



**Key Findings**  
**of the**  
**International Survey on the Concept and Practice of**  
**Meaningful Stakeholder Engagement**

WHAT WOULD BE chatGPT'S ANSWERS TO THOSE QUESTIONS?

**CHATGPT**

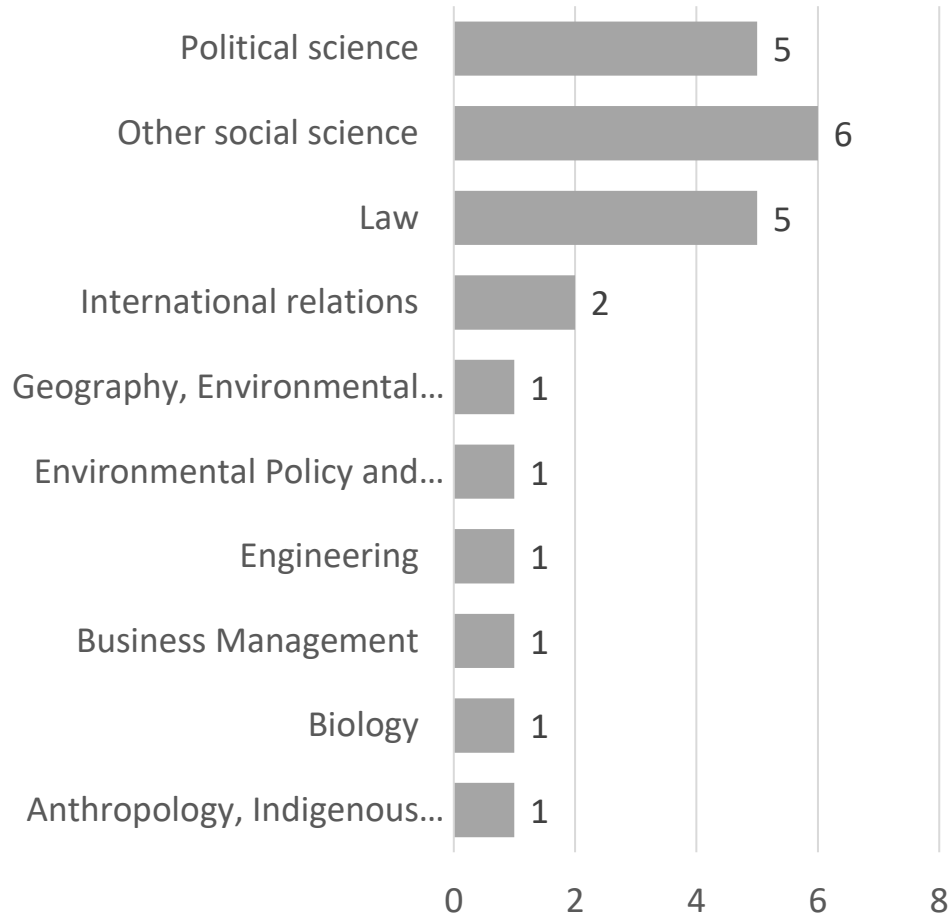
 **OpenAI**



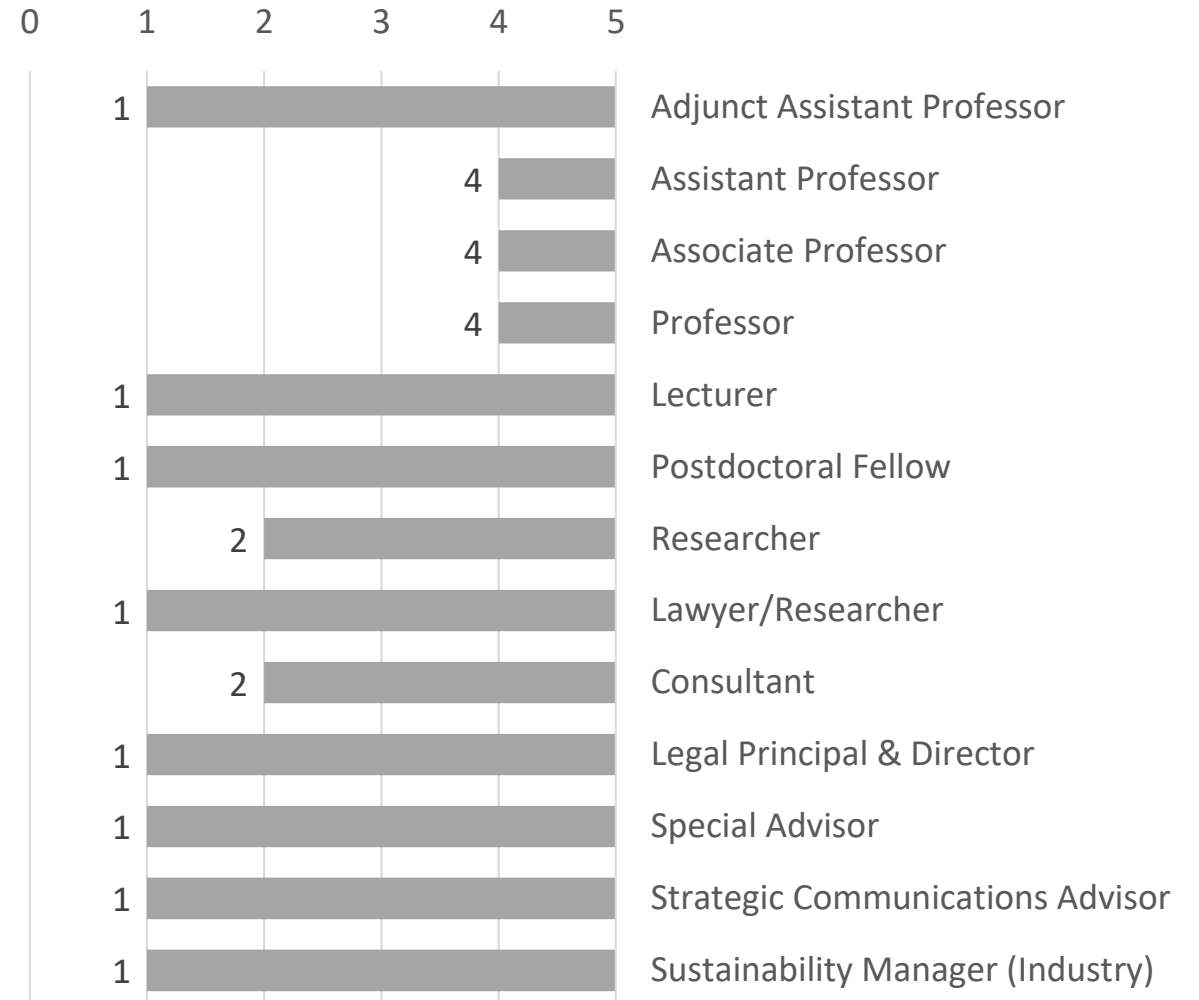
**HOW ABOUT OUR ANSWERS?**

# DEMOGRAPHICS

## What is your main background area?

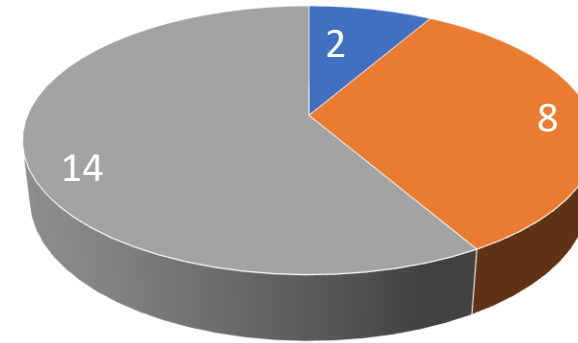


## What is your current job title?



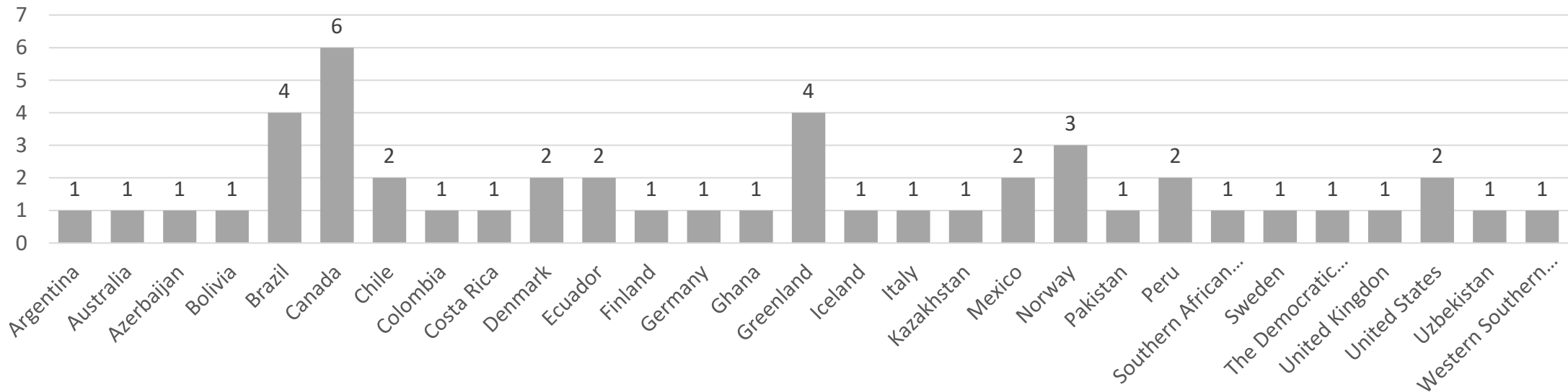
# DEMOGRAPHICS

For how long have you been researching or working with meaningful stakeholder engagement?



■ Between 5 and 7 years ■ Less than 3 years ■ More than 7 years

In which countries have you been researching or working with meaningful stakeholder engagement?

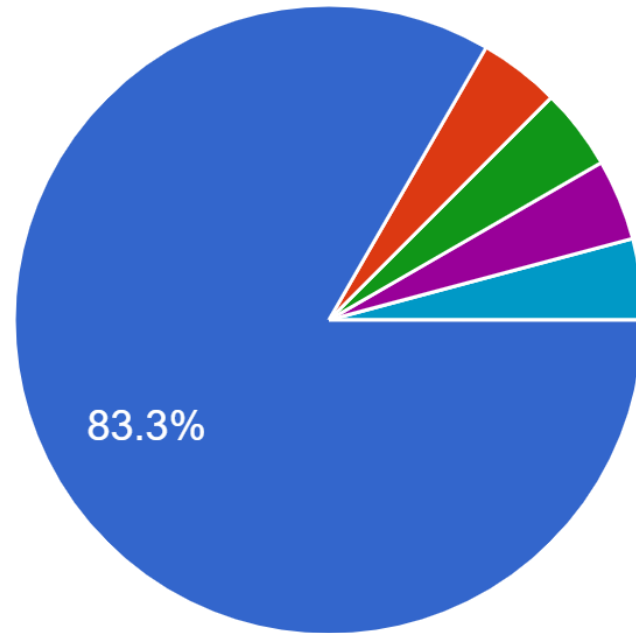


THE CONCEPT

