

Meeting Summary
EIB Offices | Luxembourg, Luxembourg
28 September 2018

Participants

- Andy White – RRI (Co-chair)
- Mark Constantine - IFC (Co-Chair)
- Eleni Kyrou - EIB
- Eva Mayerhofer - EIB
- Sladjana Cosic - EIB
- Karoliina Lindroos – Finnfund
- Kate Mathias – twentyfifty
- David Bledsoe – Resource Equity
- Lou Munden – TMP Systems
- Sophia Murday – TMP Systems
- Ben Bowie – TMP Systems
- Chris Penrose Buckley – DFID
- Chloe Christman (by phone) – Oxfam
- Nienke Stam (by phone) – IDH
- Robin Barr – TFT
- Andreas Lange – GIZ
- Christina Healy – RRI
- Niraj Shah – IFC
- Shaza Zeinelabdin – IFC
- Samantha Lacey – CDC Group
- Nomsa Fullbrook-Kagwe – CDC Group
- Julie Kim – OPIC
- Natasha Schwarzbach – PepsiCo
- Erin Court – FMO
- Charlotte van Anandel – FMO
- Ali Hines – Global Witness
- Karol Boudreaux – Landesa
- Scott Schang – Landesa
- Mikael Bjornsen – PIDG
- Sarah Lowery – USAID
- Marthe Tollenaar – New Forests
- Stephanie Doig – Miro Forestry
- Anouska Perram - FPP
- Bryson Ogden – RRI

Background

The Interlaken Group (IG) was hosted at the offices of the European Investment Bank (EIB) on September 28, 2018 in Luxembourg. It was held alongside the annual meetings of Development Finance Institutions Social Specialists, from September 24 to 26. And was immediately preceded by a day long workshop on land rights and due diligence jointly organized by the EIB and Landesa on September 27.

The purpose of the Interlaken Group meeting was to discuss and identify potential next steps for the Group on four topics: tenure rights and gender; Interlaken Group engagement at the country level; increasing the capacity of companies and investors, and communities to secure local land rights and engage with one another; and models of inclusive development that are based on securing land rights. The agenda and discussion followed directly from agenda items tabled at the Paris meeting of the Group on March 15, 2018.

Overview

The co-chairs welcomed the group and thanked EIB for hosting.

A **tour de table** then followed, in which participants updated one another on recent experiences including: developing new tools, guidelines and policies in responsible sourcing on rubber and other commodities, supply chain transparency, quantifying land tenure risk, evaluating standards and due diligence procedures, aligning with the UNGPs, developing independent funding mechanisms to support legal support for communities, and developing new training curricula for human rights defenders.

Tenure Risk and the Bottom Line: the IIT Risk Tool

The Group received a presentation from one participant on the new IIT risk tool. IIT is a due diligence platform that uses geospatial data to generate a profile of a site, area, or supply chain. This profile indicates where tenure risk may be an issue.

A participant provided a demonstration of how investors could use the tool, and provided a specific palm oil-based example, though it can be customized for hydropower, renewables, or other land-based investments. The tool will soon be freely available for use by investors and companies in their due diligence processes. The tool is based on national and subnational data sets that together provide an overall risk score that can be broken out into different risk categories to make a financial case about whether to move forward with an investment.

During the discussion, the Group raised that if a region has a low risk score it does not mean that there is no risk. The Group also raised that women had not been taken into consideration into the model.

The Connection between Tenure Rights and Gender

The Group began a discussion on the importance of considering women's land use and rights equally with men's. Some mentioned that it was important to start with women because there is little risk that men will not be identified or included in the process. Women should be considered first all the way through ground processes including stakeholder mapping, stakeholder consultation and engagement, compensation, and in the design of grievance mechanisms.

There was discussion of how in many places the law does not recognize women's rights as spouses, and with respect to inheritance there are a lot of gaps. The Group discussed that if women are consulted separately or if they are given what is perceived as special treatment it could result in backlash. But all agreed that it is critical to demonstrate the business case for including and engaging with women and other underrepresented groups and identifying the different ways that women use and manage land and resources. Hiring women is good for business because women employees are less absent and have high return rates post maternity.

Participants shared some examples of good corporate practice such as working with the HR function to create and deliver joint pay slips monthly to couples and during this meeting men and women could discuss together how the money would be spent. Another example shared provided an equal number of scholarships for boys and girls and unconscious bias training for communities through theater, sports, and other activities.

There was a call for practical guidance on gender, sharing of examples of good corporate practice, and demonstrating the business case for gender inclusive operating models.

Emerging Lessons from Country Engagement

The Group received an update from the Secretariat about the status of country level engagement and convening Interlaken Group like spaces within countries to reach companies further upstream in the supply chain. There are four key criteria recommended for the Group to engage in countries: a political moment in terms of policy/legislation, influential local companies and investors at the table and ready

to engage, presence of RRI's network and/or Interlaken Group allies, and an overlapping footprint with Interlaken Group participants.

