nelson Nnanna Nwafor	M	FENRAD, Abia	fenradnigeria@yahoo.com	080333383708
11	Savior Akpan	M	Community Policing Partners - COMPART	humanrightsabak@yahoo.com	08066680864
12	Kentebe Ebiaridor	M	ERA	kentebe@eraaction.org	08037917731
13	Ifeoma Olisakwe	F	LITE	iffy@lite-africa.org	08033473171