# ACRONYM

What is your preferred acronym for Meaningful Stakeholder Engagement?

24 responses



- MSE
- MSHE
- MuSE
- No Preference
- In my field in Canada, there is significant pushback against the term "stakeholder". More often, the literatur...
- I prefer not to use an acronym because the concept is flexible and different terms are regularly used. I prefer MSE...

# MEANINGFUL

## highlights

- **understandable** for the stakeholders
- replies to the submissions from the stakeholders demonstrate that the content of the submissions is understood
- engagement wherein the proponent will **adapt**, modify or discontinue their project in light of the matters raised during the engagement
- understanding of the community as a **shared partner** and a shared leader in this work
- Respectful, acceptable
- ...I think of meaningful as relating to the UNDRIP concept of FPIC - Free, Prior, and Informed Consent
- ...corporate responsibilities to **respect** human rights and responsible business conduct in a **wider sense**, not limited to human rights impacts.
- should be defined by the stakeholders
- it is something that serves the **needs of the stakeholders** or is **useful for them...**
- when people **can understand** what's going on and the impact
- can be thought of, as **relationship building** between active stakeholders
- **Binding, codified, and enforceable** in the event of breach of contract
- engagements that **contribute to people's wellbeing and environmental protection ..**
- ... the following five layers of engagement, **inform, consult, involve, collaborate, and empower** stakeholders can be considered to be meaningful.



