

Toolkit for Oceans and Human Rights Defenders



Published by HOMEf Books

Health of Mother Earth Foundation (HOMEf)
30, 19th Street, Off Ugbowo-Lagos Road, Ugbowo,
P.O. Box 1057, Benin City, Nigeria
Email: home@homef.org

©January 2022

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Dead Fish Not Manna

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Acknowledgement

The production of this Toolkit, designed to help community people organize, monitor their aquatic ecosystems, and defend their human rights, has been achieved with the support of Rafto Foundation for Human Rights.

Thanks to the HOMEF Team of Stephen Oduware, Ese Ojeanalo and Jasper Koikoibo who worked on the drafting, compilation, and production of this toolkit.

The publication or part of it can be used for free with proper reference given to the original publication. The content is the sole production of HOMEF.



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Foreword

Our oceans have never been treated so carelessly as we see these days. Along with increased extractivist activities in the seas, overfishing and unreported fishing come increasing human rights abuses against the populations who live on coastlines and others whose economies are connected to the oceans. With these aberrations and to protect the rights of the people and defend aquatic ecosystems, the importance of community organizing, and advocacy cannot be over-emphasized. It is important for people to make concerted efforts to stand up for their environment, lives and livelihoods, and defend their human rights based on knowledge and solidarity.

Acknowledging that this can only be done most effectively when the people understand what they deserve and what to do to get what they deserve, this toolkit presents the needed knowledge, and practical steps for an effective advocacy – to entrench that desired and deserved wellbeing peoples.

The toolkit is a living document that can be adapted for different contexts including for community people, businesses and even policy makers. Feel free to adapt the contents of the modules to suit your requirements.

It is hoped that, with the use of this toolkit abuse of human rights and harmful environmental activities will be challenged and curtailed.

Nnimmo Bassey,
Director, HOMEF.



PHOTO BY TAICHI NAKAMURA / UNSPLASH



Introduction

It is a known fact that exploration, exploitation, and production of fossil fuel activities going on in communities have grave impacts on the land, water, and air of communities where these activities have/is going on and even other connected communities. What is also true is the fact that there exist a lopsided power relation between the government and corporations on the one hand and the communities on the other hand.

The relationship between community people and their environment is both intrinsic and symbolic as their health, socio-cultural, economic, and spiritual wellbeing are connected to their environment. When their environment is polluted, it comes down with so many implications for the people.

All-round, these communities have been sacrifice zones, highly marginalized and impoverished at the same time. While exploration, prospecting, development, and exploitation stages of fossil fuel development (e.g., oil and gas) are painted as safe, the true costs of these are paid for by community peoples and their environment.

What is and Why Advocacy?

Advocacy involves the propagation of ideas and/or interests by a person or group of people to influence decisions and achieve an end result. It is noteworthy that effective, focused and consistent advocacy creates the change sought after.

What is also true is that this is not without resistance!

Advocacy affords people the opportunity to bring to the fore and to redefine public debates on important social, economic and well-being issues and ensure that underserved communities have a voice in the policies that impact their lives¹.

This Toolkit helps to understand grassroots power and strengthen the capacity of community peoples with the knowledge to organize and speak up against the ills destroying their environment and for the enthronement of the change they seek.

MODULE 1

IDENTIFY AN ISSUE

What is the problem?
What caused it?

Diagnosing the Problem

It is good to know that there is a problem, but it is better to know what the problem is. Clarity! What is actually the problem and what caused it?

To be able to answer these questions, you must know what was before, what has changed and why these changes have occurred.

It will be good to know the difference in the state of the community environment, socio-cultural and economic wellbeing. Some of the parameters to probe are:

- a. Coastal vegetation
- b. Terrestrial and aquatic animal species
- c. Water, land and air
- d. Livelihoods
- e. Prevalent sickness
- f. Social norms
- g. Communal interaction and shared wisdom

MODULE 2

GATHER THE NEEDED INFORMATION

Why and when
did it happen?
Who is affected?
What needs to be done?

