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A cross-cultural comparison: CSR through a human rights lens

Comparative case study of Norwegian-based Yara & U.S.-based Corteva's
food security Public-Private Partnerships

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List of abbreviations

AA	Action Africa (Yara's PPP of study)
ACHPR	African Commission on Human and Peoples' Rights
BHR	Business and human rights
CSR	Corporate social responsibility
CSV	Creating shared value
DD	Due diligence
HHPs	Highly hazardous pesticides
HRC	United Nations Human Rights Council
HRDD	Human rights due diligence
HRIA	Human rights impact assessment
FAO	Food and Agriculture Organization
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDD	Integrity due diligence
ILO	International Labour Organization
MNE	Multinational enterprise
NAP	National Action Plans on Business and Human Rights
NBIM	Norges Bank Investment Management
NGO	Non-governmental organization
NMFA	Norwegian Ministry of Foreign Affairs
NPA	Nourishing Prosperity Alliance (Corteva's PPP of study)
NSD	Norwegian Centre for Research Data (Norsk senter for forskningsdata)
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PPP	Public-private partnership
RBA	Rights-based approach
RRtFN	ACHPR's Resolution on Right to Food and Nutrition
SDGs	United Nations Sustainable Development Goals
SHFs	Small-holder farmers
TNC	Transnational corporation
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNGA	United Nations General Assembly
UNGPs	United Nations Guiding Principles on Business and Human Rights
UNICEF	United Nations Children Fund
USAID	United States Agency for International Development
WFP	The World Food Programme

1 Introduction

Collaboration across sectors has emerged as a central concept in international development in the 21st century (Stibbe, Reid & Gilbert, 2018, p. 6). This collaboration has been championed by the United Nations (UN), which positions business as a necessary development partner to addressing today's societal challenges and achieving global priorities through the UN Sustainable Development Goals (SDGs). This is because corporations exert immense power over the global economy and thus social and individual welfare (Kinley 2009) and have immense knowledge and resources to impart. Likewise, in recent years, there has been a growing understanding amongst corporate leaders that profit and social interests are not mutually exclusive (Porter & Kramer, 2006). Indeed, where business and social interests overlap can ultimately be a "sustainability sweet spot" (Savitz & Weber, 2006, p. 243), resulting in competitive advantage, innovation opportunities and often increased profit (Savitz & Weber, 2006; Porter & Kramer, 2006).

The concepts of *corporate social responsibility (CSR)* and *creating shared value (CSV)* are overlapping ideas that address the intersections between business and society (Porter & Kramer, 2006, 2011, 2016). CSR has been a part of the business conversation for decades, however corporate practitioners and management scholars are increasingly unconvinced of the value of purely philanthropic CSR strategies without strategic rationale anchored in the company's core operations (Porter & Kramer, 2006, 2011, 2016). As an alternative, the CSV paradigm put forth by Porter and Kramer (2011, 2016) posits that a company can improve societal issues *while* advancing its competitive position. Porter and Kramer (2011, 2016) argue that through CSV, companies can treat societal challenges as business opportunities and gain competitive advantage by including social and environmental considerations in their business strategies.

Private and public actors are increasingly embracing the potential of strategic CSR and CSV, resulting in a rise in multi-stakeholder initiatives, often branded *public-private partnerships (PPPs)*. In the context of the post-2015 sustainable development agenda, we see examples of the private sector engaging in PPPs that address the UN SDGs, which are anchored in human rights principles and standards (UN, 2015). The promotion of PPPs as a valuable tool for sustainable development is found in the 2030 Agenda for Sustainable Development's Goal 17, which contains a section specifically on multi-stakeholder partnerships. The UN (2015) encourages partnerships that "mobilize and share knowledge, expertise, technology and

financial resources to support the achievement of the sustainable development goals in all countries, in particular developing countries” and “effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships” (p. 27).

While private sector mobilization toward realizing the SDGs is seen as advantageous because it brings resources and expertise crucial to finding solutions to complex challenges (UN Global Compact & Dalberg Global Development Advisors, 2007), issues emerge. The conflict of profit and not-for-profit missions is apparent (Horrigan, 2010), and thus state, NGO and public actors can be challenged to navigate partnering with business actors without “compromising the integrity of their mission” (UN Global Compact & Dalberg Global Development Advisors, 2007). Profit and societal motives can and do often intersect in a mutually beneficial way. Nevertheless, involvement of corporate actors in the fulfillment of global goals linked to human rights obligations placed on states invites the need for analysis.

