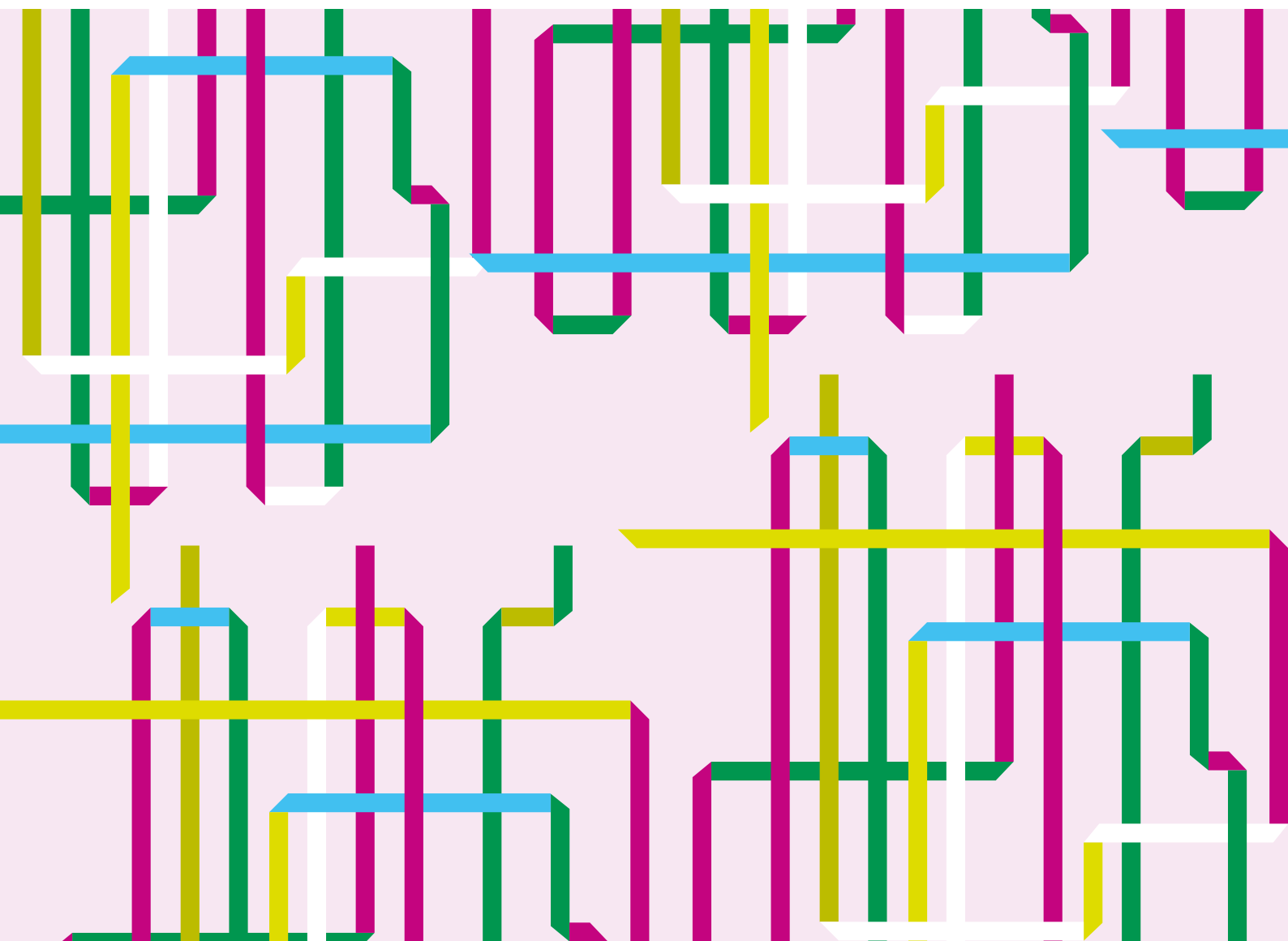


# **Fair, Green and Global Alliance**

## **Annual report 2020 & End-term report 2016-2020**

June 2021



## COLOPHON

Fair, Green and Global Annual report 2020 & End-term report 2016-2020

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## 1. INTRODUCTION: THE FAIR, GREEN AND GLOBAL PROGRAMME 2016-2020

Between 2016 and 2020, FGG Alliance<sup>1</sup> members collaborated with more than 1000 partners and civil society actors in over 100 countries toward achieving more socially just, inclusive and environmentally sustainable societies. FGG has successfully linked local realities to a range of crucially important national, regional and global policy processes, strengthening transnationally-networked civil society actors to gain access to and influence over decision-making.

Over the last five years, the FGG programme has contributed significantly to **increased momentum and concrete steps toward stronger corporate accountability rules, regulations and enforcement (ToC1)**. Thanks to the work of FGG members and partners worldwide, recognition that voluntary approaches to business and human rights are inadequate has grown substantially. The Alliance has increased support for and progress toward enforceable brand agreements, mandatory supply chain transparency, mandatory human rights due diligence legislation, and a UN Treaty with binding rules for transnational corporations to respect and protect human rights. Since the beginning of the programme, several European countries have adopted groundbreaking regulations obliging corporations to prevent and mitigate human rights violations in their supply chains and others have initiated processes to do so. In 2020 the European Commission announced that it will launch a proposal for mandatory environmental and human rights due diligence, including civil liability provisions. A European Parliament report on Corporate Accountability and Human Rights Due Diligence has called for legally binding obligations and civil liability for harm caused by companies.<sup>2</sup> And at the global level, the FGG Alliance, along with allied civil society organisations and movements, helped ensure progress toward a UN Binding Treaty on business and human rights.

The **momentum for a new and improved approach to trade and investment has also grown significantly since 2016 (ToC2)**. The Alliance made considerable progress in mutually strengthening civil society actors' capacity to lobby and advocate for trade and investment agreements that facilitate, rather than hinder, the ability of governments to advance socially and environmentally sound policies. Among other things, FGG members and partners succeeded in presenting the evidence and raising awareness about the adverse impacts of existing and proposed trade

agreements, especially investment protection (i.e. the Investor-State Dispute Settlement mechanism, ISDS) that renders such agreements incompatible with the Sustainable Development Goals and the Paris climate agreement. While much remains to be done, as a result of the efforts of the Alliance and its allies worldwide, a growing number of countries are seriously rethinking their approaches to trade and investment, including within UNCITRAL, where a new approach to investment protection is in development.

The FGG Alliance members and partners have **also strengthened civil society actors to lobby and advocate for improved financial, tax and spending policies (ToC3)** by mutually increasing knowledge and skills, building alliances and creating leverage toward key actors, from local tax authorities to private banks to International Financial Institutions and Export Credit Agencies. During the course of the five-year programme, FGG's efforts have led to a range of measures by diverse financial actors, including: measures to address corporate tax avoidance (e.g. in Zimbabwe, Uganda, the Netherlands, the EU), improved transparency around public investments (e.g. Atradius Dutch State Business), increased knowledge around responsible divestment (e.g. the OECD), stronger social and environmental safeguards for public finance (e.g. Dutch development bank FMO) and progress toward phasing out investment in fossil fuels (e.g. the European Investment Bank).

Below we share a report of our work in 2020 as well as six 'stories of change' that illustrate some of the key results of the FGG Alliance over the past five years. The end-of-term stories featured are:

- A unified, diverse global civil society movement for a UN Binding Treaty (ToC1)
- Rights and remedy in cases of corporate abuses: communities in Kenya and beyond (ToC1)
- Workers' rights in the garment industry: workplace safety and remedy (ToC1)
- A new vision for trade and investment: no place for ISDS (ToC2)
- A new vision of trade and investment: Amplifying agroecology (ToC2)
- Improved finance and investment: Greening public finance (ToC 3)

This small selection of stories is intended to complement the many cumulative results that are reflected in the 2020 report. The stories are told in diverse ways: some describe in-depth the activities implemented by FGG Alliance members and partners – joint research and analysis, joint strategising, campaigning and lobbying, etc. – while others focus on the impact of policy changes. Taken together, the stories provide a textured picture of both the breadth and depth of the FGG programme. They demonstrate the effectiveness of FGG strategies to work in cooperation with partners and other civil society actors to mutually strengthen our capacities, to set and advance agendas, and, eventually, bring about concrete improvements in policies and practices at all levels of society, locally and globally on the path toward the fundamental, systemic change that is needed. Reflecting on the ten-year existence of the FGG Alliance, it is important to note that a key assumption of the FGG Alliance holds true: systemic change takes time. While the stories focus on the period 2016–2020, more often than not, they begin even earlier, in the first FGG programme (2011–2015).

## 2020:

### CHALLENGES AND OPPORTUNITIES IN THE CONTEXT OF COVID-19

In 2020, the world and the FGG programme were defined by the COVID-19 pandemic. The pandemic exposed and exacerbated global and national inequalities and laid bare the weaknesses of the globalised economic and political system and its detrimental effects on the planet and people – especially the vulnerable, poor and most marginalised. Progress towards achieving SDGs has been imperilled and the adverse impacts of the pandemic are likely to be long-lasting.<sup>3</sup> Yet in the midst of the global health crisis, with the intensification of inequality and oppression in many places, the resilience of communities and movements gave us hope. The FGG Alliance focused on supporting partners and communities in persisting in their vitally important efforts to bring about structural, fair and green change.

#### RISING AUTHORITARIANISM AND (GENDER) INEQUALITY

The pandemic and governments' response measures affected all geographies and sectors, and deepened the pre-existing divides, inequalities and harmful trends the world already faced.<sup>4</sup> **The pandemic presented fertile ground for emergency power grabs and increased authoritarianism.** The enforcement of public health regulations diminished protests or was used as an excuse

to silence journalists<sup>5</sup> and critics, and to (further) constrict civic space.<sup>6</sup> Some governments approved bills without consultation and, in the name of public safety, stepped up their repression of activism.<sup>7</sup> For example, the Omnibus Law in Indonesia weakens Indonesia's business, labour and environmental laws in order to attract foreign investment. When Indonesian citizens took to the streets to protest the law, they were met with violent police repression. Similarly, in Bangladesh, workers faced a rise in union-busting, repressive laws, monitoring of activists and excessive use of violence towards workers who participated in wage protests and now face criminal charges.<sup>8</sup> In many countries, implementation of policies for the protection of forests, biodiversity, soil health and to tackle climate change were frozen or abandoned while extractive industries were given free rein to continue. Political processes were halted, and important debates and decisions were delayed.<sup>9</sup>

The **gendered impact of the pandemic** has had major consequences on efforts toward gender equality. Women were disproportionately affected by both the health and economic crisis. They faced significantly more care work (home schooling of their children, caring for sick and elderly relatives domestic work, etc.), greater exposure to the coronavirus in their roles as front-line health and essential workers, and exclusion from social protections (due to their work in the informal economy and precarious working conditions). In addition, COVID-19 is contributing to increased gender-based violence (GBV) at home, so much so that the UN has called it a shadow pandemic.<sup>10</sup> In 2020, FGG members and partners prioritised work to advance gender equality, facilitating the participation of women in international processes, and exposing gendered impacts of the global economic system.

Alongside the health crisis, many people faced **food shortages, lost their income or employment**, or used up their savings. Where needed, FGG adjusted its plans to deal with urgent issues brought on by the pandemic. For example, the launch of a living wage campaign for garment workers was delayed due to the need to focus on the millions of workers in the global garment supply chain who were not paid their full wages or lost their jobs without adequate financial compensation (severance pay) as brands pulled or stopped their orders. The crisis harshly exposed the lack of respect of brands to labour rights in their supply chains, and the lack of social protection mechanisms in many countries, underscoring the critical need for mandatory due diligence and corporate accountability. The pandemic also revealed the problems of the pharmaceutical industry, as a major South-North divide opened up over access to vaccines and

intellectual property rights. FGG worked to raise awareness and strengthen the case for conditions on public investment in drugs and diagnostics.

### TAX, TRADE AND PUBLIC FINANCE IN THE CONTEXT OF COVID-19

The pandemic also exposed the adverse consequences of years of austerity policies in LLMICs. Debt repayment conditions have compelled governments to cut or insufficiently fund public services, while corporate tax avoidance deprives countries of much-needed public revenue, weakening public services such that many countries were unprepared to cope with the crisis.<sup>11</sup> At the same time, the crisis has helped **increase recognition that public services**, such as health, water, schools, and the people that provide them are **crucial for the functioning of society**. There is growing awareness that these services are best kept in public hands, and should not be left to the private sector.

The pandemic also impacted world trade in an unprecedented way, as production and consumption were reduced worldwide. The crisis **revealed the risks and problems of dependence on long-distance, global supply chains** and trade agreements that favour profit over people. COVID-related measures taken by governments led to a surge in possible ISDS cases, with private investors threatening to sue governments for losses incurred as a result of COVID-19 measures. In response, FGG called for ISDS waivers during or related to COVID-19.

Although some governments arranged bailouts for corporations that have been responsible for the global environmental and climate change crises, we also saw increased willingness of governments to stop new investments in fossil fuels. Diverse international financial institutions, including the Dutch and UK Export Credit Agencies (ECAs), agreed to discuss ending finance for fossil fuel projects in third countries, representing a significant shift in political sentiment and possibilities for accelerating global climate action.