Putting Bits and Pieces Together

Advocacy is not conceived out of impulse but out of a quest for justice and wellbeing. The issue(s) must be well-researched!

Several questions need to be asked:

- a. When did the problem start and why?
- b. Who caused it and how?
- c. Who is affected?
- d. Who is profiting?
- e. What has been done?
- f. What needs to be done?
- g. What institutional frameworks (national or international) kick against the problem?
- h. What Act(s), Regulations or Law(s) can serve as a platform to buttress your point?

Evidence Gathering

When you have decided to something needs to be done, you begin to gather evidence. Usually, the person who wants the public (or court) to believe his story must prove his story by leading evidence. Evidence means proof. Judicial evidence is the means by which *facts in issue* in a case are proved or disproved, and may include:

1. Documentary evidence, such as letters, statements, publications, contracts etc.
2. Real (physical) evidence, such as samples of polluted air, land, or water, or dead fishes.
3. Oral (direct) evidence, such as of eyewitnesses.

Tools for Evidence Gathering.

1. Canoes/Boats
2. Notebook/biros/pen/pencils
3. Camera
4. Audio Recorder
5. GPS Equipment
6. Gloves
7. Safety/Gas Mask
8. Evidence bag

To satisfactorily answer the questions you have raised, one needs to do a lot of probing which could be by way of a formal research or an informal one. But the bottom line is to ensure that the findings are correct anytime. The common denominator here is to act from the place of knowledge! Facts embolden!

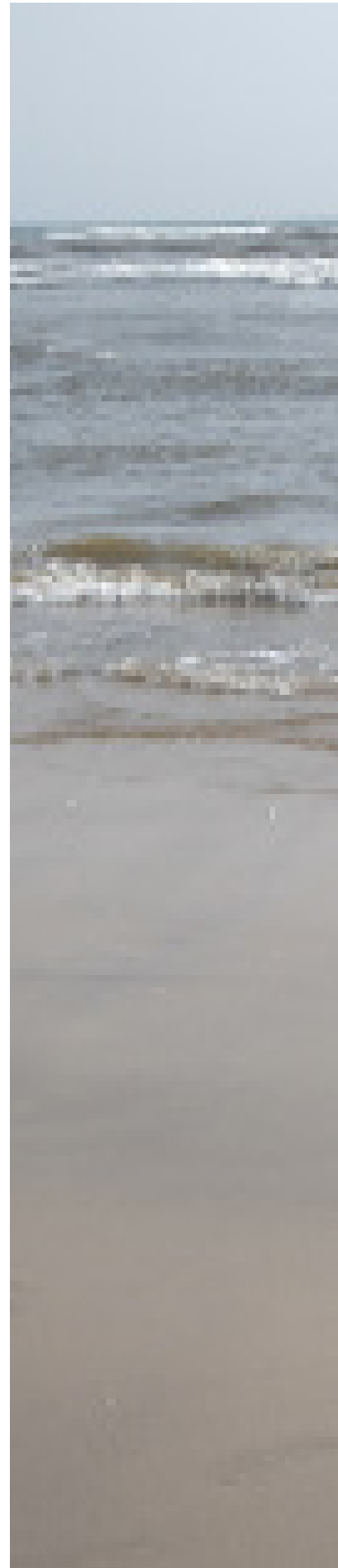




PHOTO BY BABAWALE OBAYANJU / HOMEF

MODULE 3

SET GOALS AND OBJECTIVES

What do you
want to achieve?

For there to be effective advocacy, there needs to be clarity about what is to be achieved. There is also the need to outline what is to be done afterwards... with the facts and evidence you have gathered.

At this point, there should be precise target (s) stated in clear, unambiguous and determined terms.

