

Engaging Voices: Stakeholder Consultations on IP&LC Rights in the Colombian Palm Oil Industry. A Case Study*

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Introduction

As part of its global sustainability agenda and human rights due diligence, Nestlé has committed to upholding the land rights of Indigenous Peoples (IPs) and Local Communities (LCs) within its supply chains, as outlined in its Human Rights Framework and Roadmap and Salient Issue Action Plan on Indigenous Peoples and Local Communities' Land Rights (2023). Recognizing that land tenure security is a foundational element of environmental justice, responsible sourcing, and inclusive development, Nestlé expects all suppliers to ensure that land rights are respected throughout their operations.

Nestlé has prioritized Colombia as a key sourcing country to advance its commitments to IP and LC land rights in alignment with international standards

and guided by principles of social responsibility and ethical supply chain governance. Through a multi-stakeholder process, Nestlé commissioned Proforest, Landesa, and Colombia Rural to conduct national and sub-national consultations, stakeholder mapping, and participatory risk assessments. These efforts aimed to deepen understanding of land tenure dynamics, identify salient risks, and co-develop opportunities for rights-based interventions in priority sourcing landscapes.

This work seeks to bridge global corporate responsibility frameworks with local realities by centering rightsholder voices and fostering cross-sectoral collaboration.

Objectives

- Identify key stakeholders and strategic regions for engagement in the context of Indigenous Peoples' and Local Communities' (IP&LCs) land rights within Nestlé's palm oil supply chain in Colombia.
- Gather and analyze qualitative and contextual data to map salient risks, ongoing impacts, and structural drivers of land rights violations affecting IP&LCs in a priority palm oil producing region in Colombia.
- Facilitate multi-level consultations—at both national and sub-national scales—with rightsholders and relevant actors to understand perspectives, priorities, and local governance dynamics related to land tenure.
- Identify actionable opportunities to strengthen the recognition and respect of IP&LC land rights within Nestlé's sourcing strategies, with a focus on informing responsible sourcing practices and supplier engagement in Colombia.

Methodology

This study adopted a qualitative, participatory, and context-sensitive methodology to assess the impacts and risks related to land rights within agricultural commodity production, with a particular focus on the palm oil sector in Colombia. The research was grounded in internationally recognized human rights due

diligence frameworks and adhered to principles of ethical and inclusive stakeholder engagement. The overall methodological approach followed in this study is illustrated in Figure 1.



Figure 1. Methodological framework for assessing land rights impacts and risks in the Colombian palm oil sector – A case study. Source: authors.

Stakeholder Mapping and Consultations

The research team first conducted a stakeholder mapping exercise to identify key actors relevant to Indigenous Peoples' and Local Communities' (IP&LCs) land rights. This included community representatives, government officials, civil society organizations, and supply chain actors. Consultations were then carried out at both national and sub-national levels, with a focus on strategic sourcing regions for Nestlé supply chain in Colombia. These dialogues were designed to surface lived experiences, perceptions of risk, and place-specific governance challenges.

Data Collection and Analysis

Information was gathered through focus groups and semi-structured interviews and facilitated stakeholder feedback sessions. The collected data was then analyzed thematically following previously defined categories to identify salient land rights-related impacts and risks, both historical and emerging. The concept of land rights impacts and risks was understood dynamically, capturing past harm, ongoing vulnerabilities, and future exposure to rights violations across different territories. The analysis focused specifically on the department of Meta, acknowledging that the severity and nature of land rights impacts may vary across palm oil producing regions. As such, the findings should not be generalized to the entire palm oil sector in Colombia.

Risk Severity Assessment

Each identified risk (as detailed in Table 1) was assessed using the severity criteria defined by the UN Guiding Principles on Business and Human Rights (UNGPs):

- Scale – the gravity of the impact on individuals and communities;
- Scope – the number of people or geographic area affected;
- Irremediability – the extent to which the impact can be reversed or remediated.

These assessments were qualitative in nature and based on the project team's expert judgment, contextual knowledge, and stakeholder input. While severity levels provide a comparative indication of significance, they are not intended as definitive classifications. Additionally, an average stakeholder ranking of each risk—based on a participatory exercise where stakeholders rated risks as high, medium, or low—is presented in Annex II. These rankings offer further insight into community-level perceptions of land tenure risk but are limited by incomplete response rates.