### ACTIVISM, RESILIENCE AND THE ROAD TO A FAIR AND GREEN RECOVERY

COVID-19 has shaken the world on all levels, leaving looming uncertainty for many. At the same time, it has presented an opportunity for FGG and our allies near and far to put forth and push for a fairer and greener future. Despite the COVID-19 restrictions, people around the world made their voices heard in **mass mobilisations against violence, repression and injustice of all kinds** – from the 300,000 Indian farmers who protested for months against agricultural reforms that threatened their livelihoods and benefit big corporations, to the young climate strikers who took their mobilisation online and made clear links between climate justice and social justice, to the Black Lives Matter movement which put institutional racism on agendas worldwide.<sup>12</sup>

Many major events were either **postponed or transferred to virtual spaces**, which created both obstacles and opportunities. The FGG Alliance successfully mobilised online civil society participation in some key international processes, like the UN Binding Treaty process and the World Forum of Fisher Peoples, which counted with its first youth constituency. We learned that although virtual work comes with challenges, it also offers advantages. When technological difficulties are overcome and interpretation provided, virtual meetings can enable the participation of people who are not typically able to travel longer distance or for longer times, such as women and youth, key FGG constituencies. FGG brought together large groups of civil society actors online to discuss and develop an alternative response to the pandemic. With our partners and allies worldwide, we urged decision-makers to follow a **fair and green road to recovery**, emphasising that local, feminist, inclusive and sustainable value chains are the basis for democratic societies and can ensure resilience in the face of crisis.

## 2. TOC 1 • IMPROVED CORPORATE CONDUCT

One of the strategies employed by FGG towards socially and environmentally just societies is to strengthen civil society in lobbying and advocating for improved (implementation of) policies for fair and green corporate conduct and expose cases of misconduct. This encompasses both mitigating negative social and environmental impacts of global supply chains, including human rights violations, violations of land and environmental rights, and improving conditions for workers in these supply chains. FGG advocates for **binding regulation**, such as mandatory due diligence for human rights and the environment, and **supports communities that are harmed by corporate misconduct to seek effective remedy**.

In addition to achieving important results at the level of capacity strengthening and agenda-setting, our work on corporate conduct and ensuring access to remedy has reached the level of policy and practice change, at both international and national levels. A UN Binding Treaty and mandatory due diligence laws are now realistic possibilities in the coming years. FGG partners and members have also been successful in pushing private sector actors to adopt improved policies and to provide remedy to affected communities in specific cases.

### END OF PROGRAMME STORY

# A unified, diverse global civil society movement for a UN Binding Treaty

At the start of the FGG 2016-2020 programme, the UN process to elaborate an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights (hereafter, the treaty) had barely begun. Civil society's awareness and engagement in the nascent process was primarily limited to a core of FGG members, partners and key allies. **Five years on, the treaty is in its second stage of revision and there is growing recognition and support for it from many facets of society – from an ever-growing number of CSOs, unions and social movements, as well as states, parliamentarians, and local authorities.**

#### CONCRETELY:

- The number of states participating in the UN Working Group (OEIGWG) on the treaty grew from 65 in 2015 to 91 in 2019.
- State support for the treaty is growing: In 2018, the African Union came out strongly in favour of negotiations en bloc and African states – led by South Africa and Namibia – have presented a strong unified front in favour of the treaty. In Latin America, Uruguay and Mexico have emerged as supporters of the treaty and Bangladesh participated for the first time in the negotiations in 2020 after extensive lobbying by FGG partners.
- In 2018, the European Parliament passed its 10th resolution in support of the Treaty and a number of EU member states are moving in the direction of support for the Treaty.

- In 2019, some government delegations, e.g. France, Spain, Cuba and Namibia, actively advocated for including a gender perspective in the Treaty.
- 347 Members of Parliaments have joined the Global Interparliamentary Network (GIN) to advance momentum and proposals for the Binding Treaty.
- In 2020, a network of Local Authorities in support to the UN Binding Treaty was launched. 54 Mayors and City Councillors have endorsed the Treaty.
- In 2018 a Zero draft of the Treaty was published on the basis of which inter-governmental negotiations could begin. Since then, a revised first draft was developed (October 2019) and a [second revised draft](#) in 2020. *(More details about 2020 are provided below).*

**As these results illustrate, the debate around corporate accountability in many important decision-making forums has shifted decidedly away from a focus on voluntary codes to binding measures. The results above reflect not only support for a UN Treaty specifically, but for improved regulation and action to tackle corporate impunity in general.** The FGG Alliance has played a crucial role in bringing this shift about. Keeping the Treaty process on track and preventing its derailment required vigorous concerted action at critical moments throughout the five years. From the beginning, the FGG Alliance put significant effort into joint capacity development and lobbying with Southern partner organisations and allies worldwide. FGG played a vital role in founding and/or building movements and coalitions, specifically:

- The Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and End Impunity (the Global Campaign for a Binding Treaty). During the FGG2 programme, the Global Campaign for a Binding Treaty grew exponentially to [240 member organisations](#), representing 260 million people located primarily in the Global South.
- The Treaty Alliance, an alliance of dedicated networks and campaign groups from around the world.
- Feminists for a Binding Treaty, a collective of organisations that aim to ensure that an intersectional-feminist perspective underpins the binding instrument and its various provisions.
- The NL4Treaty coalition.

As convenors of and contributors to these alliances and movements, FGG has generated awareness and mobilised worldwide support for the Treaty; facilitated participation of representatives from the South in Treaty negotiations; produced valuable input, evidence and recommendations for the Treaty's development, including for mandatory gender impact assessments by companies, gender-sensitive justice and remedy mechanisms, and respect, protection and an enabling environment for Women Human Rights Defenders.<sup>13</sup>

At the regional and national levels, FGG members and partners **have built networks of CSOs that jointly strategise and lobby** their government representatives for the UN Treaty (and binding regulations generally), ensuring that collective proposals and demands of the Global Campaign, the Treaty Alliance and Feminists for a Binding Treaty are reflected in the arguments of member states during the OEIGWG negotiations, and that more Southern states have become aware of the importance of the Treaty and are actively promoting it. Throughout the programme FGG has **supported representatives from LLMICs to present during the UN sessions, make their voices heard and focus attention on the human and environmental rights violations by transnational corporations on the ground.** Highlights of FGG's efforts include:



- **2016:** FGG facilitated participation in the negotiations at international and national levels, amongst partners in the Philippines, Indonesia, Mozambique, Bolivia, El Salvador and Guatemala; a ‘Week of Peoples Mobilisation’ at the UN Human Rights Commission in Geneva; supporting mostly women representatives from partner organisations to share their testimonies during the official UN meeting; a legal submission to put forward concrete recommendations on what a future treaty could look like; pressuring the EU to participate in the negotiations.
- **2017:** FGG supported capacity development in all regions, including workshops with communities in Mozambique and Honduras, national meetings in the Philippines and El Salvador, regional workshops in Central America, Latin America, Asia-Pacific, Africa, and Europe, and global webinars and strategy calls; regular dialogues with the Ministry and the Dutch permanent representation in Brussels and the Dutch mission to the UN in Geneva; mobilization of declarations of support for the Treaty from 292 Members of Parliament (MPs) around the world; facilitation of participation of CSOs from several LLMICs, including a delegation of 40 people from 25 national FoE member groups, and to meet with EU and Member States, which again helped ensure attendance of the OEIGWG session by a permanent representative of Europe. FGG’s work was crucial to a relative positive decision upon conclusion of the third session to move forward with the process.
- **2018:** FGG helped maintain civil society pressure to successfully prevent a feared collapse of negotiations. Facilitated by FGG members, over 150 delegates from communities affected by the activities of transnational corporations, as well as CSOs and international law experts took part in the OEIGWG discussions around the Zero draft. Interventions included a proposal by FoE Africa for a jurisdictional mechanism<sup>14</sup> as part of the UN Treaty, while partner organisations involved in the African Extractives Working Group brought a collective African CSO vision to the discussions, and participated in a session organised by Feminists for a Binding Treaty. A speaker tour in the Netherlands with women human rights defenders from Zambia and Guatemala drew attention to the need for a feminist Treaty among policymakers and with the general public.
- **2019:** FGG launched the Feminists Unite! Campaign in the Netherlands, focused on the need for a feminist UN Binding Treaty on Business and Human Rights. FGG members and partners jointly analysed and prepared a response to the Zero draft text of the Binding Treaty, organised side meetings, and presented oral statements at the UN plenary; co-organised the UN binding treaty mobilisation week, giving voice to the experiences of communities affected by corporate misconduct and lobbying their governments. As a direct result of the advocacy efforts of Feminists for a Binding Treaty supported by FGG, improvements to women’s rights and gender were made to the first revised version of the draft, and several proposals and demands for revisions of the Binding Treaty text were reflected in the arguments of members in the OEIGWG negotiations and were covered by the media. FGG also responded to the threat by several states to limit civil society participation in the negotiation process by calling on the Dutch government, with success, to use its voice to protect civic space in the Treaty process. When Brazil, China and others indeed tried to limit civil society participation in subsequent sessions, the Dutch representative in the European delegation responded immediately to counter the move and ensure civil society participation in the next session is guaranteed.

## 2020:

### ENSURING SPACE FOR CSOS IN THE UN BINDING TREATY PROCESS

In 2020, despite opposition from business actors and influential states (incl. China, Brazil and Russia), the negotiations for a **UN Binding Treaty moved forward and entered into a new phase: negotiations over text proposals**. Thanks to an impressive international mobilisation and coordination by civil society to ensure strong Southern representation throughout the negotiations, CSOs from the Global South, including partners supported by FGG, contributed significantly to the development of the second revised draft Treaty. Mobilisation took place at all levels. At the national level, in Bangladesh, ActionAid's partner organised four online consultations with communities, CSOs, UN representatives, and Parliamentarians. Partly as the result of the recommendations developed during these consultations, the government of Bangladesh participated in the Treaty negotiations for the first time in 2020.

At the regional level, across Africa, FGG strengthened the network of CSOs working on the UN Treaty by organising strategising calls, webinars and engaging new African organisations. The network wrote joint letters to African governments and regional bodies (incl. ECOWAS), ensured the Treaty issues were discussed in workshops and events, developed **specific African demands for the Treaty text** and organised meetings with government representatives. FGG supported partners from Mozambique, Indonesia and Togo to participate in UN spaces and bring community and indigenous people's voices and experiences to the foreground: FoE groups from Indonesia, Mozambique and Togo made direct video interventions on the United Nations floor during the 6th session of the OEIGWG in October.

In the EU, FGG members joined European allies in urging the EU to actively support the Treaty process, culminating [a video appeal #whereistheEU?](#). In the Netherlands, ActionAid organised various meetings with the Ministry of Foreign Affairs on the importance of a feminist UN Binding Treaty and provided input to members of Parliament. As a result, the Dutch government continued to lobby for a formal EU engagement with the Treaty process in Brussels and asked the Commission for a negotiation mandate and analysis of the Treaty. When in December 2020 it became clear that the EC did not comply with these requests, Minister Kaag showed her support by pledging to question the EC about this and report back to Parliament, referring to the Treaty as too important.

At the global level, the international coalition Feminists for a Binding Treaty, of which ActionAid is a member, continued advocacy efforts to make sure that **the gender dimension was integrated in the second revised draft** and efforts are now focused on ensuring these provisions are kept and further developed in the text. FGG members organised webinars and workshops and led preparation efforts and consultations with CSO partners across Latin America, Asia and Africa. Members of the Global Campaign for a Binding Treaty (which includes FGG members and partners) submitted their [comments on the second draft](#) of the UN Binding Treaty to the open-ended intergovernmental working group. A step toward **greater transparency** in the negotiations was made when it was agreed that texts being forwarded by governments and civil society will be circulated to all states and not only to the Chair.

## 2020:

### TOWARDS MANDATORY DUE DILIGENCE ON HUMAN RIGHTS AND THE ENVIRONMENT IN THE EU AND NETHERLANDS

Next to the UN Binding Treaty, the FGG Alliance has lobbied for mandatory human rights and environmental due diligence legislation at other levels, notably in Europe and the Netherlands. At the European level, FGG advocated for mandatory due diligence legislation that takes into account voices from the global South and specifically on the need for a gender perspective in the legislation. Among other things, Alliance members and partners presented a strategy proposal for the textile, garment, leather and footwear sectors to the European Commission, insisting that companies need to be held legally accountable for creating fairer and more sustainable supply chains. The Alliance also supported the advocacy work of the European Coalition for Corporate Justice via financial support, advice and FGG members' participation in the steering group of the coalition.

All these efforts contributed to the announcement by the European Commissioner for Justice confirming the commitment to introduce legislation. To **make sure that Southern voices are included in the shaping of the legislation**, FGG highlighted cases of human rights violations from its Southern partners (in Nigeria, Mozambique, Indonesia, Sierra Leone and Brazil) and enabled them to bring their cases to EU decision-makers and advocate for corporate accountability measures. FoE Europe co-organised a tool that allowed citizens and CSOs to provide input into the EU consultation, resulting in 145.000 contributions.

In a similar effort, CCC together with Global Witness, collected half a million (448,698) consultation responses using a [digital tool](#) with entries from over 200 countries and territories. Approximately 700 civil society organisations and academic institutions showed support for the legislation.

#### PROPOSED LEGISLATION IN THE NETHERLANDS

The Alliance also ensured a thorough process for due diligence legislation in the Netherlands. In 2020 the Dutch government published its new policy for Responsible Business Conduct, in which for the first time it expresses support for due diligence legislation in accordance with the OECD Guidelines for Multinational Enterprises. In March, four political parties started a parliamentary initiative on due diligence legislation which culminated in the submission (in 2021) of the Bill on Responsible and Sustainable International Business Conduct. This bill, if passed, will have a major impact on preventing and mitigating violations of human rights and environmental damage, including

climate change, in the global value chains of Dutch companies and companies selling goods and services on the Dutch market.

FGG has contributed to these policy changes by participating in the Dutch government's stakeholder consultations and through the MVO Platform, the Dutch corporate accountability network of civil society organisations and trade unions. Alliance members linked these developments with realities on the ground in the global South by drawing attention to the need for regulation by exposing corporate misconduct during the COVID-19 pandemic. With support from FGG, several partners including those from Ghana, Indonesia, Honduras, and India, participated in the Dutch Ministry of Foreign Affairs' consultations. FGG continued to draw to attention to the importance of gender-responsive due diligence, with success. For example, a motion in Parliament on the importance of taking into account the gendered differences when conducting due diligence in RBC policy was adopted based on ActionAid's publication 'Women's rights violations in Dutch palm oil supply chains: The case of Guatemala.'

