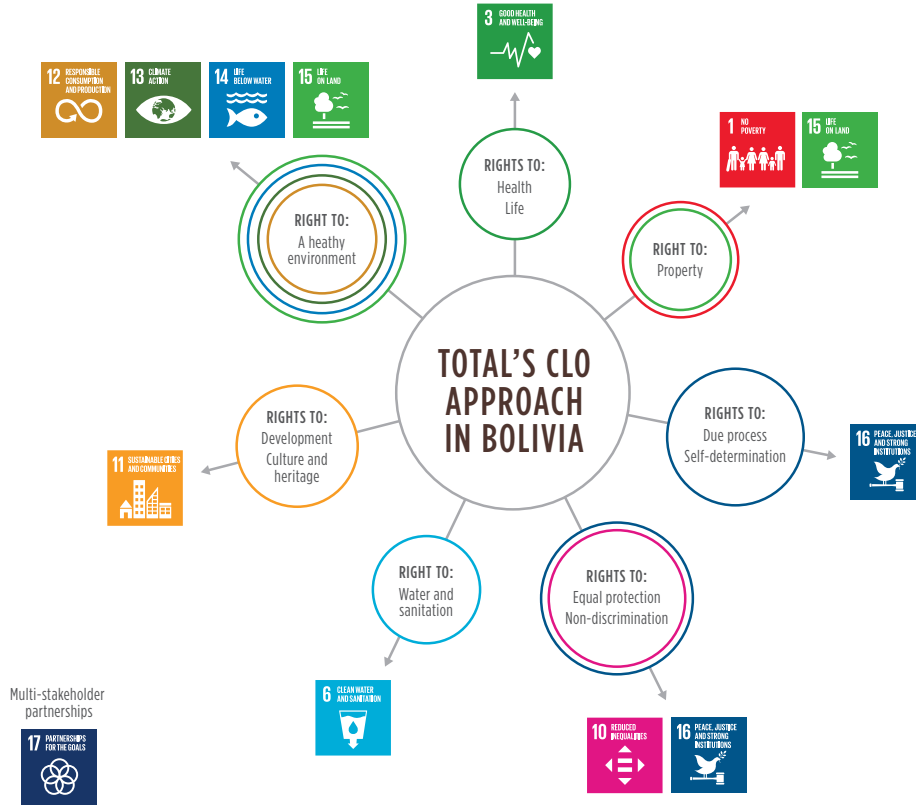


# TOTAL'S COMMUNITY LIAISON OFFICER APPROACH TO DIALOGUE WITH INDIGENOUS GROUPS IN BOLIVIA

*Going beyond compliance to engage rights-holders early and often*

**Figure 5c:** Rights related to Total's CLO approach in Bolivia and how they link to various SDGs.



## The challenge

Land rights and land tenure issues have a particularly complex history in Bolivia. Rich in gas reserves, the landlocked country in western-central South America has undergone various stages of political turmoil due in no small part to conflict over who controls these natural resources and associated landholdings.<sup>307</sup>

Since 2003, Total Exploration and Production Bolivia (TEPBO), a wholly-owned subsidiary of French oil and gas company Total, has explored natural gas projects in Bolivia's eastern lowlands, where several Guaraní indigenous territories are located.<sup>308</sup>

**"The operations in our business units may require land, for temporary or permanent use, including the possibility of physical and/or economic displacement and resettlement, which can, in turn, impact the human rights of neighboring communities. Depending on the specific societal context such as population density, land occupation and use, gender dimensions or livelihood patterns, there may be negative impacts on livelihoods."**

**Total's 2016 Human Rights Briefing Paper<sup>309</sup>**

The company's Incahuasi project, the development of which began in 2012, faced challenges in its relationship with Guaraní communities when, during excavation activities in preparation for the construction of a gas plant, archeological findings including artifacts and burial remains were uncovered.<sup>310</sup> In response to these developments and corresponding tensions with local indigenous leaders, the company engaged a conflict transformation specialist, a historian specializing in Bolivian indigenous groups, and the Office of the High Commissioner for Human Rights in Bolivia to carry out cross-functional human rights workshops and awareness-raising among TEPBO staff.<sup>311</sup>

**"Access to land can be a significant issue, both in developed and developing countries, and it is a particularly important topic in areas where land is used by communities for farming, tourism or where there are cultural heritage concerns around land. It can also be especially complex in developing countries where land grabbing could be prevalent and where the land titling process is inefficient or not transparent. Our operations are sometimes located in these challenging environments. Some of our societal assessments and human rights assessments have shown that land access is a significant human rights issue in our operations."**