This thesis takes this notion as its starting point for a critical inquiry. Through the lens of human rights, *why* and *how* are corporations carrying out PPPs that affect the realization of human rights? The question of *why* will explore the motivations companies have for partaking in PPPs. Theories of CSR will be used in this “why” analysis. The question of *how* will seek to understand the extent to which human rights standards and frameworks are used by corporate actors in the design and implementation of PPP programs.

Academically, this thesis seeks to contribute a human rights perspective to the conversation on corporate involvement in PPPs aligned with the SDGs. The practical aim is to consider how corporations involved in PPPs can strengthen their involvement from a human rights standpoint. The methodological approach comprises an empirical two-case comparative study of two multinational enterprises (MNEs): Yara, based in Norway, and Corteva Agriscience,¹ based in the United States. The research focuses on food security CSR initiatives in Kenya, conducted through partnerships, that address SDG number two, which is focused on hunger, food security and sustainable agriculture. To critically analyze the initiatives from a human rights perspective, frameworks used in the analysis include the rights-based approach (RBA) to development and the UN Guiding Principles on Business and Human Rights (UNGPs). The

¹ Hereafter referred to as “Corteva”.

analysis is comparative and explores similarities and differences between how a Norwegian corporation and an American corporation approach PPPs, which are understood in thesis as a form of CSR.

The overall research question guiding the inquiry is:

RQ: Why and how are multinational enterprises Yara and Corteva responding to food insecurity in Kenya through PPPs, and to what extent are these CSR endeavors grounded in human rights frameworks and standards?

1.1 Defining public-private partnerships

This research effort takes CSR as a departure point to set the scene with established theories and models. I also introduced the concept of CSV, or creating shared value (Porter & Kramer, 2011), which builds on CSR concepts to reimagine a new role for business in society. CSR and CSV will be expanded on in section three.

As the empirical research focuses on PPPs as the “vehicle” of CSR under study, it’s imperative to define the concept. This thesis focuses on the agriculture sector, so the definition is based on a paraphrased definition from the Food and Agriculture Organization of the United Nations (FAO):

Public-private partnerships (PPPs) are innovative, problem-focused partnerships that bring together business, government and civil society actors to pool financing and mitigate risks of doing business in the agricultural sector. PPPs are expected to contribute to the pursuit of sustainable agricultural development that is inclusive of smallholder farmers (2015, p. viii).

2 Setting the scene for comparative analysis

I chose a comparative analysis in order to compare one MNE based in Norway and one MNE based in the United States. Broadly speaking, this comparison was chosen because Norway and the U.S. represent different political-economic systems, and each nation takes a different approach to both state-business relations and the global human rights effort. This chapter will defend the choice of national contexts and describe the chosen actors, Yara and Corteva, as well as their PPPs in Kenya

2.1 Choice of national contexts

Why compare MNE-driven food security initiatives through a human rights lens across national contexts, and why choose the U.S. and Norway? I will answer this question based on my literature review, which explored the foundations of CSR and how it has been interpreted in American and Norwegian contexts.

My literature review established that scholars agree there is diversity in CSR models and that overall interpretations of the concept vary between the U.S. and Europe (Matten & Moon, 2008; Argandoña & Hoivik, 2009). Scholars who have conducted comparative national analyses stress that the meaning of CSR is “nationally contingent” and “dynamic” (Matten & Moon, 2008, p. 405). As the concept of CSR, originally of American origin, has spread across governments and institutions, it naturally has been interpreted differently depending on the nation’s pre-existing political-economic institutions, cultural norms and regulatory framework (Gjølberg 2010, p. 203). Within Europe, there are many different interpretations of CSR. For example, Argandoña and Hoivik (2009) present “Continental, Scandinavian, Mediterranean, Eastern European” models of CSR, and Gjølberg (2010) takes this a step further typifying Norwegian-Swedish and Danish-Finnish models of CSR.