#### END OF PROGRAMME STORY

## Rights and remedy in cases of corporate abuses – communities in Kenya and beyond

Using a variety of complementary strategies, the FGG Alliance **advanced recognition of the rights of communities, particularly women, to use, access and control land, which is crucial for their livelihoods, health, resilience and power.** FGG's interventions included increasing technical skills (e.g. documenting rights violations, use of grievance mechanisms), facilitating access to justice, and mobilising, campaigning, lobbying and advocating for sustainable, inclusive land governance and land rights in policymaking spaces.

A prime example is FGG's support of the self-led movement-building and mobilisation of rural women from Kenya, Mozambique, and Zambia, which resulted in strengthened land rights' advocacy toward local/national governments and the African Union for adoption of the ([Women2Kilimanjaro](#)<sup>15</sup>) African Women Charter of Principles and Demands on Women's Access to and Control over their Land (2016). In Kenya 5,000 women were mobilised in 'Mini-Kilimanjaro' events in 24 counties, culminating in a Kenyan Charter of Demands, which was presented by 300 rural women to the Lands and Housing Cabinet Secretary and the Chairperson of the National Land Commission. Activists also presented the Charter at the UN and the AU Commission for Women (2017). Mobilisation led to concrete policy commitments by the Kenyan government to implement the Community Land Law, resulting in 18,000+ women registering lands (2016).

These efforts complement FGG strategies to **support local communities in defending and protecting their rights and pursuing justice in the face of corporate land-grabbing and misconduct**. Among many cases that FGG has successfully supported in the last five years are two in Kenya. Both involve multinational agribusiness companies with a long history of human rights abuses, and both illustrate the effectiveness of diverse FGG strategies:

- Communities around Yala Swamp reclaim land from Dominion Farms: Together with local partners, FGG supported the struggle of communities around Yala Swamp, a wetland region in western Kenya, against the American-owned rice company, Dominion Farms. In 2003, Dominion Farms was granted a 45-year lease for 2,833 hectares of land in Yala swamp to grow rice and sugarcane on a large scale. Many communities were not consulted and did not give their consent to the Dominion Farms deal. Some members of the communities, who were not informed of their rights, had accepted a small and inadequate compensation for their losses, so were unable to seek further legal action against the company. Over the years, the company illegally occupied an additional 3,200 hectares used by the community and prevented people from accessing what had been their main fishing and grazing areas, water source, and farmland. The company also installed a weir that caused flooding and swept away the local trading centre, which is primarily used by local women. The flooding also rendered lands unusable, severely affecting communities' food security and causing malnutrition and spread of water-borne diseases.

At the request of local communities, FGG partner ActionAid Kenya supported their struggle by raising public awareness on radio talk shows, in interviews and printed articles. ActionAid Kenya invested in strengthening the capacity of the communities to understand their rights under Kenyan law and to voice their concerns about the rights violations on various platforms. Given the specific and differentiated impacts women had encountered, women took a forefront role. They engaged in the Mount Kilimanjaro Rural Women mobilization (see above) to demand corporate accountability and responsible investment from Dominion Farms, petitioned political leaders, participated in joint meetings with Dominion Farms' management, use of the courts through public interest litigations, and peer-to-peer learning with other communities and demonstrations. **The pressure contributed to Dominion Farms stopping its operations entirely, describing the 'unfavourable conditions to invest in the area'.** In 2019, the **governmental Committee on Historical Land Injustices granted the community its claim over the Yala swamp**, which means they can now register their lands under the 2016 Community Land Act, a process which ActionAid in Kenya is now supporting.<sup>16</sup>

- Communities in Murang'a county receive settlement from Camellia Enterprises/Kakuzi Plantations: Since 2016, SOMO has worked with the Kenya Human Rights Commission (KHRC) and the community-based Ndula Resource Centre (NRC) to assist communities suffering from violence and human rights abuses by Kenyan agricultural company Kakuzi, subsidiary of Camellia PLC, based in the UK. Through fact-finding missions, field visits and workshops with community members, the groups gained detailed insight into the systemic human rights violations – including rape, murder, unlawful detainment and intimidation – experienced by (former) workers and other people living on and around Kakuzi's plantations. SOMO and its Kenyan partners have supported the aggrieved community members to organise, document abuses, formulate demands and pursue remedy, including complaints to the Kenyan Taskforce on Renewal and Extension of Land Leases and the National Land Commission's Committee on Historical Land Injustices. In 2018, SOMO provided strategic advice and financial support to the communities and brought the case to the attention of the UN Working Group on Business and Human Rights (UNWG), which met with the affected communities during a country visit to Kenya.

In 2020, these efforts bore fruit when eighty-five Kenyans, represented by law firm Leigh Day and supported by KHRC, NRC and SOMO, took legal action against Camellia in UK court.<sup>17</sup> In-depth coverage of the case in the UK's Sunday Times triggered action by UK supermarkets, which stopped purchasing from Kakuzi, and by the multi-stakeholder Ethical Trading Initiative, which called on Kakuzi and Camellia to act urgently to address the allegations. Camellia, which initially sought to downplay its control over Kakuzi, then entered into negotiations over the case. **On 14 February 2021 the case ended in a settlement between the British company and the 85 claimants. The company will pay GBP 4.6 million to the claimants,** which includes a contribution to their legal fees.<sup>18</sup> The company also agreed to an independent human rights impact assessment, and investments in community projects.<sup>19</sup>

Other successes – secured in 2020 – include a case in Zambia, where mining operations negatively impacted surrounding communities: houses were damaged or even collapsed, and water was polluted, making it unsuitable for drinking. After years of lobbying, supported by FGG local partners, women from mining communities are now in direct contact with a large mining company and local authorities, enabling them to discuss their demands in Community Advisory Committees. Through this improved mechanism, **the company and the authorities have committed to relocate 89 families to a suitable new location with all necessary public services.** In Bangladesh, FGG partners supported advocacy meetings of community groups affected by large coal fired power plant projects, who lost their lands and livelihoods due to the project's activities. They asked for compensation and support for vulnerable families during the lockdown. As a result, the state-owned Coal Power Generation Company (CPGCBL) organised a compensation fair in February in a power plant area in the South-East of Bangladesh and distributed compensation checks to 107 landowners for land lost to the project and to 62 landowners to compensate for loss of livelihoods. The local government and CPGCBL also provided food support to an additional 2560 families.

Alongside of supporting communities in struggles against specific companies, FGG members and their partners continued to develop transformative practices on inclusive land governance and sustainable land use, and advocating for policy change at multiple levels to ensure these practices become the norm. **FGG partners worked with communities to successfully develop and lobby for formal support of land use plans and traditional land holding certificates based upon the aspirations of communities themselves.** Examples include:

- In Indonesia, district authorities officially recognised the participatory maps and ethno-social data on ancestral land rights of the Iban Sebaruk community in Sanggau District, West Kalimantan (some 36,000ha of customary territory, including about 10,000ha of customary forest area). This political commitment also entailed the community's right to free prior and informed consent. Furthermore, a heads of agreement was reached in another community for a settlement of a 10-year land conflict after an alleged land grab by a major Indonesian corporation and the parent palm oil company, and a dialogue with an agribusiness giant on monitoring and transparency of their supply chain.
- In Peru, after years of lobbying and advocacy by an FGG partner, the local government Santa Clara de Uchunya recognized the local indigenous community's land titles to 1,500 hectares. Moreover, based on the community's continued complaints about the misconduct of a palm oil company, the Peruvian government suspended the operations of the company and issued a multi-million dollar fine for the company.
- In Zambia (Monze District), an FGG partner organised several community meetings, and trainings on land (use) rights and women's ownership of land and facilitated a process of participatory land use mapping that resulted in 102 customary land holding certificates issued to 102 land holders, of which 35 were women.

**FGG also engaged in joint lobbying and advocacy efforts with various partners that advanced community land rights and responsible land governance the multilateral policy level.** In 2019, a decision was adopted by UNCCD member states on the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs) in national policies related to land degradation and desertification (including gathering data disaggregated to gender and age), after extensive joint advocacy of CSOs organised by the CSO panel (in which Both ENDS was the representative for Western European and Others Group regions) and Drynet, a network of CSOs around the world of which Both ENDS is a member.

In the Netherlands, FGG facilitated women's land rights advocates to present their experiences and proposals to Dutch thinkers and policymakers at various opportunities including (academic) conferences as well as meetings with key officials. FGG advocacy with parliamentarians and the Ministry of Foreign Affairs resulted in funding for the Women's Land Rights in Africa programme and explicit commitment from the Ministry of Foreign Affairs to integrate women's land rights in all aspects of the Ministry's work (2018). In 2019, the Ministry launched the LAND-at-scale fund of 32 million euro over 6 years, to financially support local interventions that strengthen land governance in line with the VGGTs. Based on inputs of local partners, FGG was able to provide input to the set-up of the fund.



## 2020:

### ADVANCING AGENDAS ON WOMEN'S LAND RIGHTS AND WOMEN IN SMALL-SCALE FISHERIES

FGG supports women in **claiming their (land and tenure) rights and pushing for laws to be gender-sensitive**. In 2020, FGG continued capacity development and agenda-setting on women's rights, particularly in international meetings and at local government levels, where discussing issues and impacts faced by women are not automatically included. FGG has helped increase awareness among policymakers and some important changes in practice, although more substantive policy changes require longer-term action.

With support from ActionAid Uganda, a women's group, together with their fellow community members, started a singing campaign and used peaceful resistance tactics against land grabbing. They composed songs and poems expressing their community's resistance to being chased away from their land. The singing had a confronting and even intimidating effect on corrupt local leaders complicit in the intended land grab, who eventually notified the investors to leave their land. Thanks to the training received from ActionAid Uganda's partner, these women's groups were able to voice and defend their (land) rights without resorting to violence.

In Zambia, a CSO alliance on extractives, together with ActionAid, continued to engage the Ministry of Mines on the need to review the Mines and Minerals Act. This coalition started a consultation process with women in mining communities, based on the Women's Mining Charter that they developed earlier in the FGG programme. As a result, the Ministry committed to review the Mines and Minerals Act and to take into account the gaps identified by CSOs' consultation exercise, such as the need to address the current challenges faced by women in mining communities. Another Zambian partner joined Both ENDS in co-facilitating a skills sharing workshop on inclusive land governance where 13 CSOs from Kenya, Senegal, Cameroon, Mozambique, Zimbabwe, Sierra Leone and Zambia came together and shared knowledge on lobby and advocacy strategies ranging from participatory land use planning to women's land rights to sustainable land use. They launched a publication to showcase their practices.

FGG partners and members lobbied for inclusion of gender on the agendas of international forums. For example, SOMO, through OECD Watch and with inputs of other FGG Alliance members,

advocated for addressing gender issues in the OECD's 2020-2021 stocktaking on gaps in the OECD Guidelines for Multinational Enterprises. The first draft of the OECD's report (published in May 2021) does include a strong focus on gender. Similarly, TNI supported meetings of women and youth constituencies within the World Forum of Fisher People (WFFP) movement and facilitated young women leaders to engage in international spaces including the FAO Committee on Fisheries, and the negotiations around the Small-Scale Fisheries Guidelines. Both ENDS and partners raised issues of gender and women's rights higher on the agenda of the Roundtable on Sustainable Palm Oil (RSPO). FGG also supported the organising of a global palm oil conference where partners working on palm oil learned from each other, including gendered impacts, and exchanged strategies to counter the global palm oil expansion.

## 2020:

### CHALLENGING CASES OF CORPORATE (MIS)CONDUCT

In 2020, FGG Alliance partners and members supported several communities in specific struggles involving corporate misconduct, resulting in some steps by companies to address the grievances of rights-holders. In Bangladesh, CSOs and human rights defenders collected evidence of energy sector corporations violating human rights and destroying the environment. They consistently lobbied with both the corporations and the government until the Minister of Power, Energy and Mineral Resources agreed to drastically reduce harmful coal- and fossil fuel power plants and to increase monitoring to cover loss and damage as a result of the energy projects. FGG supported its partners in the process of collecting evidence and campaigning.

In Zimbabwe, the Zimbabwe Environmental Law Association (ZELA) and ActionAid organised a petition-writing workshop for (women) human rights defenders and paralegals. As a result of the workshop, the participants submitted a petition to authorities on human rights violations by mining companies and poor service delivery in mining communities, demanding restoration of clean drinking water supply. The petition successfully led to the repair of water supplies for the communities, which had been interrupted for almost two months.

In June, the Brazilian National Contact Point published its final assessment on a complaint against Dutch dredging company Van Oord regarding two projects in the Suape port (Pernambuco, Brazil). The port expansion activities has caused many negative

impacts, including environmental damage to the coastline (including mangroves), insecurity due to influx of armed security personnel intimidating and restricting local communities' access to their livelihoods (fishing grounds, land, water and housing). Together with two Brazilian CSOs and Both ENDS, the local association of fisherfolk communities filed an OECD Guidelines complaint to address the impacts of the expansion. In addition, ActionAid worked with women groups who were evicted from their lands for the port expansion. The women created alternative maps that identified their sources of livelihoods, which they used as advocacy material for mobilisation efforts. As a result of the different advocacy efforts, a mediation process was triggered through which the relocation of the anchor area outside the fishing areas was facilitated. The removal of a dam obstructing the natural flow of a crucial river in the port area is also under consideration.