# MEANINGFUL

## highlights

- ...it must **give meaning** for the stakeholders to participate in the engagement process
- ...engaging party must be **authentic** (honest and transparent) and **respectful** of stakeholders' views, issues, and concerns
- ...stakeholders must have a **real opportunity to influence** the decision-making, the process, and outcome
- ... **a continuum** of not meaningful (or less meaningful) at one end of the spectrum, and very meaningful (or more meaningful) at the other end
- ...affected people are given the opportunity to define what meaningful means to them

# MEANINGFUL

## Synthesis:

- An 'umbrella' adjective for various other adjectives: **authentic, genuine, honest, transparent, respectful, adaptive, understandable, binding, influential, useful, enforceable, accountable, responsive, deep, substantive, sustained, effective, symmetrical, clear, timely, plural, etc.**
- **Different levels** of meaningfulness
- Often seen as a **linear spectrum**
- **Context-dependent**
- **Stakeholder-based**
- **Bottom-up**
- **Avoid bad practices:** tick-boxing, reputation building, obscurity, tokenism, etc.



# STAKEHOLDER

## Synthesis:

- Compatible with **Freeman's definition**:
- **Rights-holders** require special treatment
- A **'loaded' term with corporate bias?**
- In the context of MSE, there seems to exist a stronger emphasis on **locals directly affected**
- May have different meanings across countries (e.g. UK consultants differentiating stakeholders from 'community')

customers, we will be in a better position to answer the important policy questions which the stakeholder notion raises.<sup>22</sup>

In line with Thompson's (1967) claim, "stakeholder" should denote "those groups which make a difference," or more formally:

A stakeholder in an organization is (by definition) any group or individual who can affect or is affected by the achievement of the organization's objectives.

It is obvious from my argument in chapter one why those groups who can affect the corporation should be "stakeholders." The point of strategic management is in some sense to chart a direction for the firm. Groups

# ENGAGEMENT

## highlights

- every type of **two ways** communication...
- 'engagement' will lead to an **outcome**...
- **space** for participation...
- **negotiations** between key players...
- manner in which relevant parties to a grievance are consulted **and involved**...
- participating in **a process** in a committed and **binding way**...
- **strategies** that develop inclusive and **collaborative** research practices ...
- **clearly defined processes** of what is allowed and what isn't by industry...
- negotiations to responsibly engage **without power asymmetry**..
- **mutually beneficial interaction** with two-way communication...
- process of **building relationships** and **developing trust**...
- where stakeholders participate of the business with "**voice and vote**"
- goes **beyond formal consultation**, involving dialogue not just in formality but also a sincere effort
- refers to three aspects: participation, access to information, and **attention to vulnerable groups** or situations

# ENGAGEMENT

## Synthesis:

- A process
- Two-way
- Beyond consultation
- Interactive
- Always binding?
- Answers signal an overlap with the definition of 'meaningful'. **Are engagements inherently meaningful?**

# MEANINGFUL STAKEHOLDER ENGAGEMENT

- The precise meaning of what is "meaningful" is highly subjective
- A deep and long stakeholder engagement
- Having a purpose or impact
- Deep, substantive, and sustained consultation, rather than symbolic interactions
- ...has the virtue of effectively influencing decision-making processes

highlights



Introductory Chapter: “Meaningful stakeholder engagement (MSE) is a **normative concept that describes ideal engagement practices** with stakeholders, in particular those that are a risk of or actually affected by adverse impacts related to projects undertaken by companies or governments.”

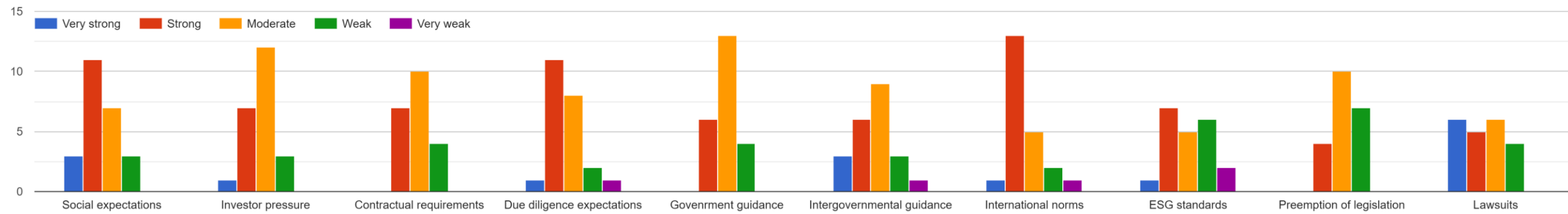
THE PRACTICE



# DRIVERS

## Generic ones...

In general, how strong have been the following drivers on the practice of meaningful stakeholder engagement?