For example, the goal could be “To Unite Fishers (in Nigeria) Against Pollution in Coastal Communities”; “To Mobilize Action (non-violent) for Peoples Power – Through Freedom of Information Act”

These are statements of intents that if well-coordinated with the right mix of consistency, commitments, resources (intellectual, human ...) and net-working could yield unimaginable result(s) that may supersede expectation(s).

MODULE 4

KNOW YOUR RIGHTS

What are your rights?

Where can they be found?

What to do with them?

What are your rights?

1. Right to life and livelihood,
2. Right to dignity of human person
3. Right to a healthy and pollution-free environment
4. **Traditional fishing rights.**
5. Right to information
6. Right to assemble peaceably
7. Right to freedom of speech and expression, etc.

Where can they be found?

These rights are contained in several local and international instruments which can serve as tools, such as:

1. The Constitution of the Federal Republic of Nigeria, 1999 (as amended) (CFRN)
2. Freedom of Information Act.
3. The African Charter on Human and Peoples Rights, 1981 (ACHPR)
4. The Universal Declaration of Human Rights 1948 (UDHR)
5. The Convention on Biological Diversity 1992 (CBD)
6. The International Covenant on Civil and Political Rights 1976 (CCPR)
7. The International Covenant on Economic, Social and Cultural Rights 1985 (CESCR)
8. United Nations Convention on the Law of the Sea (UNCLOS) and its associated treaties.
9. International Convention for the Prevention of Pollution from Ships of 1973, as modified by a 1978 Protocol (MARPOL).
10. As well as customary international law

What to do with them?

It is important that members of your community obtain copies of these human rights instruments and study them. You can start by studying the ACHPR and then move on to the UDHR. Those are the fundamental covenants. A study of these and the others will equip you to stand up and defend your rights and that of the oceans.

An effective advocacy is one that is backed up with law and facts. When you have your facts (evidence), you must also back them up with the law. For example, an advocate should be heard saying, “The pollution in the coast of Bayelsa is a threat and violation of the rights to life, dignity and a healthy and pollution-free environment”. Facts and evidence embolden, the laws legitimize the struggle!

These will be the bases of your action or defense if you end up in court.





MODULE 5

PREPARE MESSAGE & STRATEGY

What do you want to tell?

How will this be done?
By whom?

What route will serve the purpose?

While strategies help in organizing and implementing of all elements of advocacy, messaging brings the story to the outside world.

In developing the advocacy message, framing is very important. It gives context, emotion and visibility to the message. It brings out the intrigues, characters and actions needed. It is important to note that for a messaging strategy to be effective, the message must contain the visible (description of what is seen) and less visible (unspoken thoughts or inner dialogues, assumptions for or against, hidden struggles and dilemmas, emotional responses) components.

What should be clear also is: what should be done?

The strategies to get the messaging out are as important as the message itself. So one may need to consider the tools to deploy:

- a. Press briefings or press statements
- b. Visits and letters to relevant Ministries, Departments and Agencies
- c. Social Media Campaign
- d. Rallies, walks, and other events
- e. Reports and other publications
- f. Liaising with other advocacy organizations for distributed action
- g. Blogs and Action alerts.
- h. Videos
- i. Litigation

The tool to deploy will depend largely on whom the message is for and what action is needed.

MODULE 6

DETERMINE ALLIANCES, TARGETS AND OPPONENTS

Who shares the same ideology?

Who are you up against?

Who needs to get the message?

No matter how noble a cause is, there will always be opponents – people who for several and varying reasons want status quo to remain.

It is important to identify the different opponents – polluting corporations, contractors to polluting corporations, community members on the payroll of polluting corporations, complicit government/MDAs.

Then identify, assemble, and contact your allies. This is very important because, an advocacy plan is likely to be very successful when a collective of like-minds come together to champion the course. This also helps to ensure a widespread dissemination of information and broad contact base.