In Kenya, a large group of current and former Kenyan tea workers filed a formal complaint against Unilever to the United Nations Working Group on Business and Human Rights and the UN Special Rapporteur on Extreme Poverty and Human Rights for Unilever's failure to respect international human rights standards following widespread violence at the multinational's largest tea plantation. CSOs involved range from local to national and international groups. SOMO contributed through research and input to the writing of the complaint, analysis of the UN Guiding Principles and supported CSOs' advocacy efforts to address corporate conduct. The UN Working Group on Business and Human Rights has informally responded to the complaint with further questions but has yet to formally respond. Also in Kenya, ActionAid, together with two Kenyan partners, raised awareness around the issue of wind energy companies leasing land from women without giving them sufficient information and representation. They brought this to the attention of representatives of local and national authorities and demanded action. The county government representatives spoke out against the actions of the corporations and filed an investigation. As a result, the unlawful leasing of women's land was successfully stopped.

## 2020:

### DEFENDING (E)HRDS, CHAMPIONING THE RIGHTS OF INDIGENOUS PEOPLE

Standing up against corporate misconduct is dangerous. Too many of our colleagues have been harmed while defending the rights of their (indigenous) communities. In these cases, FGG stands up against threats towards (E)HRDs, unleashing the power of global networks to demand safety for (E)HRDs. In 2020, FGG partners worked together with indigenous communities to defend their land, their way of living and even their own lives from land grabbing attacks by palm oil companies among other actors. Massive awareness-raising campaigns have proven to be an effective strategy to demand protection for (E)HRDs.

In Honduras, the indigenous Garifuna community has suffered systematic attacks for several years, mostly perpetrated by banana and palm oil companies and more recently from land grabbers for housing and tourist developments. The Garifuna people have not been consulted about any of the projects developed by these companies, as is legally mandated.<sup>20</sup> In July 2020, four members of the community were abducted from their homes by armed gunmen. Through its Internationalist Solidarity System, Friends of the Earth International supported the struggle in Honduras. FoEI publicly [denounced](#) the situation and launched a campaign to raise awareness, which included a letter addressed to the Honduran government on the case, signed by 72 CSOs. A webinar for Members of the European Parliament raised awareness about human rights violations in Honduras and the role of the EU, and included first-hand testimonies of affected communities and linking them to the practices of European companies. As a result, 57 members of the European Parliament sent a letter to the Honduran Government supporting FoEI's demands.

In the Peruvian Amazon a local community reached a vital victory after a long struggle, with support from a Peruvian partner and Both ENDS. Over a decade ago the Ocho Sur palm oil plantation bought land that armed invaders had taken from the indigenous Shipibo community of Santa Clara de Uchunya. The communities living in the area continue to suffer from threats against them and from the ever-diminishing forest which they depend upon. Following a massive international campaign involving a global alliance of actors demanding the restitution of the Shipibo's ancestral lands, the community secured a major victory in December 2020: Peru's environmental regulator ordered the palm oil company operating on their lands to halt operations and pay a multi-million dollar fine for environmental damages.



# Workers' rights in the garment industry – workplace safety and remedy

In the past five years, FGG members CCC and SOMO, together with partner organisations in production and consumer countries, have secured important results toward improved working conditions and respect for workers' rights – from improved respect for freedom of association and collective bargaining rights at specific workplaces, to improved corporate and sectoral policies on supply chain transparency, to steps forward in agendas on living wages and mandatory human rights due diligence.

FGG's work has resulted in direct benefits for workers at the factory level. Among many achievements in 2016–2020 were concrete improvements in workers' safety. **Below we focus on the success of the Bangladesh Accord and a historic compensation agreement for victims and surviving family members of a factory fire in Pakistan. Taken together, the two cases cover a spectrum of action needed to protect workers' health and safety – from prevention of risks to access to justice and compensation for violations.**

- The historic Accord on Fire and Building Safety in Bangladesh was signed in 2013 in the aftermath of the Rana Plaza collapse and after years of work by FGG and allies to draw attention to the problem of unsafe working conditions. As a witness signatory to the Accord, Clean Clothes Campaign has closely monitored the Accord's work, which have borne fruit during FGG's 2016–2020 programme. Since being established, the Accord has:
  - carried out inspections by trained engineers, and overseen repairs;
  - increased transparency by publishing reports of inspections and Corrective Action Plans on its website;
  - trained workers in the field of safety, covering over 1,600 factories supplying more than 200 brands;
  - and improved the workplace safety situation for over 2 million garment factories in Bangladesh.

Beyond these impacts, the Accord has demonstrated that legally binding brand-union agreements are effective. The Accord established an accountable complaint mechanism that enjoys increasing trust of workers. Brands, together with their supplier factories, are responsible for compensating workers during closures for remediation and maintenance following safety inspections, and they face penalties when they do not take sufficient action. These penalties are real: **a 2018 arbitration case under the Accord resulted in a clothing brand paying a settlement of US\$ 2.3 million to remedy workplace dangers in its supply chain.**

In the run-up to the end of the Accord's mandate (May 2018), CCC, Bangladeshi partners and global allies successfully campaigned for a three-year Transition Accord, **convincing over 190 brands to continue their commitments to ensuring workplace safety**. The CCC network contributed to over 150 media stories highlighting the continued importance of the Accord's work to convince brands to sign on. As a result of the campaign, the Transition Accord 2018 extended the Accord I programme and expanded it in scope to home textiles, fabric and knit accessories. The Transition Accord also added freedom of association (FoA) in its Training and Complaints Protocol in the listed factories and covered workers' severance payments in Accord-related factory closures and relocations. Shortly after the creation of the 2018 Transition Accord, an attempt was made to push the Accord office out of the country. CCC members and partners successfully raised international attention and averted this threat, which would have weakened the Accord's effectiveness.

**Campaigning by the CCC network helped ensure that the Accord's work continued**, despite considerable challenges. In 2020 the new Ready-Made-Garment Sustainability Council (RSC), consisting of brands, factory owners and unions, took over implementation of the Accord. Well before this handover, FGG members and partners had already started advocating for the creation of a new international binding agreement which would safeguard the legally binding nature of the work in Bangladesh beyond 2021 (since the RSC lacks enforceability) and would allow for an expansion of the Accord model to Pakistan, where workplace safety is also severely lacking (more below). In 2019, with support from FGG, Pakistani unions and NGOs organised several consultations to discuss and reached consensus on their proposal, resulting in a jointly signed declaration calling for companies to sign and implement an Accord in Pakistan. In addition to dialogue with employers and government representatives, CCC partners published a report (2019) to make the case for a Pakistan Accord. **These efforts bore fruit in early 2020, when brand signatories of the Bangladesh Accord expressed their commitment to a 'new agreement between unions and brands to be negotiated with a view for the Accord safety programme to be expanded to Pakistan'**, although they have since backtracked on this promise under cover of the COVID-19 pandemic.

- The case of Ali Enterprises workers in Pakistan illustrates how relentless long-term campaigning by FGG members and partners can lead to significant change on the ground. In 2012, a fire at the Ali Enterprises factory claimed the lives of more than 250 workers, and seriously injured another 55. Workers were trapped in the building, behind barred windows and locked exit doors. The German retailer KiK Textilien, the only known buyer sourcing from the factory, agreed to pay immediate relief to survivors and families of deceased workers, but refused to enter into negotiations for long-term compensation, a key demand of the victims and their supporters, including CCC and SOMO.

In 2016, CCC organised a meeting among Pakistani unions and labour rights organisations to share knowledge, experience and strategies based on the lessons learned from Rana Plaza and similar cases, including lessons about compensation schemes. The result was a **visible improvement in the capacity of CCC's Pakistani partners to collaborate with each other and with regional partners in collective lobbying and advocacy**. At the Asia Living Wage Conference organised by the Dutch MFA and German Federal Ministry of Economic Cooperation and Development (BMZ) that year, the Pakistani partners highlighted the case and convinced both Ministries to engage in diplomacy with the Pakistani government to resolve the case. Meanwhile, FGG intensified the pressure on KiK, both directly and indirectly through the ILO, the German Textile Alliance, and the German and Dutch governments. As a result of these efforts, **KiK agreed**

to enter into negotiation and, in September 2016, signed an agreement to pay an additional US\$5.15 million to fund loss of income, medical and allied care, and rehabilitation costs to the injured survivors and dependents of those killed in the disaster. The compensation took the form of a pension system administered by Pakistani governmental institutions. In September 2018 the first payments of life-long pensions for the survivors and families of victims were made. The pension scheme set a **global precedent for the garment industry**, and a step toward a working employment injury insurance system, not only in Pakistan, but in all garment producing countries.

## 2020:

### DEFENDING GARMENT WORKERS' RIGHTS IN THE CONTEXT OF COVID-19

In response to a sudden drop in consumer demand for apparel, brands cancelled planned orders and refused to pay for shipments of completed and in production orders. As a result, factories closed and dismissed workers en masse, often without notice or pay. CCC teamed up with garment workers, labour organisers, researchers and citizen activists by launching the #PayUp<sup>21</sup> global campaign to press brands to **commit to pay in full for pre-existing orders**. CCC research showed that the wage loss in the first months of the pandemic amounted to somewhere between \$3.19 and \$5.79 billion, and lobbied large brands (including H&M, Primark and Nike) to **publicly ensure that all workers in their supply chain will be paid during this crisis and receive the severance** they are owed if they lose their jobs. In addition, CCC provided direct relief to garment workers, including migrants and home-based workers, who were struggling to make ends meet in lock down or after having lost their job. On a more structural level, CCC lobbied garment companies to commit to an enforceable agreement for stronger social protections for workers related to unemployment and severance benefits, in line with the relevant ILO conventions, through the establishment of a Severance Guarantee Fund (SGF).

In Thailand migrant garment workers (80% of which are female) were illegally underpaid while making products for major brands Tesco, Starbucks, NBC Universal and Disney. They lost their jobs and were unable to find new employment due to the cancellation of orders during the COVID-19 pandemic. As a result of campaigning by CCC, the migrant workers received all the wages legally owed to them, marking the first time that underpaid migrant workers in the regulatory 'black hole' of border region Mae Sot In Thailand received not only full severance pay but also

the full amount owed for minimum wage violations. Furthermore, pooling their money together, the workers set up a labour right support centre and, with help of a CCC partner in Thailand, have since supported workers in similar disputes.

In Myanmar, workers have won **victories against union-busting** in three separate factories. This happened as a result of local worker organising, international solidarity, and pressure on brands, with support from CCC.

In Bangladesh, five more **trumped-up criminal cases against workers** who participated in wage protests were dismissed by the court. These bring the total to 14 criminal cases, affecting at least 2,200 workers, that have been dropped. Since early 2019, CCC and partners consistently campaigned against these by gathering evidence and pushing brands sourcing from the factories of affected workers to urge for charges to be withdrawn.

Through the Transparency Pledge Coalition, of which CCC is a member, transparency became a tool used to expose wage gaps in supply chains. Following the #GoTransparent [campaign](#), the first of **five target brands signed the Transparency Pledge**. In the Netherlands, SKC and SOMO analysed human rights due diligence reporting of the Dutch Agreement of Sustainable Garments and Textile (AGT) member brands. The research showed a lack of real progress at supplier factory level, in terms of supply chain transparency, brands' engagement with rights-holders, payment of living wages, and workers' access to grievance mechanisms. The publication of the research was clearly noticed by policymakers and the Dutch garment industry. Members of the Dutch Parliament questioned why progress of AGT member brands lagged behind. In response, Minister Kaag stated that SKC's and SOMO's recommendations can help companies take the next step in the due diligence process. Furthermore, the secretariat of the AGT publicly announced it would include the reports' recommendations in its assessment of companies.

### 3. TOC 2 • IMPROVED TRADE AND INVESTMENT

In the past five years, FGG members and partners have contributed to a paradigm shift on the rules that underpin trade and investment. Intensive efforts early in FGG's 2016-2020 programme to increase awareness and capacity of civil society actors' – from global trade unions to local fishing communities to peasant movements – to lobby and advocate on trade and investment issues has ultimately led to substantial results. FGG's

work under ToC2 focuses not only on problematising the current trade and investment regime, but also promoting a new vision of trade and investment that promotes democracy, equality, justice, and a healthy planet. In the past several years, the FGG Alliance has produced a clear map forward toward fair and green trade and investment approaches.

#### END OF PROGRAMME STORY

## A new vision for trade and investment – no place for ISDS

Among other things, **FGG members and partners have played a leading role in turning the tide against the investor protection system ISDS**, with diverse actors responding to the analysis and public pressure generated by the Alliance which has shown how ISDS undermines democratic decision-making, socially just policymaking, climate action and budgets for public services – all of which are vital in times of crisis. This shift has led **not only to rejection of, or efforts to reform, the ISDS system by various governments, but also rejection and reconsideration of trade and investment agreements that contain ISDS clauses**, such as many Bilateral Investment Treaties (BITs) and the Energy Charter Treaty. Specifically, over the course of the last five years, in response to FGG partners and members' efforts:

- More countries have terminated harmful BITs, including Ecuador and Tanzania.
- ISDS was removed from the Asian Regional Comprehensive Economic Partnership (RCEP), with particularly strong positions against ISDS in [Malaysia](#) and [South Korea](#) due to the work and influence of FGG partners.
- The European Trade Commissioner declared ISDS 'toxic',<sup>22</sup> reformed its investment policy and proposed that negotiations for a new Multilateral Investment Court (MIC) be conducted under the auspices of the UN Commission on International Trade and Law (UNCITRAL).
- A process at the UNCITRAL to reform the ISDS system remains on track and its agenda has expanded to include issues such as regulatory chill, investor obligations and counterclaims, the role of domestic courts, participation of third parties, and better alignment with the overarching frameworks of the SDGs and the Paris climate agreement.