Differences in how CSR has developed in the U.S. and Europe is due to several factors, but perhaps most significantly because corporate responsibility for social and environmental issues is viewed mainly as voluntary in the relatively unregulated U.S. market, and as intertwined with laws and government policies in Europe (Argandoña and Hoivik, 2009, p. 227). The European approach is often described as “implicit CSR” because corporate responsibility is taken “as part of the company’s legal responsibilities” (Avetisyan & Ferrary, 2013, p. 118) and comprises “values, norms and rules” that result in mandatory and customary requirements for corporations (Matten and Moon, 2008, p. 409). The U.S. approach is often described as “explicit CSR” with the difference being it involves corporate strategies that articulate responsibility for societal interests and voluntary programs combining “social and business value” (Matten & Moon, 2008, p. 409). The differences between implicit and explicit CSR models are attributed to differences in state-society relations (Matten & Moon, 2008). Over time, while not substituting implicit CSR activities, explicit CSR has gained ground in Europe because of factors like normative pressures and “the homogenization of institutional environments across national boundaries” (Matten & Moon, 2008).

It has been established that it is possible that “the content and meaning of CSR” undergoes “a high degree of transformation” when implemented in various national contexts, to “make CSR compatible with preexisting political-economic institutions.” (Gjøølberg, 2010, p. 206). The historical and foundational differences in CSR interpretations between the U.S. and Europe made the U.S. a natural choice as a case study. Norway is chosen for a few reasons. These include integrating a European perspective on CSR, the nature of Norway’s political-economic system, and the country’s emergence as a leader in the business and human rights arena.

Differing state-business relations and perspectives on CSR

The European perspective on CSR is important to include in the analysis because business in Europe has not been given the same independent function in society as in the U.S. (Gjøølberg, 2010). In the U.S., the economy structure positions the government outside of the CSR agenda (Moon & Vogel, 2008). Norway offers an interesting European state-business context for a CSR analysis because of the country’s tradition of “strong social embedding of the economy through regulation, corporatist agreements and state involvement” (Gjøølberg, 2010, p. 204). The Norwegian economy comprises both free market activity and government intervention, with the government controlling key areas, such as the petroleum sector (U.S. Department of Commerce, 2021). The government controls many large-scale state enterprises, some fully owned, and some publicly traded but where the government has controlling interests (U.S. Department of Commerce, 2021). Overall, government is a key business actor as one of the largest owners and investors in the Nordic economics (Gjøølberg, 2010, p. 209).

With Yara, for example, the state and the government pension fund are leading stakeholders in the company. The Norwegian Ministry of Trade, Industry and Fisheries is Yara’s largest shareholder at 36.2% of shares and the Government Pension Fund Norway is Yara’s second-largest shareholder at 7% of shares (Yara, 2022a). When the state owns substantial shares in a company, more could rationally be expected from a corporate responsibility perspective because of state human rights obligations. Norges Bank Investment Management (NBIM), the government pension fund’s wealth fund manager, has a human rights policy outlining expectations that the companies it invests in respect human rights and “integrate human rights into their policies, corporate strategy, risk management and reporting” (NBIM, 2020).

The CSR agenda in Norway has largely been driven by the government (Gjølberg, 2010) and the CSR agenda is intertwined with the state's so-called "marketing project seeking to brand Norway as a 'humanitarian superpower'" (Gjølberg, 2010, p. 213). The Norwegian authorities have a history of efforts to establish Norway as a diplomatic actor that promotes human rights and sustainable development (Batora, 2006; Gjølberg, 2010). CSR is linked to this foreign policy agenda (Gjølberg, 2010). This provides an interesting contrast to the U.S., where CSR is socially embedded, but less government-driven (Matten and Moon, 2008). How might these differences affect why and how two companies engage in CSR initiatives, and the inclusion of human rights frameworks?