# DRIVERS

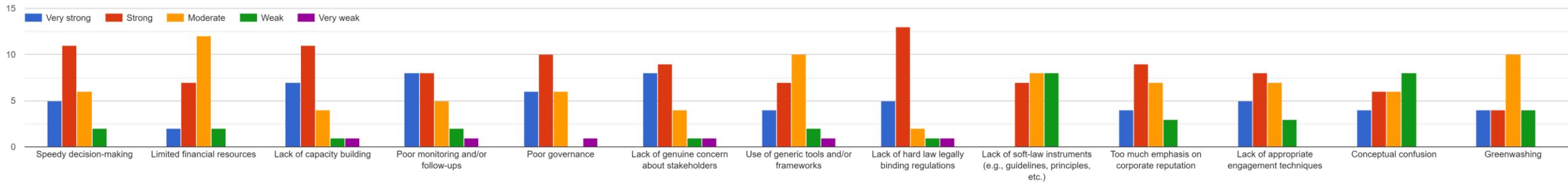
- respect for binding human rights instruments
- Public opinion
- Different forms of risks
- Bottom-up pressure
- Activism
- Court cases
- Conflicts with Indigenous people
- Governance shifts,
- Greater public awareness of env/social issues
- Desire to 'do good'
- Societal expectations
- Risk management
- Dependence of consent or approval of specific stakeholders
- Curiosity
- Increased knowledge
- International lawsuits
- Normative frameworks, e.g. OECD Guidelines, UNGPs
- Pressure for accountability and transparency
- Companies' bottom lines
- Global warming
- Inequality
- Increased attention to risk-based due diligence

# highlights

# BARRIERS

## Generic ones...

In general, how strong have been the following barriers to the (good) practice of meaningful stakeholder engagement?



## BARRIERS

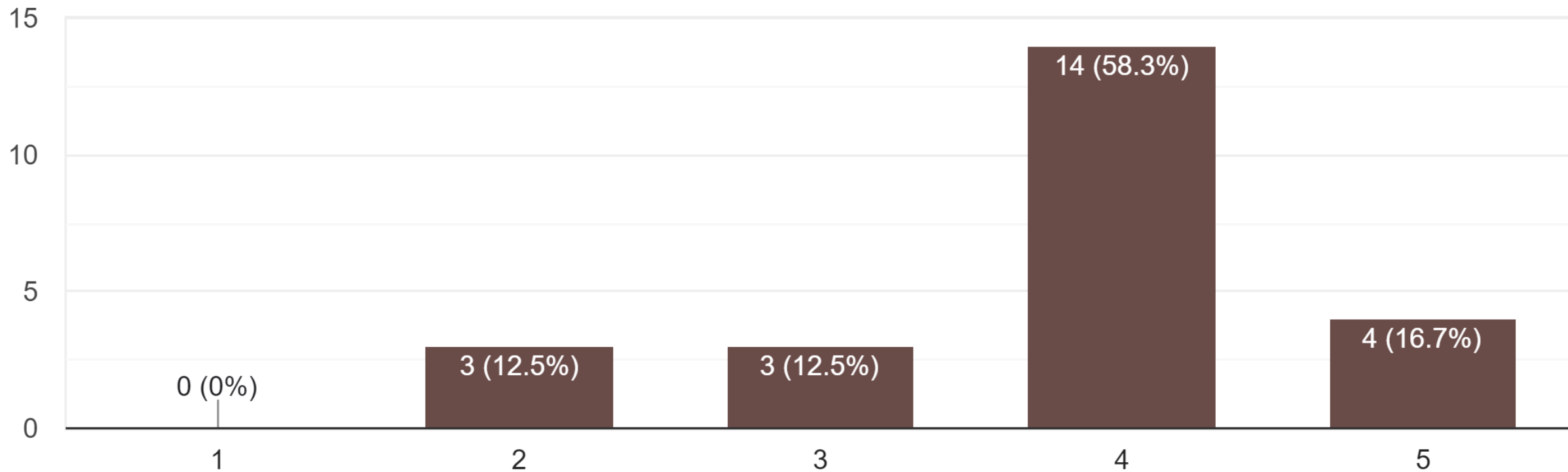
- Lack of appropriate sanction
- lack of surveillance and security of the involved communities in any form of dialogue
- Poor awareness by local stakeholders without appreciable education on the subject
- Capitalism
- Lack of understanding of what it is and the commitments involved
- financial and temporal limitations
- lack of proper incentives (including regulation) to do it properly
- Lack of capacity and time
- superficial relationships
- different worldviews
- national governments unaligned with local will
- Lack of binding laws
- communities unwilling to dialogue with companies
- centralized governments, unwilling to participate in participatory processes
- Business awareness
- tool kit with criteria and tutorial about how to implement MSE
- opportunity and transaction cost
- Lack of competence
- Indifferent governments
- lack of hard MSE laws
- alienated local actors
- great asymmetry/economic dependence between companies and the impacted population
- slow access to justice