- The Netherlands shifted its position on ISDS. It reformed its model Bilateral Investment Treaty (which contained the original blueprint for the global ISDS system). The new model BIT now contains important articles, including exclusion of letterbox companies, inclusion of certain obligations for investors, and stricter rules on arbitrators. The Dutch Minister of Trade and International Cooperation declared that ISDS provisions were not necessary between developed countries.
- The European Court of Justice (ECJ) ruled that all intra-EU bilateral investment treaties (BITs) are illegal. As result of the ECJ decision, around 1.500 BITs are now cancelled and a precedent has been set for EU member states to cancel their BITs with non-EU countries too. The International Court of Justice also restricted its members from serving as arbitrators in ISDS arbitrations, thereby preventing the potential conflicts of interest the FGG Alliance exposed back in 2012.
- Increased transparency and democratic decision-making, for example: the Indonesia court decision (2018) to subject trade and investment agreements to parliamentary ratification; the EU decision to subject investment chapters of trade agreements to member-state parliamentary approval; the Netherlands' decision to subject the model BIT to ratification by Parliament; Indonesian proposals in UNCITRAL for investment protection disputes to be handled in national courts.

The growing shift away from ISDS (or the agreements and treaties that include it) has been achieved through **significant mutual capacity development efforts by FGG members and partners**. These took the form of technical capacity development and knowledge exchange via workshops and meetings; joint research and analysis; joint strategising; and campaigning, lobbying and advocacy nationally, regionally and globally. Specifically:

- In Asia: Regional exchange (Manila, 2016) involving 45 representatives from CSOs/networks (including women's and indigenous peoples' networks) from six Asian countries; knowledge exchange, mobilisation, media outreach and lobbying and advocacy during RCEP negotiations, including the [Civil Society Summit in Indonesia](#)<sup>23</sup> (2016) organised by partners that resulted in 316 CSOs presenting a [joint position](#)<sup>24</sup> to 16 RCEP governments; public events and [media outreach](#)<sup>25</sup> resulting in [media coverage](#)<sup>26</sup> and meetings with Indonesia's lead negotiator and other negotiators. Panel discussions at high-level events (New Delhi, Jakarta, Kuala Lumpur) involving government officials (Finance and Foreign Affairs Secretaries), MPs, academics and CSOs to share [Rethinking bilateral investment treaties](#)<sup>27</sup>; Other jointly authored reports include: [Hidden Costs of RCEP and Corporate Trade Deals in Asia](#)<sup>28</sup> translated for audiences in four Asian countries and [RCEP: A secret deal](#).<sup>29</sup> Knowledge exchange/networking of 46 Myanmar CSOs/networks (2016), mobilisations and [joint position](#)<sup>30</sup> of 571 Myanmar organisations on RCEP and EU-Myanmar BIT; [joint position](#)<sup>31</sup> by 193 Myanmar organisations and 16 others calling to suspend negotiations; statements towards RCEP and ASEM including concerns on e-commerce; and publication of [Myths and risks of the EU-Myanmar Investment Protection Agreement](#).<sup>32</sup>
- In Africa: FGG members, partners, and civil society actors (e.g. from Tanzania, Zimbabwe, Burundi) jointly analysed current BITs, raised media awareness, and developed proposals for improvements on human rights, gender and environmental issues. Following several workshops in 2019 co-organised by FGG members and partners, participants sent letters to Trade and Foreign Ministries' delegates to the UNCITRAL meeting and urged them to support strong reform of ISDS. Partners in Uganda and West Africa specifically increased their knowledge and analysis of gender impacts of Free Trade Agreements (FTAs), which resulted in a report published on the implications of FTAs on African women in general, and a vision for gender sensitivity in the African continental Free Trade Agreement.

- In Latin America: FGG supported a regional CSO platform, 'Latin America better off without FTAs', which has been actively advocating to national governments on the impacts of FTAs and ISDS, and research on ISDS cases.
- In Europe, highlights include the FGG-hosted Europe-wide campaign 'rights for people, rules for corporations' which resulted in 850,000 signatures of people calling for rejection of ISDS and for binding regulations for corporations. In the Netherlands, FGG members co-founded the HandelAnders platform, which mobilised 1600 people for a public consultation in the Netherlands on the proposed new Dutch model BITs and supported the European campaign 'rights for people, rules for corporations' campaign. In 2020, FGG published [Trade Differently! A call for fair and sustainable trade](#), published in Dutch and English, presented a concrete model for a new trade and investment paradigm consistent with human rights and sustainable development goals.

## 2020:

### GROWING OPPOSITION TO ISDS, THE ENERGY CHARTER TREATY, EU-MERCOSUR

In 2020, FGG effectively highlighted the problems with specific trade and investment agreements and ISDS in the context of the COVID-19 pandemic. The Alliance joined international organisations and experts worldwide calling for such measures including a moratorium on the use of ISDS during the pandemic and a permanent restriction on ISDS challenges to government measures targeting the health, economic and social effects of the pandemic. As a result of this work, Parliamentarians in Germany, Netherlands and Spain raised questions about the ISDS system and voiced concerns that investors can sue governments for losses incurred due to COVID-19 measures.

The Alliance continued to strengthen knowledge about the **Energy Charter Treaty (ECT)** which contains ISDS and poses a huge threat to climate action by governments. Efforts in 2020 built on learnings from a three-day workshop in 2019 in Casablanca involving FGG members and more than 20 African trade unions and CSOs (including from Togo, Uganda, Ghana, Benin, Kenya, Nigeria, Guinea, Senegal and Tanzania). Mutual capacity development under the FGG programme helped enable **partners, including those from Uganda, Burundi, Tanzania, Morocco to advocate to their own governments against joining the treaty**, contributing significantly to growing opposition to the ECT. FGG members and partners continued to produce evidence and raise awareness about the ECT and engage in lobbying and advocacy. Due to these efforts, formal invitations to accede to the ECT have now been put on hold in several countries – a major campaign success. Thanks to the efforts of

FGG and others, withdrawing from the treaty is now a serious option for some countries and the European Commission (EC). In November 2020, 300 parliamentarians (both national and European) called on the EC and EU member states to 'explore pathways to jointly withdraw' from the ECT. In December, over 200 climate scientists echoed that demand, calling the ECT 'a major obstacle' to the clean energy transition. EU member states like France, Spain, and Luxembourg, have raised withdrawal as an option if the ECT cannot conform to the Paris Climate Agreement. The Netherlands agreed to renegotiate its position within the ECT to ensure the ISDS provisions are in line with its own model BIT, and to explicitly include a provision that guarantees the right of governments to regulate in the public interest, including for environmental and climate goals.

FGG also succeeded in raising awareness around the negative environmental, climate and human rights impacts of the **EU-Mercosur** trade agreement, contributing to growing public and political opposition which halted approval of the agreement. FGG partners in Latin America campaigned to raise awareness around the damaging effects of the agreement, using radio, social media and posters to raise awareness and linking it to the Amazon fires. FGG facilitated **Latin American partners to engage in dialogue with EU decision-makers about the potential impacts**, and engaged in lobbying of both European and Dutch policymakers, including Dutch MPs. In June, the Dutch Parliament voted against finalising the EU-Mercosur trade agreement. Parliamentarians also raised questions about the ISDS system with the concern that investors can sue governments due to COVID-19 measures. By the end of the year, the **European Parliament and the European Commission both acknowledged that the deal in its current state is not acceptable** due to concerns about deforestation, climate change, human rights violations.



## 2020:

### PUTTING GENDER JUSTICE ON THE TRADE AND INVESTMENT AGENDA

FGG continues to point out the importance of taking into account the gendered impacts of trade and investment agreements and the need to involve women in the process of drafting policies and agreements. In 2020, FGG worked with women's groups on investment policies, and with local partners to raise awareness around the **gendered impacts of FTAs**. The Alliance facilitated South-South exchanges on the topic and lobbied for attention to gender trade policies.

At the local level, partners of ActionAid Mozambique worked directly with women from twelve smallholder farmer associations to ensure that local government and investors are held accountable on issues related to land and investment. As a result, women have claimed a seat at the table with local authorities and are involved in planning and budgeting of local government projects related to trade and investment. ActionAid specifically advocated for inclusion of inclusive Free, Prior and Informed Consent (FPIC) processes in all agribusiness investment at the community level. ActionAid Vietnam organised webinar exchanges on global trade, trade liberalisation in South-East Asia, investment policies and in particular on the negative impacts of FTAs on gender equality. Participants, including researchers, campaigners and activists from six Asian countries, Indonesia, Malaysia, Cambodia, Nepal, Philippines and Vietnam, developed an advocacy agenda with possible strategies and action plans.

Both ENDS worked together with **East and West African partners** on a policy brief demanding that women's position in agriculture, formal and informal labour markets as well as access to medicines and water be genuinely considered in the **African Continental Free Trade Area (AfCFTA)** deal. The FGG Alliance has been actively advocating for free trade deals to be gender sensitive, specifically calling for women's role in the economy to be recognised and their human and labour rights to be guaranteed in FTA's, such as in the AfCFTA.

At the EU level, FGG succeeded in having **gender disaggregated analysis included in EU trade policy** making strategy. The EU trade policy review quote reads as follows: 'The Commission will also carry out work to develop a better understanding of the gender equality implications of various parts of trade policy and inform actions for improved gender awareness in trade policy.'

## 2020:

### CHALLENGING HARMFUL INVESTMENT POLICIES AT THE NATIONAL LEVEL

At the national level, FGG partners worked to improve government accountability for trade and investment policies. In Kenya, FGG partners worked directly with women and their communities to resist land grabs resulting from investments. Local partners successfully lobbied their government to take steps to **fast-track the implementation of the Community Land Act**: corporations will now be required to seek consent from communities to invest on land belonging to communities. Local partners contributed by organising workshops and virtual meetings with government representatives to develop implementation roadmaps. The policy also plays an important role in ensuring gender-equitable land tenure in Kenya.

In Indonesia, local FGG partners monitored Indonesia's trade policy and led campaigning activities. FGG partners worked to build a strong and broad social movement, and **lobby and advocate against the Omnibus Law**, which amends 79 existing laws, relaxing Indonesia's business, labour and environmental laws in order to attract foreign investment and stimulate the economy in the pandemic context. Through a series of webinars, Indonesian CSOs strengthened their sustainable and democratic trade and economic agenda as an alternative to the Omnibus Law. FGG members joined a network of other Dutch CSOs in writing a letter to Trade Minister Sigrid Kaag to express their grave concern with the Omnibus Law and its impact on labour rights and the environment in Indonesia. (The Minister replied in early 2021, stating that in her conversation with the Indonesian Minister for maritime affairs and investments she conveyed our worries about labour legislation and the environment and urged for a dialogue with civil society to take place.)

Together with East African CSOs partners, FGG brought forward proposals **to strengthen the role of farmer-managed seed systems in relation to trade agreements**. The proposals were discussed with CSOs, media and parliamentarians during an awareness-raising campaign on farmer-managed seed systems and trade agreements, including three webinars, a position paper, two technical papers, a documentary, engagement and meetings with members of parliament and a TV talk show on Ugandan national broadcast. These efforts resulted in increased public awareness, and strengthened collaboration between Ugandan CSOs and five MPs, who committed themselves to opposing policy frameworks that criminalise indigenous farmers in Uganda.

# A new vision for trade and investment – amplifying agroecology

Alongside of exposing and challenging harmful trade and investment, FGG partners and members have advanced concrete solutions, both in practice and policy. From 2016-2020, the **FGG Alliance has succeeded in pushing forward a new vision of trade and investment arrangements that, among other things, contributes to sustainable and just food systems and ensure the right to food.**

Increased support for agroecological approaches based on food production by small-scale producers, including farmers and fishers is key to FGG's vision. Through research, exchange and strengthening of skills and knowledge, joint advocacy and lobbying, the FGG Alliance strengthened global, regional, national and local movements for agroecology and increased awareness and support among diverse actors locally and globally. Among other things, FGG strengthened practices and knowledge, evidence and analysis on: food sovereignty and agroecology in small-scale fisheries; inclusion of fisheries in the concept of agroecology; the attempted corporate capture of agroecology; public finance for agroecology; and agroecology as a key response to the COVID-19 crisis.<sup>33</sup> FGG research and analysis on agroecology put the spotlight on the proven positive practices and impacts of agroecology in the South, including work implemented by FGG partners in Brazil, Iran, India, Sri Lanka, Kenya, Senegal and Bolivia, among many others.<sup>34</sup>

At the multilateral policy level, FGG member and partners (including peasant and rural people movements, and allies in the International Planning Committee for food sovereignty, in which FGG participates) – jointly developed and implemented advocacy strategies on agroecology leading to:

- Agroecology higher on the agenda of the FAO, evidenced in: its recognition and promotion within the FAO system (e.g. the 10 principles of agroecology adopted and promoted by FAO); creation of an agroecology global knowledge hub on the FAO website; inclusion of FGG (TNI) report on Agroecology and Fisheries in the FAO Agroecology newsletter.<sup>35</sup>
- Agroecology higher on the agenda of the Committee on World Food Security (CFS). Through the Working Group on Agroecology of the Civil Society and Indigenous Peoples' Mechanism (CSM) for relations with the UN Committee on World Food Security (co-facilitated by FoEI), FGG was involved in developing indicators and tools resulting in a Tool for Agroecology Performance Evaluation (TAPE) and in the monitoring and testing of the implementation of this tool in pilot countries.
- Endorsement by the FAO Committee on World Food Security (CFS)<sup>36</sup> of the TNI report on the importance of local and regional markets and a citation<sup>37</sup> by the UN Special Rapporteur on the Right to Food of the report in his 'Vision Report'.