This study did not involve large-scale surveys or quantitative statistical analysis. The research instead centers on narrative accounts, local knowledge, and qualitative interpretation, aiming to elevate rightsholders' perspectives and contextual understandings. Moreover, while agribusiness-linked supply chains are the focal point, the study recognizes that land rights risks are often systemic and multi-causal, and agribusiness is not necessarily the sole or primary driver of these challenges.

Results

The present research highlights key land rights-related challenges and risks linked to agricultural commodity production in Colombia—particularly in the palm oil sector—with a view toward fostering shared understanding and collaborative solutions. Findings are based on extensive stakeholder consultations and contextual analysis, which resulted in the risks summarized in Table 1.

This study identified a set of interrelated risks and challenges impacting the land rights and livelihoods of Indigenous Peoples and Local Communities (IP&LCs) in Colombia's palm oil-producing regions, particularly in the department of Meta. These findings emerged through qualitative analysis of multi-level stakeholder consultations, incorporating community perspectives, expert insights, and supply chain data. The results reflect both historical patterns and ongoing developments in the agricultural sector.

Gaps in the Implementation of Free, Prior and Informed Consent (FPIC)

Despite Colombia's legal commitments under ILO Convention 169, stakeholders noted frequent inconsistencies in the application of FPIC. Consultations are often expedited, lacking transparency or meaningful participation. In some cases, palm cultivation has expanded into Indigenous territories without proper collective consultation, leading to tensions and mistrust. The absence of follow-up mechanisms and imbalances in negotiation power further limit the effectiveness of these processes. This presents a critical opportunity for palm oil buyers and suppliers to improve community consultation processes and ensure that communities can participate fully and fairly in decisions affecting their lands.

Food and Water Insecurity

Many communities reported limited access to water and land for food production, citing increased competition from agricultural expansion and water contamination. In the departments of Meta, palm oil production was associated with high water demand, which in turn has reduced the availability of water for domestic and agricultural use. Agrochemical use and irrigation practices were also linked to environmental degradation and reduced crop yields. Addressing these issues through improved water governance and more inclusive land-use planning is essential to securing community well-being.

Environmental and Health Concerns

During consultations with Indigenous Peoples and Local Communities (IP&LCs), stakeholders shared concerns related to environmental and public health impacts associated with certain crop practices. Specifically, they pointed to issues

such as the use of herbicides and pesticides that may have contributed to the contamination of local water sources and affected food crops and livestock in nearby communities.

These reflections are not meant to place blame, but rather to offer valuable insights from those living closest to the landscapes where oil palm is produced. They present a timely opportunity for palm oil producing companies and their suppliers to strengthen environmental management practices in ways that both protect ecosystems and reinforce positive relationships with surrounding communities.

By proactively addressing these concerns—through more responsible agrochemical use, buffer zones, community dialogue, or improved monitoring—producers can demonstrate leadership, uphold sustainability commitments, and build long-term trust with local populations. Such efforts also contribute to risk reduction, market access, and brand integrity, aligning with the growing global demand for responsibly sourced palm oil.

Land Tenure and Access Challenges

The consultations also brought to light the importance of addressing land tenure challenges as a key aspect of sustainable palm oil production. In some cases, IP&LCs reside on lands without formal titles or are engaged in ongoing restitution processes. The expansion of agribusiness into areas with histories of displacement or unresolved land claims—particularly in regions like Meta—has added complexity to land governance and created potential for misunderstanding and tension.

Rather than viewing this as a barrier, it represents a strategic opportunity for palm oil companies and their suppliers to play a proactive role in promoting responsible land practices. Supporting land formalization efforts, conducting robust land tenure due diligence, and engaging early and transparently with communities can significantly reduce legal, reputational, and operational risks. More importantly, these efforts help build stronger, trust-based relationships with communities and contribute to long-term stability in key production areas.

Impacts on Traditional Livelihoods and Cultural Practices

Commercial land use transformation has disrupted traditional subsistence activities such as farming, hunting, and fishing, particularly for Indigenous communities. The loss of access to ancestral lands and natural resources has also contributed to cultural disintegration, as communities are forced to adapt to new economic models. Cultural identity, closely tied to land and ecosystem stewardship, is increasingly under pressure. Preserving culturally significant areas and integrating traditional knowledge into land-use planning processes offers a pathway toward more inclusive and sustainable development.