## highlights

# CAPACITY-BUILDING

How high or low is the world demand for CAPACITY-BUILDING on meaningful stakeholder engagement?

24 responses

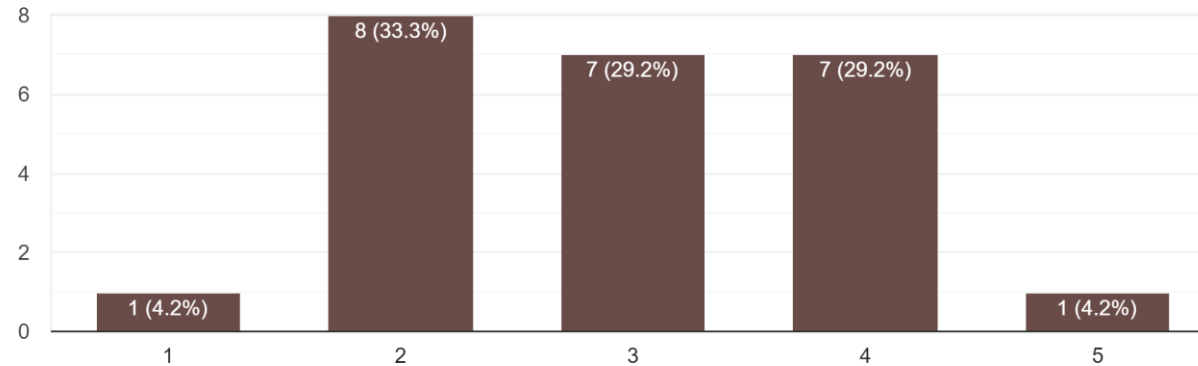


1 ( Very low) -> 5 (Very high)

# HARD-LAW REGULATION VS SOFT LAW INSTRUMENTS

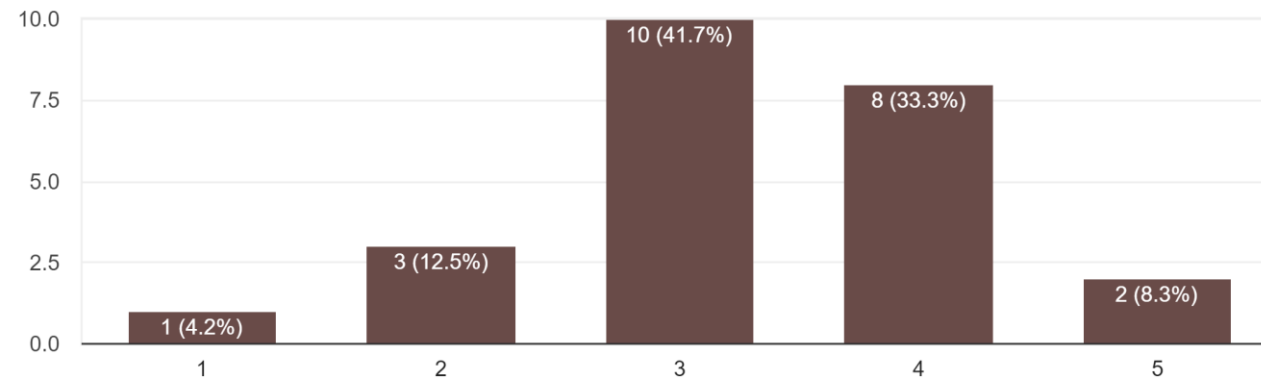
How high or low is the world demand for HARD-LAW REGULATION on meaningful stakeholder engagement?