The Secretariat shared updates on work underway in Kenya, Malawi, Cameroon, and Indonesia and some early lessons and themes emerging from the ground. First, the importance of local resource persons who can drive the process and local networks to lead the follow up. Next, that power imbalance and capacity gaps are inhibiting progress and that there is demand for actionable solutions and advice from companies and investors. Finally, that the opportunities for engagement at the country level exists on a continuum due to the level of understanding of the challenge and risk that land rights pose and the opportunity for civil society and the private sector to collaborate.

The Group reflected on the importance of these spaces in connecting the private sector to civil society to work together and discussed additional countries that are ripe for engagement. Latin America was presented as an area to further explore, with specific suggestions of Tanzania, Mozambique, Mexico, and Colombia.

The Group also suggested that these dialogues be paired with training to reduce the potential for dialogue fatigue and to enable companies to walk away with concrete value.

Increasing the capacity of companies, investors, and communities to secure local land tenure

The Group discussed different initiatives that are building the capacity of different stakeholders to address issues of land tenure.

An overview of a participant initiative called the [Center for Social Excellence \(CSE\)](#) was provided. The CSE is a training initiative for developing the skills and capacities of local social practitioners and has a 90% success rate of trainees going on to be hired by companies. These trainees have influential positions in the regions and often go on to train those within the companies they work for on social and environmental issues.

Another participant described a new community decision making protocol that was being tested in Colombia.

Other examples of initiatives that were presented include a guidebook on [Responsible Investments in Property and Land](#), a web platform that encompasses company policy and guidance that can be used in the field, and a professional program that brings together early and midlevel professionals to learn about land rights and share experiences.

The Group noted that human rights defenders are increasingly at risk and that investors and companies should have some process in place to consider the safety of defenders.

Additional initiatives that were mentioned include:

- Invest Better Together – a hub that connects companies and investors to local groups to develop grievance response mechanisms, social management plans, mapping, etc.
- [African Network of Excellence on Land Governance \(NELGA\)](#) - a new network for land governance with universities in Africa that is building land policy advisors
- A black box funding mechanism to support the needs of communities for paralegal services

- [Community-Investor Negotiation Guides](#) - A new community investor and negotiation guide to help communities work with investors
- [Women and Land Research Consortium](#) – a resource cataloguing the latest research on practices that have worked in the field on inheritance rights, titling registration, redistribution
- [LandWise](#) – an online library of laws related to women’s land rights by country
- [Gender and Land Rights database](#) – a database highlighting the major political, legal, and cultural factors that influence the realization of women’s land rights throughout the world.

After discussing each of these initiatives the Group brainstormed ways that they could support capacity building and opportunities to scale and support the CSE. The Group acknowledged that there was a need for local expertise within companies and that local people are best placed but not educated to fill this gap. The lack of funding for this gap represents a market failure.

Models of inclusive development

Continuing the conversation that began in Paris on alternative models, the Group shared some examples of inclusive models of development that are underway. Some [North American examples](#) of indigenous and locally owned enterprises were shared.

One participant reported on its work with two oil palm companies in Liberia implementing landscape programs. The importance of not considering communities as one holistic group but rather making sure that decision making processes are inclusive was stressed.

Another participant shared an example of an outgrower scheme in Laos which had languished and the ways that they are attempting to reengage farmers. An example from Colombia of a community developing a sustainable fair gold initiative after their rights were recognized was also presented.

An additional example from Sierra Leone was shared and the Group highlighted the need for developing a strong business case that can be shared externally. After hearing these examples, the Group discussed how they could be made replicable and the challenges associated with them.

The tension between tenure and the environment was mentioned. When smallholder schemes’ access to markets is increased it might result in clearing forest. Others proposed including language to reduce this risk in the contract agreement. Transparency was also raised as an important component for success.

Next Steps

The Group agreed to consider several possible initiatives over the coming months.

- Building a larger body of work on gender including updated the VGGT guidance to more fully address women’s land rights, articulating the business case, and documenting promising practice of companies engaging with women. The Group was also canvassed for those interested in forming a working group on gender.
- On the topic of capacity building the Group discussed mobilizing support for CSE and using different forms of communication to reach the unengaged. Reaching out to centers of commerce and investment and trade associations during country engagement was recommended.

- With respect to inclusive models of development the Secretariat is collecting examples and will formalize a document.
- The Group noted that threats toward and killings of environmental defenders was something that should be further considered especially how to include safeguards in investment decisions
- The Group also proposed incorporating land rights into the global conservation discourse as governments, companies, and Indigenous Peoples organizations are present and land rights have not historically been adequately addressed