The allies could be:

- a. Community-based Organizations (CBOs)
- b. Civil Society Organizations (CSOs)
- c. Academic Institutions or Academicians/scientists
- d. Like-minded community persons
- e. Faith-based Organizations
- f. Human Rights Lawyers

NETWORKING

Networking is key to the success of an advocacy because it brings people with different experiences, knowledge and backgrounds with a common denominator – the determination to cause change and bring about justice.

This is fundamental in alliance building – so community people should endeavor to also work with relevant community-based organizations (CBOs), other civil society organization (CSOs) and other networks of interest. The role of these key allies would be to share knowledge, refine strategies, defend community campaigners, and amplify the calls to reach relevant targets.

MODULE 7

ACTION TIME:

EVALUATE THE PROCESS

Now Do It!

What are the challenges, opportunities, and lessons?

What is next?

This is to practically demonstrate all that we have discussed. At this point there should be some key performance indicators (KPIs) by which the process will be measured:

Who needs to be visited and by who?

What tool of advocacy was agreed on?

What was the response from the action?

Is there need to re-strategize? Was there any missing link?

After carrying out a campaign or advocacy, irrespective of the result, it is no time to jubilate, cry or rest. It is time to go back to the drawing boards and ask what's next. It is important to assess how things went and to learn what should be improved on in future.

It is time for evaluation! The evaluation should be open and inclusive. Ask honest questions about what the goals of the campaign were, and whether they were met. If they were not met what are the reasons? What were the best tools and approaches that you used? Which networks or alliances were most supportive in the campaign? Which were hostile and why? The community will also need to examine if they had enough resources (information, finance, materials, etc.) for the campaign. How has the campaign affected the community?



Conclusion

Monitoring and Advocacy toolkit for Community Human Rights Defenders is a concise document designed for community peoples and grassroots activists – providing a step by step layout of effective community mobilization, advocacy and for the defense of human rights.

An effective use and application of this toolkit will result in building community consensus on environmental action, engaging effectively with NGOs, policymakers and private sector, leveraging existing institutional frameworks to drive climate and environmental initiatives and attract the support of other national and international stakeholders in the confrontation of human rights abuses in communities around the coastal areas.

About HOMEf

HOMEf is an environmental/ecological think tank and advocacy organization rooted in solidarity and in the building and protection of human and collective dignity.

We believe that neoliberal agendas driven by globalization of exploitation of the weak, despoliation of ecosystems and lack of respect for Mother Earth thrive mostly because of the ascendancy of enforced creed of might is right. This ethic permits the powerful to pollute, grab resources, and degrade/destroy the rest simply because they can do so. HOMEf recognizes that this reign of (t) error can best be tackled through a conscious examination of the circumstances by which the trend crept in and got entrenched. HOMEf's work track is continuous political education that examines the roots of exploitation of resources, labor, peoples, territories, nations, and regions. Through this HOMEf contributes to the building of movements for recovery of memory, dignity, and harmonious living with full respect of natural cycles of Mother Earth. Three key areas of focus are fossil politics, hunger politics, and creating spaces for knowledge generation and sharing such as Sustain-Ability Academy, School of Ecology, Dialogue/Conversations, etc.

HOMEf's Vision

The ecological think tank promoting the culture of ecological knowledge, resource democracy and environmental defense.

Our Mission

Working to support wholesome ecological and socially cohesive/inclusive communities where people live in solidarity and dignity.

Contact information:

30, 19th Street, Off Ugbowo-Lagos Road, Ugbowo, Benin City, Edo State, Nigeria.