Gender-Specific Impacts

Women in rural and Indigenous communities face particular vulnerabilities related to land access, participation in decision-making, and employment in

the agricultural sector. Structural barriers, combined with safety concerns and gender-based violence risks, limit their involvement in consultation and decision-making processes and in plantation-related work. In addition, economic exclusion and unequal compensation for impacts on land and resources were raised by several stakeholders. Promoting gender-inclusive approaches within supplier policies and community engagement strategies can help address these disparities and contribute to more equitable outcomes.

Persistent Company-Community Conflicts

In some palm oil-producing regions, conflicts over land and natural resources remain unresolved, often rooted in historical grievances and unmet expectations. Stakeholders consulted during the process highlighted that the absence of effective communication channels and accessible grievance mechanisms continues to hinder conflict resolution efforts.

Rather than seeing these challenges as setbacks, they should be viewed as critical entry points for improvement. Ongoing disputes can contribute to social fragmentation, deepen mistrust, and pose reputational risks to companies operating or sourcing from these areas. However, they also underscore the importance—and opportunity—of building stronger, more inclusive systems for dialogue and accountability.

By establishing robust, transparent platforms for communication and reinforcing participatory approaches to conflict prevention and resolution, palm oil companies can foster stronger relationships with communities, address tensions proactively, and contribute to a more stable and trustworthy operating environment. These steps are not only key to achieving responsible sourcing goals but also vital for securing long-term social license to operate and strengthening supply chain resilience.

Conclusions

This study highlights a series of land rights-related risks and impacts associated with palm oil production in Colombia, particularly affecting Indigenous Peoples and local communities in a palm oil producing region. These include challenges related to community consultation and Free, Prior and Informed Consent (FPIC), access to land and natural resources, environmental and health impacts, cultural disruption, and economic vulnerability.

Addressing these risks requires proactive, coordinated action by palm oil buyers, suppliers, and external stakeholders. The following strategic interventions are recommended as key pathways for mitigating these impacts and promoting more equitable, transparent, and sustainable supply chains:

- Strengthening Supplier Engagement on Land Rights: Applying enhanced land rights requirements across the supply chain—tailored to the Colombian context—can help ensure supplier alignment with international human rights standards and by the evolving landscape of international regulatory frameworks, such as the Corporate Sustainability Due Diligence Directive (CSDDD), the European Union Deforestation Regulation (EUDR), and the Corporate Sustainability Reporting Directive (CSRD), among others, which emphasize the need for effective traceability mechanisms, risk assessments, and transparent reporting throughout supply chains.
- Review and engage on growers' water management and herbicide use: Assess current practices and work collaboratively with growers to promote responsible water management and reduce the environmental and social impacts of herbicide use, with a focus on respecting IP&LC rights.
- Capacity building for growers and processors on IP&LC land rights: Provide training and guidance to growers and processors to strengthen their understanding and respect for IP&LC land rights, promoting responsible practices and compliance with national and international standards.
- Support the Formalization of Land Rights for Smallholders: Palm oil mills can play a pivotal role in advancing the formalization of land tenure for smallholders within their supply chains. This effort would help reduce the risks associated with land informality and contribute to mitigating the potential exclusion of smallholders from sustainable sourcing initiatives.
- Empowering Communities and Smallholders: Capacity building for community members and smallholders can help reduce vulnerability, strengthen livelihoods, and support inclusive rural development. It also fosters more

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*This work stems from the project "Addressing Indigenous Peoples' and Local Communities' Land Rights Impacts and Risks in Colombia: Stakeholder Consultation Findings," carried out within the supply chains of two key commodities prioritized by Nestlé in Colombia. The findings from this study have directly informed the development of Nestlé's Human Rights Action Plan in Colombia—an initiative aimed at addressing a range of identified risks and impacts across these supply chains. The plan outlines concrete actions to be implemented in collaboration with Nestlé's suppliers in the country, alongside a set of recommended measures to be pursued through collective action with the support and engagement of other relevant stakeholders.

The information contained in this poster is the responsibility of the authors.

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