Agroecology was also advanced through two results previously mentioned: adoption by the UN General Assembly of the UN Declaration on the Rights of Peasants and other people working in rural areas (2018) and the decision (noted above) by UNCCD member states on the implementation of the VGGTs in national policies related to land degradation and desertification (including gathering data disaggregated to gender and age (2019)). At national and local levels, with support from the FGG Alliance, FGG partners and members advanced agroecology in a number of countries:

- In Uruguay, civil society networks successfully advocated for the National Agroecology Plan (NAP), passed into law in 2018. Civil society organisations continue to play a key role in implementing the law at the national, regional, and local level with support from Municipalities such as Montevideo and Canelones, which have designed and implemented policies to stimulate family production, agroecology and food sovereignty. The NAP is an important example for other countries in the region.
- In Togo, the food sovereignty movement succeeded in 2019 in securing a ban on the chemical herbicide glyphosate.
- In El Salvador, ongoing process involving FGG partners and communities, small-scale food producers and civil society organisations resulted in a proposal for a comprehensive law to promote and finance agroecology. In 2019, the proposal was presented to the Agricultural commission of the Legislative Assembly of El Salvador and in 2021 it was presented to the legislature. Meanwhile, another proposed law, focused on urban and peri-urban agroecology gardens, was presented in 2020.
- In Indonesia, in 2016, the small-scale fisher union KNTI hosted representatives of World Forum of Fisher Peoples from Honduras and Spain, along with FGG partners, developed a common analysis on agroecology in fisheries and the interconnections between land and water-based food production systems. This laid the foundation for an FAO workshop in 2017, coordinated by FGG partners, on the implementation of the Tenure Guidelines and the Small Scale Fisheries Guidelines, in which KNTI members collectively learned how to implement and use the guidelines to protect fishing which upholds the principles of agroecology, and to defend their rights against displacement. The workshop culminated in advocacy toward the Ministry of Fisheries to share findings and recommendations and with FAO representatives from Rome, who also participated in the workshop. Meanwhile, other Indonesian partners developed community protocols and community-owned forest fruit value-adding enterprises and agro-forestry initiatives.
- Morocco, Tunisia, and Algeria where the North African Food Sovereignty Network has initiated grassroots regional discussions about the significance of agroecology and food sovereignty.

## 2020:

### PROMOTING AGROECOLOGY AS A SOLUTION IN RESPONSE TO COVID-19

The COVID-19 crisis laid bare the danger of global food systems and export-oriented, large-scale agriculture, while reminding the world of the benefits of shorter, localised value chains and socially just and sustainable farming practices like agroecology. In 2020, FGG partners and members made use of this opportunity to strengthen civil society cooperation, and to push for increased support of agroecology in policymaking spaces. To this end, the Alliance organised nine webinars on how agroecology should be seen as a response to the impact of COVID-19 on food systems. Over 2,600 participants from North Africa, the Middle East, Asia, and South America joined to share experiences and strengthen their analysis of how COVID-19 exacerbated existing vulnerabilities and how civil societies' positive proposals could support more resilient and equitable food and energy systems.

On the national level, FGG supported a partner in El Salvador to carry out communications work, including press conferences and radio spots as part of their efforts to promote agroecology. They continued a process to set up a national school for agroecology and organised consultations and a meeting between farmers and policymakers on the development of a law for agroecology. After this meeting, the municipality of Nahuizalco was declared a territory free of pesticides. A law is now waiting to be approved by the Legislative Assembly. In Togo, an FGG partner undertook a wide range of activities to promote agroecology as an alternative for conventional agriculture. In collaboration with the Global Convergence for Water, Land and Seeds, they organised a meeting on land and property code and how to secure rural land and land tenure for agroecology. They also set up a consultation of CSOs, government representatives and the private sector involved in agriculture on the transition towards agroecology in Togo, produced an advocacy document on the transition towards agroecology, and organised a webinar to share experiences from Cameroon, Ghana, Liberia, Nigeria, Togo and Uganda.

In the Netherlands, FGG's partnership with the Ministry opened up the space for a conversation on agroecology. FGG has played a role in ensuring that agroecology is increasingly acknowledged as an effective approach to food security and agriculture. A lunch lecture was co-organised by the Ministry of Foreign Affairs, Ministry of Agriculture (LNV) and FGG, in which different actors discussed the role of agroecology in Dutch policies and how to best support it. In 2020, the preliminary results of a study on ODA spending on agroecology was discussed with the Dutch Ministry of Foreign Affairs and LNV.

With regard to the Committee on World Food Security (and FGG's participation the Civil Society and Indigenous Peoples' Mechanism), FGG called for more bottom-up and inclusive programming for the UN Food Systems Summit. FoEI co-wrote a CSM report including recommendations to governments on tackling COVID-19 impacts on food systems, which was presented and discussed by the panel at the CFS High-Level Special Event on Global Governance of Food Security and Nutrition.

In 2020, FGG members and partners also lobbied the FAO to strengthen support for agroecology while denouncing corporate efforts to misappropriate the concept. A letter by the International Planning Committee for Food Sovereignty (IPC) signed by FGG members condemned the FAO's recent partnership with CropLife International, which threatens to undermine public support for agroecology. FGG members published new research contrasting real grassroots agroecology with a corporate 'junk' version, raising awareness around the efforts of corporate capture of the term. At the same time, the Alliance also supported and encouraged the FAO's steps in the rights direction: FoEI facilitated the (IPC) working group on agroecology and contributed to monitoring the implementation of FAO Tool for Agroecology Performance Evaluation (TAPE), a global database on agroecology, including evidence on positive impacts on social, economic, environment, biodiversity and gender aspects and climate. To encourage this step towards embracing agroecology, the final declaration of the Civil Society Consultation in Latin America and Caribbean to the 37th FAO regional conference urged governments to implement public policies for agroecology, denounced the attempts of corporate capture of agroecology and made proposals on the implementation.

Since 2016 the FGG Alliance has worked to positively influence the tax and financial policies and practices of governments, development finance institutions, financiers, banks, corporations and private investors. FGG partners and members have pushed to ensure that public services are sufficiently funded and accessible to everyone, and that tax and finance further social, gender and environmental justice goals.

#### END OF PROGRAMME STORY

## Greening public finance

Since 2016 the FGG Alliance also positively influenced the tax and financial policies and practices of governments, development finance institutions, financiers, banks, corporations and private investors. In the case of International Financial Institutions (IFIs) and Development Finance Institutions (DFIs), FGG has worked successfully to **strengthen lending practices and accountability mechanisms, as well to facilitate access to remedy on specific cases involving affected communities.**

FGG Alliance members have established a regular, structural dialogue on IFIs with the Ministry of Foreign Affairs and the Ministry of Finance, which has helped ensure a strong line of communication between CSOs and the government about its position on environmental and social standards and accountability of IFIs. The strengthened relationship enabled FGG to **work closely with the Dutch Government to secure improvements to the accountability mechanisms at several IFIs**, including the AIIB and the European Investment Bank (EIB).

**Making public finance ‘Paris proof’ was an important goal of the FGG Alliance’s work throughout the 2016-2020 programme. Notable policy changes resulting from FGG’s interventions include:**

- The European Investment Bank adopted a new energy lending policy to end funding to most new fossil fuel projects from the end of 2021. Extensive advocacy work by FGG and partners resulted in the ambitious energy lending policy at EIB. Dialogue between FGG and the Dutch Board member in the EIB (in the context of our structural Tuesday Group dialogue with the Ministry of Foreign Affairs and the Ministry of Finance, and in a separate bilateral talk at the Finance Ministry) led to a strong position of the Dutch in the discussion around the new Energy Lending Policy of the EIB.

- In the Netherlands, thanks to FGG work, fossil fuel divestment is increasingly higher on the political agenda:
  - Atradius Dutch State Business (ADSB) has committed to increased transparency in fossil fuel-related transactions;
  - Multiple political parties have called for Export Credit Agencies (see 2020 details below) to divest from fossil fuel projects;
  - Ministries have made a commitment to developing 'greening' scenarios;
  - Dutch development bank FMO developed a climate statement that is mostly directed at divestment;
  - Pension fund ABP announced that its 2025 investment policy will set exclusion criteria on coal and tar sand companies;
  - INVEST International now includes specific reference to climate neutral investments.

Working together, Alliance partners and members have been able to halt or delay several harmful projects and increase government support for clean energy. This was done through a variety of strategies, including knowledge-building, building alliances of communities fighting such projects, trainings, conferences and strategy meetings, and supporting communities to bring cases to the provincial and national courts and to the accountability mechanisms of IFIs/DFIs and public financiers. Joint lobbying and advocacy was reinforced by extensive research and evidence.<sup>38</sup>

In addition to efforts to green finance and lending policies, the FGG Alliance worked to support communities on specific cases involving fossil fuel projects (among other socially and environmentally harmful investments). Results of FGG case work, which often takes years to bear fruit, included:

- Two complaints filed in 2016 by Takkom Jerry in Senegal and FGG members and partner Lumière Synergie pour le Développement with the African Development Bank (AfDB) and the Dutch Development Bank FMO. The complaints resulted in alterations to the Sendou coal-fired power plant project to **minimise impacts on 1000+ Senegalese women's fish-drying grounds and consideration of transforming the plant to gas-fire**. The company agreed to change the design of the project to prevent thermal pollution into the ocean.
- Strengthening leverage and capacities of the Mozambican Farmers' Union UPC and its members in decision-making processes related to the LNG projects in Cabo Delgado. By exchanging information with the partner, developing a joint strategy and establishing contacts with policymakers, **the FGG Alliance was able to inform and influence: decision-making processes of the Embassy in Mozambique and Export Credit Agencies; the set-up of a multi-stakeholder platform in Cabo Delgado; and conditions of resettlement and implementation of a resettlement processes**.

In parallel to supporting communities on specific cases, FGG partners and members advocated for stronger, more effective accountability mechanisms to ensure that communities can **access remedy for environmental and human rights harms caused by IFI-financed projects**. Among other things, our joint research and advocacy in 2016-2020 led to:

- A new complaint procedure introduced by ADSB, as well as a new information disclosure policy and an update of its corporate social responsibility (CSR) policy.
- Improvements to the Project Complaint Mechanism (PCM) of the European Bank for Reconstruction and Development, including increased independence. The PCM now reports directly to the Board of Directors Audit Committee, which will now consider every compliance review report produced by the PCM, as well as receive quarterly reports from the PCM.

- Improvements to the Independent Consultation and Investigation Mechanism (MICI) of the Inter-American Development Bank. The MICI established a new External Consultative Group in response to recommendations made by FGG Alliance members and partners. FGG partner FUNDEPS, based in Argentina, was selected to be one of the CSO representatives on the external consultative group.
- Improvements to the Asian Infrastructure Investment Bank's complaint mechanism, the Project Affected Peoples Mechanism (PPM).

## 2020:

### GREENING EXPORT CREDIT AGENCIES

In 2020, FGG Alliance members and partners stepped up their collective efforts to reorient the policies of Export Credit Agencies (ECAs). ECAs provide government-backed loans, guarantees and insurance to corporations doing business overseas in developing countries and emerging markets. They are the world's largest class of public finance institutions operating internationally, and play a leading role in covering the risks of fossil fuel related projects.

Strengthening mutual capacities of FGG partners and members on ECAs was a priority in 2020. With FGG support, partners in Ghana, Nigeria, Togo and Uganda conducted research on the human rights and environmental impact of ECA-supported energy projects.<sup>39</sup> The groups gathered accounts from affected communities and reimagined the role of ECAs in promoting a green energy future in Africa. The subsequent report included recommendations to governments of publicly backed ECAs, African governments and regional African bodies.

In Mozambique, Atradius Dutch State Business (ADSB), the Dutch ECA, is financing a liquefied natural gas project linked to conflict and human rights violations.<sup>40</sup> FGG supported a local partner in pressuring ADSB to put the concerns of local communities on the agenda of the project owner, Total. With the help of the Dutch Embassy in Mozambique, the local **partner gained access to a multi-stakeholder platform** through which FGG partners were able to bring the voices of communities to the table. This contributed to resolution of some compensation and land issues. In the Netherlands, FGG members submitted a freedom of information request (WOB) to the Dutch Ministries of Finance, Foreign Affairs, and ADSB, to find out on what grounds the Mozambique ECA fossil support was provided, given the human

rights abuses, increased violent conflict and environmental and climate impacts. Following continued advocacy by FGG members towards ADSB and the Dutch parliament, ADSB committed to being transparent about its support for fossil fuel related transactions. It has since developed a method to map fossil transactions in various value chains (coal, oil and gas), providing insights into ADSB's portfolio, which chains it supports and where in the chain.

FGG members also took part in the first policy-level stakeholder meeting to discuss the greening of Dutch ECA ADSB to provide feedback from a Just Transition perspective. In the parliamentary debate on ECAs, parliamentarians referred to the Mozambique case presented by Milieudefensie and Both ENDS, and a resolution was submitted that calls on the government to include the shortest possible phasing-out path for all ECA support for the oil and gas industry in the scenarios to be drawn up for aligning the ECA with the Paris climate goals. State Secretary for Finance, Vrijlbrief (D66), committed himself to developing three scenarios for fossil phase out using input from 2021 stakeholder meetings.

Other important results toward **ending public finance of fossil fuels include UK and EU policy shifts**. FGG members together with several Southern partners provided evidence and input in the UK's online consultation process on phasing out UK fossil support, and were later invited by UK policymakers to provide further input during an online meeting. The UK government subsequently announced that it will end all public finance for fossil fuel projects overseas, including export finance. Several of FGG's recommendations were integrated in the UK policy decision, released in early 2021. This makes the UK the first major economy to end export finance for oil and gas. Similarly, in January 2021, the Council of the EU in its 'Council conclusions on Climate and Energy Diplomacy' announced that the EU Foreign Ministers agreed to **prioritise ending fossil fuel finance and subsidies, and to discourage further investments** in fossil

fuel-based energy infrastructure projects in third countries. Such are significant shifts in policy and political sentiment and create potential for accelerating global climate action.