24 responses



How high or low is the world demand for SOFT-LAW INSTRUMENTS for meaningful stakeholder engagement?

24 responses



1 ( Very low) -> 5 (Very high)

# SOFT LAW INSTRUMENTS

1	AMVI
2	Arctic Council's 2019 Good Practices for Environmental Impact Assessment and Meaningful Engagement in the Arctic
3	ASI
4	Bonsucro
5	Carbon Disclosure Project
6	Clean Clothes Campaign
7	EITI
8	European Investment Bank Environmental and Social Standards 2018
9	Fair Labor Association
10	FSC
11	GRI
12	ICMM
13	IFC's Environmental and Social Performance Standards
14	ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy
15	International Coral Reef Initiative
16	Kimberley Process
17	NRGI signatories
18	OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector
19	OECD Due Diligence Guidance for Responsible Business Conduct
20	OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas
21	OECD Guidelines for Multinational Enterprises
22	Rugmark
23	Sustainable Development Goals Framework
24	The Equator Principles
25	UNDRIP
26	Union for Ethical Biotrade
27	United Nations Global Compact
28	United Nations Guiding Principles on Business and Human Rights
29	Voluntary Principles on Human Security

# HARD LAW REGULATIONS

1	Aboriginal Land Rights Act (Northern Territory) 1976 (Cth.)
2	Antarctic treaty System (and drill bans)
3	Canada - Duty to Consult
4	Congo Mining Code governed by Law n° 007/2002
5	Due Dilligence on Business and Human Rights, Enforcement of ILO and UN Conventions.
6	EU Impact Assessments law
7	European Parliament resolution of 10 March 2021
8	Ghana forest law on Social Responsibility Agreement
9	ILO 169
10	ILO 172
11	Indigenous and Tribal Peoples Convention, 1989 (No. 169)
12	Indigenous Land Use Agreement provisions of the Native Title Act 1993 (Cth.) in certain contexts
13	Norwegian administrative law
14	Norwegian planning law
15	Norwegian Sami rights law
16	Permits Conditioning
17	Several Supreme Court of Canada cases (ie. Delgamuukw, etc.) plus DRIPA in BC
18	Swedish law on Consultation with the Sami (2022)
19	The Norwegian Transparency Act of 2021
20	The ongoing process around the EU Corporate Sustainability Due Diligence Directive (CSDDD)
21	UN law of the Sea
22	UNSP treaty



# Examples of NON-MEANINGFUL ENGAGEMENTS

Generic examples:

1. Engagements in EIAs
2. Most part of the soft law instruments are non-meaningful engagements
3. Permitting consultation
4. Most "consultation and accommodation" practices up until the present in Canada
5. Collaboration for the purpose of profits
6. ESG processes inside firms

Specific cases:

1. Energisa Mato Grosso (Brazil)
2. OK Tedi, PNG
3. Tambogrande, Peru
4. Copper Mesa's failure to consult/engage with affected communities in Ecuador
5. The PISUNA project
6. The engagement carried out by BC Hydro and the BC Province for the Site C Dam.
7. Rio Tinto and the Juukan Gorge.
8. Jijnjevaerie Sami Reindeer collective in Sweden
9. Rock salt extraction in Maceió/ Alagoas
10. Terra Indígena (TI) Urubu Branco, do povo Tapirapé

# Examples of BEST PRACTICE

Generic examples:

- Collective bargaining
- Profit-sharing
- Non-state traditional governance authority engagements (Northern Chile and BHP is one example)

Specific cases:

- IRMA Standards
- Cases in the cosmetic industry (Weleda, Native, Natura)
- Cases in the mining industry (Alcoa, Raglan Agreement in Canada - 1995)
- The construction of a participatory monitoring tool (SAGUI, which is an acronym in Portuguese for Georeferenced Information Monitoring System) in the Belo Monte Hydroelectric Plant in the Brazilian Amazon region
- Sustainable Juruti Model
- Teck/Red Dog, Alaska
- Sabina Gold & Silver Corp.
- Back River, Nunavut
- The Standing Rock Sioux Tribe in North Dakota in rerouting the Access Pipeline
- The PISUNA project
- Lotta Ludvigson
- Moxie Scrubs

# IMPLICATIONS

?