Different perspectives on business and human rights

Another area that makes Norway and the U.S. an interesting comparison is adherence to, and support for, business and human rights (BHR) frameworks and standards. Countries inevitably vary in their interpretations of international human rights standards and practices. Norway has emerged as a BHR leader in recent years. The Norwegian government recently passed the Norwegian Transparency Act, anchored in the UNGPs, creating a corporate duty to conduct due diligence with respect to human rights and decent work (European Coalition for Corporate Justice, 2021). The government also launched a National Action Plan (NAP) in 2015, an activity encouraged by the UN Working Group on Business and Human Rights to help the business sector follow the UNGPs. Within the NAP, the state lays out expectations that businesses "exercise due diligence and assess the human rights-related risks in the context of their operations" (Norwegian Ministry of Foreign Affairs [NMFA], 2015, p. 9). The NAP contains specific recommendations on obtaining expertise for risk identification and assessment, integrating findings from the due diligence process, measuring and reporting (NMFA, 2015).²

Comparatively, the U.S. has been more disengaged on the BHR front. Although the U.S. has implemented voluntary measures such as a NAP, the Global Compact, and the Organisation for Economic Co-operation and Development (OECD) Guidelines, it actively opposes a legally binding treaty on BHR (U.S. Mission Geneva, 2020). Additionally, the U.S. lacks commitment to regulating due diligence, which will be expanded on in section 5.2.

² However, the NAP does not specifically address applying due diligence to CSR initiatives. Thus, the question is whether Norwegian corporations are doing so.

2.2 Choosing MNE actors as case studies

Before choosing MNE actors Yara and Corteva as case studies, I weighed the following:

1. I sought to study MNEs with a CSR initiative that aligned closely with SDG two: zero hunger (UN, 2015). A key component of this goal is to increase agricultural productivity and sustainable food production to help alleviate hunger. Supporting smallholder farmers (SHFs) in increasing food production is called out as a key priority by the Food and Agriculture Organization (FAO), especially considering the COVID-19 pandemic's implications on food security (UN, 2022). Both Yara and Corteva have PPPs addressing SDG two and specifically supporting SHFs. Choosing PPPs related to a specific SDG helped me determine how the initiatives could be analyzed from a human rights perspective. For example, the right to food and the right to work are immediately apparent as relevant rights.
2. To create a fair comparative analysis, I wanted to choose MNEs with similar sales and profit levels ranking among the world's largest public companies. I consulted the Forbes' Global 2000 list, which ranks companies in terms of financials. I found that Yara ranked 931st with profit of USD \$683.5 million, and Corteva ranked 495th with profit of \$681 million in 2021 (Murphy et al., 2021).
3. I wanted to focus on PPPs dedicated to food security in Africa, as the continent has some of the worst levels of food insecurity globally and is not on track to meet the SDG goal two targets (FAO et al., 2021). Kenya emerged as the strongest candidate for field research based on its high level of food insecurity, vast agricultural economy, Yara and Corteva's corporate presence in the country, and the companies' relevant PPPs.

2.2.1 Descriptions of actors and CSR initiatives

For the reasons outlined above, Norwegian-based corporation Yara and the U.S.-based corporation Corteva were chosen as case studies. Here, I briefly describe each company, its mission and vision, approach to human rights, and Kenya-based PPP of study.

Yara and "Action Africa"

Yara is a Norwegian chemical company specializing in fertilizer with around 17,800 employees and operations in 60 countries (Yara, 2022f). Headquartered in Oslo, Yara brands

itself as “the industry’s only global crop nutrition company” and reported revenues of USD 16.6 billion in 2021 (Yara, 2022f). Yara is listed on the Oslo Stock Exchange and the Norwegian government owns more than a third of Yara and is its largest stakeholder (Yara, 2022a). Yara was first established in 1905 as Norsk Hydro. According to the company, it was founded “to solve the emerging famine in Europe” (Yara, 2021a). Norsk Hydro demerged as Yara in 2004.

Yara states its mission is to “responsibly feed the world and protect the planet” and its vision is “a collaborative society; a world without hunger; a planet respected” (Yara, 2022e). It describes its “integrated business model” as one that strategically pursues “sustainable value growth” (Yara, 2021a). Yara states that the SDGs are a “natural benchmark for identifying societal impact” and align the SDGs with its strategic emphasis on CSV (Yara, 2022f, p. 25).