## 2020:

### LOBBYING AND ADVOCACY FOR INCLUSIVE IFI DECISION-MAKING AND IMPROVED POLICIES

In 2020, FGG partners lobbied international institutions to make sure their voices were heard and interests taken into account. In Zambia, two environmental partners and a women's organisation partnering with Both ENDS organised two capacity development workshops with communities in Siavonga and Chongwe District to monitor **Green Climate Fund (GCF)** financed projects and advocate for more inclusivity and gender sensitive projects. FGG jointly strategised with communities, acted as the linking pin between partners and GCF processes, and supported with funding. As a result of their lobby work, the National Designated Authority committed to a clearer role of Gender and Gender Inclusiveness in climate finance decision-making in Zambia.

FGG partners and members submitted comments as part of the consultation period for the External Review of the **African Development Bank's (AfDB) Independent Review Mechanism (IRM)**. The AfDB's new draft operating procedures included most of FGG's recommendations, including the restructuring suggested by FGG to assure sufficient overview and consistency in the mechanism.

In Bangladesh, local partners, including youth water committees, and Both ENDS advocated towards their local authorities for inclusive governance of their tidal rivers. To this end, they developed a Community-led Tidal River Management (TRM) proposal which was discussed and acknowledged by governmental water officials, local water users and the media in 2020. If implemented, it will be a climate-proof transformative practice which can save South-West coastal Bangladesh from climate shocks and sea level rise. Moreover, this proposal for TRM is in line with the ambitions by the Bangladeshi government as formulated in the Bangladesh Delta Plan (BDP2100), which offers an **opportunity for public financial institutions to support the long-term socio-economic development** in the South-West, whilst also restoring and protecting the tidal river ecosystem.

## 2020:

### LOBBYING DUTCH PENSION FUNDS AND DEVELOPMENT BANKS TO IMPROVE THEIR INVESTMENT POLICIES AND PRACTICES

In 2020 FGG continued to advocate for greater accountability of Dutch pension funds and Dutch Development Bank FMO. The Alliance co-published a report that conveyed serious shortcomings in FMO's current disclosure practices, and shared recommendations for strengthening access to information to better prioritise the interests of local communities, the intended beneficiaries of development. The document was signed by a total of 26 CSOs from different regions. This opened up a discussion with FMO, which subsequently committed to developing a roadmap to improve their disclosure policy.

FGG also supported Nigerian and Brazilian partners to engage in dialogues with Dutch investors – the pension fund ABP and its asset manager APG, and Pensioenfond Zorg en Welzijn and its asset manager PGGM – on environmental and human rights abuses. Regarding the situation in Nigeria, the Nigerian partners alerted the Dutch investors about the negative effects of Shell operations in the Niger Delta, including gas flaring, water and land contamination, and community health related issues. The groups also brought their concerns to Shell's Annual General Meeting. The Brazil case involved the death of 270 people from the collapse of a dam built by mining company Vale Brumadinho, Brazil. FGG and its Brazilian partner organised a call with the investors to voice their concerns and raise awareness. The Dutch investors then raised the issue with Vale.

### EXPOSING PROBLEMS WITH FMO INVESTMENTS IN MALAWI AND HONDURAS

FGG partners in Malawi and in Honduras successfully advocated to address problems with FMO investments in 2020. In Malawi, the Center for Human Rights and Rehabilitation (CHRR) and Both ENDS jointly advocated for attention to the gendered impacts of a solar energy project financed by Multilateral Investment Guarantee Agency (MIGA) and FMO. CHRR organised communities and led a mapping effort to collect experiences highlighting the gendered impact of the project. CHRR also worked with a gender specialist on highlighting gender-based violence cases taking place and engaged with the Malawi Human Rights Commission. The group succeeded in putting the issues on the agenda of investors MIGA and FMO, which resulted in the project owner developing a gender action plan.



In Honduras, an FGG partner together with other local CSOs organised communities and put problematic investments of FMO in a bank in Honduras on the agenda in the Netherlands. This allowed community and CSO concerns with the bank to be expressed to FMO, and contributed to FMO postponing its investment (decided in 2021). Both ENDS played a role in strategising and exchanging knowledge on the case.

## 5. COLLABORATION AND PARTNERSHIPS

### MUTUAL CAPACITY DEVELOPMENT

To reflect on mutual capacity development (MCD) and learn from joint work and collaboration with our many partner organisations worldwide, FGG members organise annual ‘partner talks’. These talks provide a space to constructively speak about the capacities that are developed within the cooperation between partners and FGG members. In 2020, FGG held 29 ‘partner talks’ involving Southern partners, FGG member staff, and several policymakers. The talks confirmed that FGG’s approach to mutual capacity development is positively experienced by both local partners and FGG members, with both emphasising their appreciation for the complementarity that their collaborations offer.

### THE POWER OF NETWORKS AND LONG-TERM PARTNERSHIPS

Mutual capacity development is at the core of FGG’s approach to change and has been a critical component of the FGG programme’s successes. For FGG Alliance members and partners, mutual capacity development entails **sharing experiences and expertise, engaging in joint lobby, advocacy and campaigning, primarily via thematic and national, regional and international networks**. FGG helps to create spaces and opportunities — global, as well as regional and cross-regional, South-South and North-South – for joint learning, research, exchange and strategising. The development of common positions and strategies has been extremely important and positively impacted all areas of FGG’s work, including on EHRDs, the UN Treaty, ISDS, climate justice, food sovereignty and gender justice. In 2020 alone, examples of such efforts include:

- **ActionAid Vietnam, together with a regional alliance of people’s movements and networks, Asian People’s Movement on Debt and Development**, strengthened the capacity of researchers, campaigners and activists from **six Asian countries** – Indonesia, Malaysia, Cambodia, Nepal, Philippines and Vietnam – on global trade and investment policies, and in particular on the negative impacts of Free-Trade Agreements on gender equality. In a three-session webinar series, participants learned about trade agreements and trade liberalisation in South-East Asia and developed an advocacy agenda.
- During a five-day regional workshop on food sovereignty, **FoE groups from six countries from the Asia-Pacific region** (Bangladesh, Indonesia, Malaysia, Papua New Guinea, Philippines, and Sri Lanka) jointly engaged in capacity strengthening on food sovereignty, campaigning, communications and digital media skills. By sharing experiences and taking part in training activities they deepened their knowledge on food sovereignty issues and how they relate to regional struggles on land grabbing, seeds, indigenous peoples’ rights, trade and local food economies. In December, groups in the region organised a webinar on the theme of Shrinking Democratic Spaces as part of their work to develop FoEI’s Internationalist Solidarity System in the region. Participants learned from each other about operating under restrictive conditions. Together they produced an internal report for the region which will be used to inform their future plans.

- Milieudefensie supported a network of **CSOs in Latin America, from Argentina, Bolivia, Brazil, Colombia, and Honduras**, all dealing with the expansion of the fossil fuel industry in Latin America in enhancing their knowledge and strategising. The CSO network made a mapping of the fossil fuel industry, conducted participatory research on the impacts and communities' resistance, and led research on corporate lobby and on corporate capture of governmental decision-making. They used the research and publications to increase collaboration, advocacy, media work on the fossil fuel developments and to create public and political awareness.
- In 2020, in collaboration with the Zambia Land Alliance, Both ENDS organised a skill-sharing workshop on inclusive land governance, bringing together a total of **23 participants from 13 different African organisations** to exchange knowledge and skills on different lobby and advocacy strategies and learn from each other's experiences. As a follow up, a guidebook was created, including the experiences and knowledge of organisations present during the workshop, as well as input from Asian CSOs (16 in total, from Indonesia, India, the Philippines and Nepal). The joint collaboration and engagement around inclusive land governance actively involved a total of 29 CSOs from Asia and Africa. They participated in South-South linking and learning, and incorporated their learnings in their lobby towards governments at different levels.
- Both ENDS facilitated an exchange between 134 South-East Asian and African CSOs on the implications and risks of UPOV '91, patent laws that allow the privatisation of seeds and puts local livelihoods and tradition at great risk. In Indonesia, this equipped CSOs to join forces with young farmers, students and academics to develop a legal strategy to stop the Indonesian government from criminalising local farmers' traditional seed systems in favour of seed markets in line with UPOV'91. In parallel, FGG partner SEATINI in Uganda increased their knowledge, developed and implemented a strategy for advocacy on farming and seed systems alternative. They advocate by distributing educational material, in print and audio-visual (1 documentary) with the voices of small farmers. Both ENDS and the partner strategized together, and the joint narrative/arguments were used in the materials.

In reflecting on the key to the successes of the FGG Alliance over the 2016-2020 programme period – and over the Alliance's ten years of existence – the importance and effectiveness of networks and long-term partnerships stands out. Our experience

confirms the importance of taking the time to listen, learn and build trust with partners, especially social movements. It is important not to rush the process and to respect the competing demands of Southern colleagues. Ongoing discussion and time are needed to develop relationships and the space for Southern agendas to emerge and be taken up.

Introducing new issues or bringing together issues – such as climate and trade, or feminism and corporate accountability – requires good communication and concerted effort to build strong relationships and networks. It also requires flexibility, **the ability to adapt plans and strategies together with partners depending on changing developments and contexts.**

For example, in the long-term efforts by SOMO to support local communities in securing justice and remedy in Kenya, SOMO and Kenyan partners simultaneously explored different avenues, including both judicial and non-judicial approaches. Pursuing both options required significant time and required communication with a wide variety of relevant actors, from the Rainforest Alliance, to the United Nations Working Group on Business and Human Rights and the UK law firm Leigh day.

To achieve the difficult goals of policy and practice change, it is essential **to link up with other organisations or movements**, to jointly put pressure on lobby targets and to stand stronger as a group, whether a local informal coalition or a global federation. For example, ActionAid Uganda is part of a number of coalitions, such as on tax justice, and this has built a strong sense of joint goals, but also accountability among the coalition's members. ActionAid Zimbabwe, together with partner ZELA, pushed for agenda setting and policy change in the mining sector, but realised that with other like-minded organisations in platforms, coalitions and networks they could do even better. They were able to work more effectively as a coalition to push for tax justice and mineral revenue transparency and accountability.

Joint campaigning, lobbying and advocacy by FGG Alliance members and partners toward Dutch, European and international actors has been effective for ensuring that both 'Southern' and 'Northern' perspectives are heard. Over the last five years, FGG members have facilitated access of Southern colleagues to countless meetings/debates/events in the Netherlands and international forums, and brought concrete cases from the South to the attention of the Dutch public and policymakers, with good results. Examples include the Tax Tour (2016) and the Coal Mining Cruise (2017) in the Netherlands and the UN Binding Treaty negotiations in Geneva.



## MUTUAL CAPACITY DEVELOPMENT AMONG ALLIANCE MEMBERS

Mutual capacity development has also taken place among the FGG Alliance members. For example, over the last five years, FGG members have exchanged concrete experiences and lessons on effective strategies for further advancing **women's rights and gender justice** within the programme. The value of this internal learning process can be seen in the considerable progress FGG has made in putting key women's rights issues on the agenda and into practices and policies related to everything from tenure rights to trade agreements, from tax policies to corporate accountability. The process has helped ensure significant steps by FGG in better integrating women's rights and gender justice in work implemented under the Alliance's umbrella. Other examples are approaches to preserving and expanding civic space<sup>41</sup> including **digital security**, which is an increasing risk for many partner organisations. With support of FGG's IT specialists, advice was formulated to improve members' own digital security. Preparation of the FGG3 application in 2020 provided the opportunity for intensive, substantive discussions and strategising among FGG members and partners about our post-2020 agenda, based on the needs, priorities and opportunities of partners around the world. The process itself, as well as the outcomes, were heavily influenced by the consequences of the global pandemic, which underscored the need for a stronger focus on a just recovery and transformative practices. The expansion of the FGG Alliance to include two new members, IT for Change and Samdhana, will enhance learning within the Alliance significantly. The two new members bring to the Alliance valuable expertise on feminism, digital technology, and innovative approaches to strengthen local and Indigenous peoples' rights.

## PARTNERSHIP WITH THE MINISTRY OF FOREIGN AFFAIRS

FGG members highly value their close collaboration with the Ministry of Foreign Affairs. The Ministry's openness to enter into dialogue at various policy levels and willingness to use its position to facilitate access to actors that would normally be out of reach contributes to the effectiveness of the FGG programme. Among other things, the CSO consultations held by the Dutch Embassies are invaluable to FGG partners, particularly when it comes to defending civic space and human rights in general. The collaboration between the Dutch Embassy in Bangladesh and CCC, who regularly share information on the state of play in Bangladesh's garments sector, has strengthened CCC's advocacy work. The Embassy's support for CCC's efforts to include the voices of civil society actors in policymaking is highly appreciated. Other examples are the collaboration between Both ENDS and various Dutch Ministries and the Dutch Embassy

in the Philippines, which has opened up new diplomatic routes aimed at a relative increase in local partners' safety, and TNI's cooperation with the Dutch and the Swedish embassies in Myanmar, which included co-organising a well-attended webinar on the situation in Rakhine State.

As part of the development of the new programme, FGG held consultation meetings with 18 Embassies throughout 2020.<sup>42</sup> The goal of these conversations was to seek opportunities for collaborations in the coming years. The outcome was a list of topics to explore, including protecting civic space and (E)HRDs, land rights, deforestation, impacts of mining, labour rights in the garments sector, palm oil, agroecology, food security, and climate change. We look forward to continuing these efforts and hope to collaborate with the different Embassies in the future.

In the Netherlands, the regular meetings between FGG members and the different departments of the Ministry on topics ranging from IFIs to Dutch foreign trade policy, such as the 'Breed Handelsberaad', have been crucial to the Alliance's understanding of and participation in the development of Dutch policies, and our work aimed at improving policy coherence. The FGG Alliance appreciates the openness of the Ministry to receiving FGG members' input. Examples in 2020 include discussions with ActionAid on the importance of a Feminist Binding Treaty and discussions with SOMO and ActionAid on tax justice issues. We also welcomed the request from the Ministry for FGG members to organise a workshop on Independent Accountability Mechanisms of development finance institutions and shed light on banks' use of client systems, which allow clients to self-assess, self-monitor and self-report their own projects.

