

## **Conflict Resolution Through a Multi-stakeholder Process: The RSPO-DSF**

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### **Abstract**

A multi-stakeholder process (MSP) is one where stakeholders, as persons or groups, with an interest in a matter are brought together to enable an empowered and active participation in the discussion of the management of a common pool of resources. As opposed to state led unilateral decisions, it is used as a participatory governance tool to resolve conflicts and to arrive at outcomes that are acceptable to all parties, thus creating justice, well-being and equality for all interested parties. MSP is promoted as a good governance mechanism in natural resources development where problems are multifaceted, involving political, economic, environmental and social issues.

The "roundtable" such as the RSPO, is one such MSP, comprising oil palm producers palm oil processors, traders, consumer goods manufacturers, retailers, banks and investors, environmental or nature conservation NGOs and social or developmental NGOs. The philosophy of the roundtable is that equal rights are given to stakeholders to bring group specific agendas to the roundtable bringing together traditionally adversarial stakeholders and business competitors.

With the growth of conglomerate-owned and state endorsed oil palm plantations, conflicts over lands and forests, and tenure rights of local communities are almost endemic. and in some cases, concerns over the environmental sustainability of large scale oil palm plantations. It is ironic that the very people whose lives and environment are most affected do not appear to have any or adequate representation at the table.

The RSPO-Dispute Settlement Facility is one way to deal with the disputes on land and local communities. The DSF is set up to complement the work of the Complaints Panel of the RSPO.<sup>1</sup> and aims to facilitate the engagement of stakeholders in settlement of disputes in a more efficient, less bureaucratic and legalistic manner while still upholding the law and RSPO requirements. It encourages parties to settle disputes through mediation. A negotiated or mediated outcome may be more equitable as it involves collaboration and participation of the parties in decision making. Indeed a non-legalistic approach might lead to better resolution of the conflict, as it takes into account the present realities on the ground. At the same time, the DSF aims to prevent conflicts from arising so that there would be less strain on the existing complaints system. .

This paper looks at the RSPO- DSF and the capacity needs for the workings of such a facility. Considering the intricacies of dispute settlement through an MSP, it raises the issue of systemic disparity and power difference that generally exists and the need to build trust for a multi-stakeholder governance to work.

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<sup>1</sup> See <http://www.rspo.org/en/Framework>