Human rights are embedded in the company’s compliance program. It has one dedicated human rights manager and 17 staff in the Ethics & Compliance program who deal with human rights issues (Interview E, Yara, 2022). The company states that an “active stance” against human rights abuses is a “moral obligation”, notes its corporate responsibility and duty to uphold human rights, and lists support for the UNGPs, OECD Guidelines for Multinational Enterprises, the International Bill of Human Rights, the core conventions of the ILO and the Voluntary Principles on Security and Human Rights (Yara, 2021b). Yara produces an annual report on how it has advanced implementation of the voluntary principles internationally (Yara, 2021c). Yara lists examples of its human risks as child labor, forced labor, indigenous peoples’ rights, freedom of association and collective bargaining, and overall labor rights (Yara, 2021b).

Yara’s PPP of study is Action Africa (AA), in which Yara donated 40,000 metric tons of fertilizer to East Africa in 2020 following the arrival of the COVID-19 pandemic (Yara, 2020a). The initiative is estimated to have cost roughly \$25 million (Yara, 2020c). According to Yara (2020a), 250,000 farmers were enabled to provide food for one million people in the region and two million smallholder farmers were connected to ongoing agronomy advice through a digital platform. The operation involved shipping the fertilizer via cargo ships from Norway to East Africa. The fertilizer was distributed in Kenya, Uganda, Tanzania, Malawi, Rwanda, Zambia and Mozambique. In Kenya and Tanzania, Yara partnered with its retail network to donate fertilizer bags to smallholder farmers and used QR code technology to

track the recipients and connect them with the digital platform (Interview A, Yara, 2022). In Kenya, approximately 1 million users, including all AA participants, were onboarded onto the platform (Interview A, Yara, 2022). In Mozambique and Zambia, NGO partners coordinated the donations (Interview A, Yara, 2022). Yara links AA to SDG two (Yara 2022f, p. 25).

Corteva and the “Nourishing Prosperity Alliance”

Corteva, headquartered in Wilmington, Delaware, is an American agricultural chemical company and seed company (World Benchmarking Alliance, 2021). Corteva produces seeds, seed traits and treatments, field crop varieties and crop protection products (World Benchmarking Alliance, 2021).³ It supplies Pannar, a leading maize brand, in Africa. Corteva was established by combining Dow AgroSciences, DuPont Crop Protection and DuPont Pioneer and was separated from DowDuPont and launched as an independent public company in 2019 (World Benchmarking Alliance, 2021). Corteva reported net sales of \$15.65 billion in 2021 and employs 21,000 people (Corteva, 2021).

Corteva states its purpose is to “enrich the lives of those who produce and those who consume, ensuring progress for generations to come” (Corteva, 2022f). Corteva states in its Sustainability Report (2022a) that it is advancing food security and contributing to achievement of SDG two, and empowering smallholder farmers and women (p. 109). Corteva describes itself as “solving the world’s food problems through innovation [and] technology” (Corteva, 2022h) and like Yara, emphasizes its sustainable contributions to the global food system (Corteva, 2022a). In its Code of Conduct (2022e), within its business partner section, Corteva states the company is committed to the protection and advancement of human rights and will not tolerate the use of forced labor, slavery, human trafficking or the exploitation of children or engagement in hazardous work (p.15). My research did not find documented support for international human rights instruments in Corteva’s public-facing material.

Corteva’s PPP of study is the “Nourishing Prosperity Alliance” (NPA), a partnership described as “empower[ing] 5,000 women smallholder dairy farmers” (Corteva, 2020a, p. 30). NPA pairs Corteva agronomists with female SHFs to help integrate corn silage into feed practices. This can significantly increase the quantity and quality of forages, the plant material eaten by livestock, and improve the milk produced by dairy cows (Corteva, 2020a, p. 30). The

³ Otherwise known as pesticides. For example, Corteva produces herbicides, insecticides and fungicides.

work aims to both address “chronic dairy shortages impacting nutrition in Kenya” and increase incomes of the women (Corteva, 2020a, p. 30). To launch NPA, Corteva joined together with Land O’Lakes Venture³⁷, a nonprofit founded in 1981 affiliated with Land O’Lakes, a \$16-billion American member-owned agricultural cooperative based in Minnesota (Land O’Lakes, 2022). Corteva agronomists also train SHFs on farming practices, harvesting and storage (Corteva, 2022d). Corteva links the NPA to its own 2030 sustainability goals, specifically its commitment to “increasing the productivity, incomes and sustainable farming practices of 500 million smallholder farmers by 2030, including doubling the percentage of female farmers served” (Corteva, 2022a, p. 27; Corteva, 2022d). Corteva broadly links its work with women empowerment and smallholder farmers with UN SDG two (Corteva 2022a, p. 109, 112). However, my research found that Corteva frequently places its PPPs like NPA within the framework of Corteva’s own “company branded” sustainability goals, rather than in terms of the UN SDGs. This finding will be expanded on later in the thesis.