The Alliance appreciates the efforts the Dutch Government makes regarding the protection of human rights, and particularly women's rights, in UN forums. The Alliance will continue to seek alignment, complementarity, and dialogue with the Ministry to understand and strengthen each other's efforts and to seek common ground in our joint work towards climate and environmental justice, human rights, gender equality and achievement of SDGs. We share the Ministry's belief in the importance of producing and trading goods and services in a sustainable way that respects human rights, in a society where people are not discriminated against on any grounds – be it gender, religion, ethnicity, caste, age, or wealth. We look forward to continuing collaborating in our third FGG programme towards fair and green societies everywhere.

## 6. REFLECTING BACK, LOOKING FORWARD

Reflecting back on ten years of the FGG Alliance, we are proud of what we have accomplished. Through the strategic partnership with the Ministry, the Alliance supported the immensely important work of partner organisations worldwide. Working in close collaboration, FGG partners and members have achieved vitally important changes at the local level in many communities worldwide and at the global level – from recognition of rights to remedy for abuses, to improvements in laws and policies. The momentum to stop financing fossil fuels is gaining steam, as are initiatives like mandatory due diligence legislation and a binding UN Treaty, both of which seemed a distant prospect just ten years ago. Similarly, there is increasing scepticism about the global trade regime as we know it, particularly ISDS. The FGG Alliance has advanced the agenda around tax justice and public spending, most recently in conversations around COVID-19 responses and a just recovery.

Yet the challenges we face are substantial. The second FGG programme comes to a close at a moment when inequalities within and between countries have been laid bare. The combination of the health crisis, the economic crisis and governments' repressive measures in response to the pandemic has had enormous impacts – on access to food and livelihoods, civic space, labour rights, gender equality and much more. Workers and local communities in every corner of the globe are engaged in struggles against extremely powerful actors with vast resources, and their fights are increasingly dangerous. It will require significant effort to resist the rolling back of key results, such as the Bangladesh Accord, and it remains difficult to transfer or replicate important outcomes across sectors or cases or countries. Moreover, when policy change seems finally on the horizon – as with mandatory due diligence legislation – there is always the danger that the final result will lack the strength and robustness needed to ensure a positive impact on people and environments linked to global value chains. When we succeed in pushing forward our positive agenda, as with agroecology and a just transition, the risk of corporate capture and distortion of our narrative looms large. Moreover, corporations are being given an ever-growing role in global governance, displacing the role traditionally played by states and further constricting space for civil society voices.

While the current crisis exposes many of the problems in global value chains on which the FGG Alliance and the Ministry have been working together for years, it also inspires us to forge ahead. It confirms the urgent need for more local and regional economies, democratic ownership of public services and inclusive governance of natural resources, which can ensure community resilience. It demonstrates the need for business that is governed by binding and enforceable mechanisms on wages, workers' health and safety, freedom of association, and environmental and social protections.

The FGG Alliance is committed to work with the Ministry in supporting a path out of the current crisis to a fair and green recovery. We greatly value the strategic partnership with the Ministry, which contributes to a joint understanding, in-depth exchange, and a true collaboration and commitment towards the social and environmental justice agendas of partner CSOs around the world. We are proud to have renewed our strategic partnership for five more years, enabling us to continue to jointly work towards fairer and greener trade and value chains.

# NOTES

<sup>1</sup> Members: Both ENDS, ActionAid Netherlands, SOMO, Clean Clothes Campaign, Milieudefensie and TNI.

<sup>2</sup> The report was adopted on 10 March 2021 with 504 votes in favour.

<sup>3</sup> <https://www.scidev.net/global/features/sdg-setback-tremendous-as-covid-19-accelerates-slide/>

<sup>4</sup> <https://www.theguardian.com/global-development/2021/feb/22/world-faces-pandemic-human-rights-abuses-covid-19-antonio-guterres>

<sup>5</sup> <https://www.icij.org/inside-icij/2021/05/press-freedom-has-deteriorated-in-the-face-of-a-global-pandemic-journalists-share-on-world-press-freedom-day/>

<sup>6</sup> <https://monitor.civicus.org/COVID19May2021/>

<sup>7</sup> <https://www.theguardian.com/world/2020/may/06/brazil-using-coronavirus-to-cover-up-assaults-on-amazon-warn-activists>

<sup>8</sup> <https://cleanclothes.org/news/2020/a-year-after-crackdown-on-wage-protests-in-bangladesh-hundreds-of-workers-still-face-retaliatory-charges>

<sup>9</sup> <https://www.dw.com/en/ngos-fear-cop26-postponement-could-scuttle-climate-change-policy/a-52995628>

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<sup>11</sup> <https://www.opendemocracy.net/en/oureconomy/midst-pandemic-why-imf-still-pushing-austerity-global-south/>;  
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<sup>13</sup> [https://www.stopcorporateimpunity.org/wp-content/uploads/2017/10/Treaty\\_draft-EN1.pdf](https://www.stopcorporateimpunity.org/wp-content/uploads/2017/10/Treaty_draft-EN1.pdf)

<sup>14</sup> FoEI. A tribunal to live. 2018. [https://www.foei.org/wp-content/uploads/2018/10/Foei\\_Africa\\_english\\_FINALE\\_spread.pdf](https://www.foei.org/wp-content/uploads/2018/10/Foei_Africa_english_FINALE_spread.pdf)

<sup>15</sup> <https://www.womentokilimanjaro.org/>

<sup>16</sup> The case is described in ActionAid's report Resist, Engage, Change: Women-led Lobby and Advocacy for Improved Corporate Conduct, see <https://actionaid.nl/2020/09/03/resist-engage-change-women-led-lobby-advocacy-for-improved-corporate-conduct/>

<sup>17</sup> <https://www.leighday.co.uk/latest-updates/news/2021-news/settlement-of-claims-against-camellia-plc-of-allegations-of-serious-human-rights-abuses-in-kenya/>

<sup>18</sup> <https://www.somo.nl/somo-welcomes-agreement-between-british-agribusiness-giant-and-kenyan-claimants/>

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<sup>20</sup> Based on the right of Indigenous Peoples to Free, Prior and Informed Consent, under the International Labor Organization's (ILO) Convention 169, ratified by Honduras in 1995.

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<sup>26</sup> <https://www.thejakartapost.com/news/2016/12/07/rcep-talks-speed-up-amid-tpp-failure.html>

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42 Bangladesh, Brazil, Central America, China, Colombia, DRC, India, Indonesia, Kenya, Mozambique, Myanmar, Pakistan, the Philippines, South Africa, Thailand/Cambodia/Laos, Tunisia, Uganda and Zimbabwe.

# Annex 1

## THEORY OF CHANGE 1

INDICATOR	INDICATOR DEFINITION	TARGET 2020	RESULTS 2020	5 YEAR TARGETS	5 YEAR RESULTS
<b>1A.A.</b>	mechanisms put in place or improved by governments that guarantee access for civil society to democratic decision making processes related to corporate conduct, including the right to resist developments.	10	10	49	59
<b>1A.B.</b>	effective legal and other grievance mechanisms adopted or improved by governments and corporations via which CSOs and communities can resolve grievances with governments and companies, and claim their environmental, human and worker rights.	16	8	60	48
<b>1B</b>	CSOs in LLMICs that lobby and advocate for responsible corporate conduct based on increased skills, knowledge or network contacts.	284	362	904	1391
<b>1C</b>	alternative, participatory initiatives and models related to corporate conduct meeting core criteria including sustainability, participation (m/f), transparency and equity (m/f), that have been developed, piloted and/or promoted.	22	34	94	113
<b>1D</b>	proposals for improvement of corporate conduct discussed by private and public sector decision-makers and/or in academia, public agenda, media and social movements.	120	256	346	865
<b>1E.A.</b>	mechanisms, policies and regulations improved or introduced by national, regional and international government bodies to ensure companies promote more sustainable practices and are held accountable for respecting human rights and the environment and providing adequate remedy to victims of adverse impacts.	15	8	90	103
<b>1E.B.</b>	policies improved or introduced by companies on transparency and safeguards, conflict resolution mechanisms, and policies promoting social justice, decent work and sustainability.	22	6	102	71
<b>1F.A.</b>	concrete steps taken by governments to actively identify, prevent and mitigate adverse social, gender and environmental impacts of corporate activities and those in corporations' value chains.	15	29	51	77
<b>1F.B.</b>	concrete steps taken by companies to actively identify, prevent and mitigate adverse social, gender and environmental impacts of their activities and those in their value chains.	23	54	120	143

## THEORY OF CHANGE 2

INDICATOR	INDICATOR DEFINITION	TARGET 2020	RESULTS 2020	5 YEAR TARGETS	5 YEAR RESULTS
<b>2A.A.</b>	mechanisms put in place or improved by governments that guarantee access for civil society to democratic decision making processes related to trade and investment, including the right to resist developments.	7	7	28	31
<b>2A.B.</b>	effective grievance mechanism adopted or improved by governments via which CSOs and communities can resolve grievances with governments and companies related to trade and investment and claim their environmental, human and worker rights.	1	2	4	4
<b>2B</b>	CSOs in LLMICs that lobby and advocate for improved policies related to trade and investment, based on increased skills, knowledge or network contacts.	60	98	263	557
<b>2C</b>	alternative approaches to the current trade and investment regime developed with CSOs in LLMICs that have been developed, piloted and/or promoted.	9	12	42	62
<b>2D</b>	proposals for improvement to policies related to trade and investment discussed by national, regional and international government bodies and/or by private policy-makers, in academia, public agenda, media and social movements.	34	60	160	265
<b>2E</b>	mechanisms, policies and regulations improved or introduced by national, regional and international government bodies to ensure policies related to trade and investment advance policy coherence for development in LLMICs.	2	9	31	59
<b>2F</b>	policies improved or introduced by companies on transparency and safeguards, conflict resolution mechanisms, and policies promoting social justice, decent work and sustainability.	0	3	6	12

**THEORY OF CHANGE 3**

INDICATOR	INDICATOR DEFINITION	TARGET 2020	RESULTS 2020	5 YEAR TARGETS	5 YEAR RESULTS
<b>3A.A.</b>	mechanisms put in place or improved by governments and/or financial institutions and development banks that guarantee access for civil society to (democratic) decision-making processes related to finance, tax and spending, including the right to resist developments.	<b>2</b>	<b>3</b>	<b>38</b>	<b>42</b>
<b>3A.B.</b>	effective legal and other grievance mechanisms adopted or improved by corporations and/or financial institutions and development banks via which CSOs and communities can resolve grievances with governments, financial institutions and companies, and claim their environmental, human and worker rights.	<b>4</b>	<b>1</b>	<b>18</b>	<b>12</b>
<b>3B</b>	CSOs and communities in LLMICs that lobby and advocate for improved financial, tax and spending policies, based on increased skills, knowledge or network contacts.	<b>37</b>	<b>57</b>	<b>200</b>	<b>312</b>
<b>3C</b>	alternative proposals to financial and tax and spending policies developed, piloted, and promoted with CSOs in LLMICs.	<b>13</b>	<b>13</b>	<b>54</b>	<b>65</b>
<b>3D</b>	proposals for improvement of financial, tax and spending policies discussed by private and public policy-makers, and/or in academia, public agenda, media and social movements.	<b>45</b>	<b>66</b>	<b>123</b>	<b>281</b>
<b>3E.A.</b>	measures taken by national, regional and international government bodies to ensure financial, tax and spending policies advance socially just and sustainable development in LLMICs.	<b>6</b>	<b>6</b>	<b>35</b>	<b>31</b>
<b>3E.B.</b>	policies improved or introduced by public financial institutions and private actors on accountability, transparency and safeguards, and investment policies adopted that advance socially just and sustainable development in LLMICs.	<b>3</b>	<b>6</b>	<b>25</b>	<b>26</b>
<b>3F.A.</b>	mechanisms for improved financial, tax and spending policies implemented and enforced by national, regional and international government bodies.	<b>3</b>	<b>4</b>	<b>10</b>	<b>14</b>
<b>3F.B.</b>	concrete steps taken by public financial institutions and private actors to actively identify, prevent and mitigate adverse social, gender and environmental impacts of their investments, and concrete steps taken that advance socially just and sustainable development in LLMICs.	<b>5</b>	<b>3</b>	<b>28</b>	<b>27</b>

# Annex 2

MFA DIALOGUE & DISSENT CORE INDICATORS	RESULTS FGG PROGRAMME 2020	RESULTS FGG PROGRAMME 2016-2020
<b>DD1: FGG indicator F</b>	<b>93</b> laws, policies and norms, implemented for sustainable and inclusive development	<b>273</b> laws, policies and norms, implemented for sustainable and inclusive development
<b>DD2: FGG indicator E</b>	<b>35</b> laws, policies and norms/attitudes, blocked, adopted, improved for sustainable and inclusive development	<b>290</b> laws, policies and norms/attitudes, blocked, adopted, improved for sustainable and inclusive development
<b>DD3: FGG indicators A &amp; D</b>	<b>413</b> times CSOs created space for CSO demands and positions through agenda setting, influencing the debate and/or creating space to engage	<b>1607</b> times CSOs created space for CSO demands and positions through agenda setting, influencing the debate and/or creating space to engage
<b>DD4: FGG indicators C &amp; D</b>	<b>441</b> advocacy initiatives carried out by CSOs, for, by or with their membership/constituency	<b>1651</b> advocacy initiatives carried out by CSOs, for, by or with their membership/constituency
<b>DD5: FGG indicator B</b>	<b>476</b> CSOs with increased L&A capacities	<b>1180</b> CSOs with increased L&A capacities
<b>DD6: Total # FGG partners</b>	<b>671</b> CSOs included in the FGG programme in 2020	<b>1471</b> CSOs included in the FGG programme between 2016-2020