**Total's 2016 Human Rights Briefing Paper<sup>312</sup>**

## **The response**

Under the umbrella of "human rights and local communities," Total has identified its salient human rights – the human rights at risk of the most severe impacts in the company's operations and supply chains – to include access to land.<sup>313</sup> The oil and gas company's salient issues also include land-related issues such as the right to health and the right to an adequate standard of living since "[n]oise, dust, emissions and other impacts could have implications for the health of local communities, their livelihood and access to ecosystem services – i.e. services delivered by nature to people – like drinking water."<sup>314</sup>

In the context of its experience with the Incahuasi Project, TEPBO reexamined its community relationship approach in the country, particularly when it comes to communication and participatory strategies for social and environmental impact assessments. In 2015, TEPBO began environmental and social studies of exploration activities for its Azero Project, which covers a land block adjacent to the Incahuasi Project area. The Azero block contains a national park, presenting heightened risk for additional land-related human rights impacts and associated company-community conflict.

In its exploration and production (E&P) business segment, Total has instituted a Community Liaison Officer (CLO) program as part of its efforts to address these salient issues. CLOs are "typically members of the local community, whose language they speak and whose customs they understand," and they are directly employed by Total's business units to maintain a dialogue with local communities impacted by the operations of the company or its affiliates.<sup>315</sup>

Implementing new strategies based on its experience with the Incahuasi Project, TEPBO has subsequently taken a distinct approach in its Azero Project.<sup>316</sup> The company's new model incorporates a key role for its CLOs and recognizes the need for heightened measures that go beyond expectations laid out in national regulations when it comes to community consultation and participation around land.<sup>317</sup>

**"Our approach in the Azero project in Bolivia has required that we go beyond compliance of local legal standards and put in efforts to engage in meaningful consultation with affected communities and reach international expectations. For that purpose, initiating early engagement, by conducting in-house baseline social studies with a participatory approach and with a highly trained and well-respected CLO team, has been challenging at times but a very fruitful experience that we are now aiming to replicate elsewhere. We've observed the communities that we've worked with knowing and claiming their rights based on this experience and now asking their leaders and other companies to meet these higher standards as well.**

**Another important component has been engaging external stakeholders like International Alert, CDA, and Oxfam to consistently challenge us, bring constructive insights, and foster the effectiveness of our social performance."**

**Cynthia Trigo, Total<sup>318</sup>**

## Key aspects of the initiative

TEPBO's CLO approach to dialogue with the Guaraní groups potentially affected by activities associated with the Azero project includes the following components:

- **Social baseline study at the start of exploration activities**, conducted by a team of CLOs who were also social science professionals. The study took a participatory approach, involving a wide range of indigenous representatives, not just traditional leaders. The aim of the various in-person meetings that took place as part of the study was to provide early transparency around the project and multiple opportunities for input regarding potential impacts and mitigation measures.<sup>319</sup>

- **Subsequent social impact assessments**, carried out by consultants but also taking a participatory approach with the affected communities who identified and validated the potential impacts of the project.
- **Gap analysis by external experts around the concept of free, prior and informed consent (FPIC)**, drawing from the expectations set out in the International Finance Corporation's Performance Standards.<sup>320</sup>
- **Building out of internal TEPBO "societal team"** with experts in community engagement and relationship management in Bolivia, alongside ongoing **engagement with key stakeholder groups** such as local government authorities, local offices of international human rights organizations, and expert civil society organizations.<sup>321</sup>

**"Companies should start engaging potentially impacted communities as early as possible. Part of what we've learned from our experiences in Bolivia is that strong management systems around land and human rights issues need to be put in place at the exploration phase if risks and impacts are to be correctly understood and addressed. These issues can then be better integrated throughout decision-making processes and the company's relationship with communities is then more likely to be positive throughout the course of the project.**

**This engagement, early and often, is a smart investment, not simply an additional cost. For instance, our hiring of CLOs and investment in community relationship programs make good business sense in addition to being part of Total's responsibility to respect human rights."**

**Cynthia Trigo, Total<sup>322</sup>**

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319 Interview with Shift (Apr. 13, 2018 and Apr. 24, 2018).

320 Interview with Shift (Apr. 13, 2018 and Apr. 24, 2018).

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