Phones: +234 906 975 6927, +234 817 370 6095

Email: home@homef.org **Website:** www.homef.org

Twitter, Instagram, Facebook: @EcoHomef

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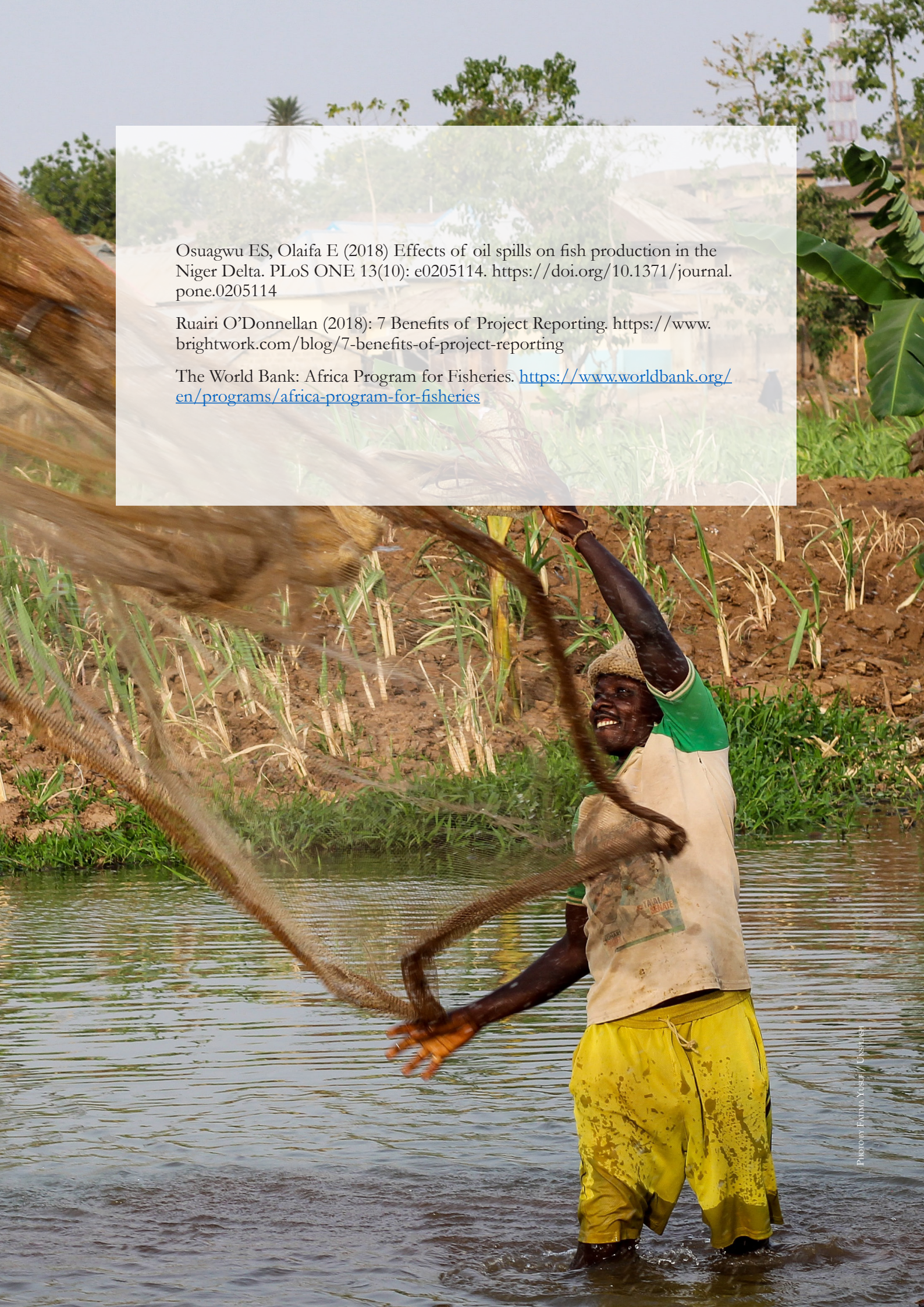
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A fisherman is standing in a river, holding a large, circular fishing net. He is wearing a green and white t-shirt and yellow shorts. The background shows a riverbank with green vegetation and a small building. The image is slightly blurred, giving a sense of motion.

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Endnotes

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