



Legal Tools for Citizen Empowerment: Strengthening rights and voices in natural resource investment

As natural resource investments increase pressures on the world's land and resources, the effective use of legal tools, by non-governmental organisations, producer organisations and citizens themselves, has become an important ingredient of strategies to secure local land rights, ensure that investment contributes to inclusive sustainable development, and hold government and companies to account.

Around the world, citizens' groups are taking action to change the way investments are happening, to protect the rights of citizens and the environment for a fairer and more sustainable world. They are developing innovative approaches – from grassroots action to claim rights and engage in legal reforms, to mobilising international human rights bodies or making use of investor and company grievance mechanisms, through to scrutinising international investment treaties, contracts and arbitration.

IIED's Legal Tools for Citizen Empowerment programme supports these local-to-global efforts through developing analysis, testing new approaches, and sharing lessons from innovation.

Developing analysis to promote public scrutiny

Economic globalisation has been accompanied by extensive developments in the national and international law that regulates investment flows. Applicable law includes investment treaties concluded between two or more states; the national law of the country hosting the investment or, in some cases, of a third country; and contracts between investors and host states.

These legal arrangements are often complex and inaccessible. Yet they influence the terms and conditions of foreign investment, the way its costs and benefits are shared and, ultimately, how well it contributes to inclusive sustainable development. Public scrutiny and informed debate are essential, as is charting viable reform options.

IIED's analysis demystifies the law, identifies options for law reform and implementation, and documents approaches that work. Examples include:

- Demystifying the content of investor-state contracts for large-scale land deals ([*Land deals in Africa: What is in the contracts?*](#)) and for agricultural commercialisation concessions ([*Agricultural Commercialisation Contracts: Concessions over People?*](#));
- Shedding light on levers and strategies to promote public accountability in agricultural investment chains ([*Understanding Agricultural Investment Chains: Lessons to Improve Governance; Accountability in Africa's Land Rush: What role for Legal Empowerment?*](#));
- Promoting public debate on international investment treaties ([*Investment Treaties and Sustainable Development: An Overview*](#); [*Investment Liberalisation*](#); [*Investment Protection*](#); and [*Investor-State Arbitration*](#)).

Strengthening capacity to exercise rights

Effective use of legal rights can be a powerful tool for citizens to shape development agendas and increase benefit sharing and public accountability in investment processes. Yet investment processes typically involve major asymmetries in capacity and negotiating power among governments, companies and communities.

Legal Tools strengthens capacity in government and civil society through action at local, national and international levels. Examples include:

- [*Foreign investment, law and sustainable development: A handbook on agriculture and extractive industries*](#) and [*Investment contracts and sustainable development – How to make contracts for fairer and more sustainable natural resource investments*](#). These materials cover a wide range of legal issues, including investment treaties, taxation, rights to land and resources, and mechanisms for transparency, public participation and accountability. They have been used for capacity support work in Africa and Asia.
- In Southeast Asia, IIED is working with [*Inclusive Development International*](#) to develop a civil society training guide on tools and tactics for improving accountability in agricultural investment chains.
- In Tanzania, IIED's partner [*Tanzania Natural Resources Forum \(TNRF\)*](#) developed a [*learning guide on 'Legal Tools for Citizen Empowerment: A guide to the laws governing land and investment in Tanzania'*](#); a set of briefing notes on [*'What do you need to know about land rights?'*](#), [*'Land and investment laws: How can communities influence investment models and get a better deal?'*](#) and [*'Grievance and redress mechanisms: What should I do when my rights are infringed?'*](#); and a set of radio broadcasts on the same topic. TNRF also worked with journalists to promote quality reporting of community strategies to respond to large-scale land acquisitions.

Facilitating international lesson sharing and alliance building

There is a need to share lessons from local innovation – both the successes and the challenges still to be overcome. And in a carbon constrained and time pressured world, practitioners need new ways to communicate, interact and learn from each other without necessarily travelling the world to resource-intensive meetings.

IIED works with innovative practitioners to facilitate lesson-sharing events and develop over time an international community of practice on how best to support citizens in their actions to strengthen local rights and voices in natural resource investment. IIED and partners use multiple interlinked channels for sharing, including international workshops, international webinars, practitioner write-ups and newsletters.

International workshops bring together civil society practitioners from Africa and/or Asia to share their experience, learn from each other and create new alliances ([*Agricultural investments in Southeast Asia: Legal tools for public accountability*](#); [*Alternatives to land acquisitions*](#); [*Legal empowerment in practice: Using legal tools to secure land rights in Africa*](#)).

Webinars are shorter online seminars that enable practitioners to exchange in less costly, time-consuming and carbon-intensive ways. Examples of recent webinars include [*'Striking down adverse investment laws: Success stories from Indonesia'*](#), [*'Investor-state arbitration: Lessons from civil society advocacy'*](#), and [*'Sustainability and scalability of legal empowerment interventions'*](#).

The practitioner write-ups provide an opportunity to reflect on innovative experiences, and to share lessons with a wider community of practitioners who may be grappling with similar issues elsewhere, or may be inspired to take action. Recent examples include:

- [*Walking with villagers: How Liberia's Land Rights Policy was shaped from the grassroots*](#);
- [*From legal caravans to revising the Mining Code: Lessons from experience with legal empowerment in communities affected by mining, Mali*](#);
- [*Sustaining legal empowerment in initiatives to support local land rights*](#);
- [*Public interest litigation as an empowerment tool: The case of the Chiadzwa Community Development Trust and diamond mining in Zimbabwe*](#);
- [*From law school to the field: Community lawyers in Cameroon*](#);
- [*Barefoot lawyers: Defending community resource rights in the Philippines*](#);
- [*Listen, think and act: Radio broadcasting to promote farmers' participation in Mali's land policy*](#).

The Legal Tools newsletter shares updates with a wider group of practitioners and policy makers:

- [*Legal Tools for Citizen Empowerment – October 2014 Newsletter*](#).