Critical perspectives of Yara, Corteva and food security PPPs

Yara has faced some legal and human rights scandals in recent years. In 2015, four executives, including the CEO and chief legal officer (CLO) were convicted for paying bribes in Libya and India (Reuters, 2015). In 2016, the verdict for the CEO and others was overturned in court but the CLO’s was upheld (Reuters, 2016). The implications of fertilizer and its effects on climate change are also major points of contention, particularly for agroecology and food sovereignty movements, and environmental activists (Corporate Watch, 2019).

Relatedly, Corteva is one of five dominant players in the pesticides market (Dowler, 2020). An analysis by journalism group ‘Unearthed’ and Swiss NGO ‘Public Eye’ showed these five companies sold \$4.8 billion of products in 2018 containing highly hazardous pesticides (HHPs), making up over 36% of collective income, a claim disputed by some of the companies (Carrington, 2020).⁴ Baskut Tuncak, former UN special rapporteur on human rights and hazardous substances and wastes, called the income earnings from HHPs “inappropriate”, “unsustainable” and responsible for “causing a multitude of human rights violations around the world.” (Carrington, 2020). Tuncak accused the pesticide and

⁴ CropLife International, the pesticide industry’s lobbying group, has accepted that 15% of the chemicals its members sell are HPPs but says many can be used safely in practice (Carrington, 2020).

agroindustry of “systematic denial...of the magnitude of damage inflicted by these chemicals”, of “aggressive, unethical marketing tactics” and lobbying efforts that have “obstructed reforms and paralysed global pesticide restrictions” (UN HRC, 2017, p. 3 and 18). He also argues that although pesticide technology has “helped to keep agricultural production apace of unprecedented jumps in food demands”, ultimately reliance on hazardous pesticides is a “short-term solution that undermines the rights to adequate food and health for present and future generations.” (UN HRC, 2017, p. 3).

Some development scholars also criticize that the ‘agriculture for development’ agenda present in the SDGs is most concerned with ensuring the interests of agribusiness, at the expense of safeguarding actual sustainable development (Spann, 2017). This topic – related to the phenomenon known as ‘greenwashing’ – is potentially relevant to “why” corporations are pursuing PPPs in Kenya, however, a deep, data-driven analysis probing at this topic is beyond the scope of this paper.

2.2.2 The context: Kenya

As stated previously, from a logical perspective, Kenya emerged as a relevant context because both Yara and Corteva have pursued PPPs in East Africa geared toward supporting SHFs, and both actors have a corporate presence in Kenya. However, there were several other factors that positioned the country as a compelling analytical context. Here, I will address the state of food insecurity and agriculture in the country, and relevant human rights issues such as gender inequality.

Food insecurity

This thesis focuses on SDG two to reduce food insecurity, which is a significant problem in the East African country of Kenya, mainly because of extreme weather and failed rain seasons (Government of Kenya, 2022). Across East Africa, below-average rainfall has resulted in some of the driest conditions in four decades (Dahir, 2020). According to the Government of Kenya (2022), the recent drought in October – December 2021 resulted in 3.1 million people being food insecure and in need of humanitarian assistance, with outcomes expected to worsen to 3.5 million people by May 2022 (p. 7). Poor rainfall reduced crop production. One of the country’s primary crops, maize, was produced at just 45-50 percent of the five-year average in 2021 (p. 13). Climate change has also resulted in another extreme weather event,

flooding, contributing to crises like the desert locust invasion in late-2019, Kenya's worst in 70 years (Dahir, 2020).

Together, these shocks have threatened food security. The situation only worsened when the COVID-19 pandemic hit, which affected global food and commodity prices across Africa (Oxfam, 2022). Nearly half of all households in Kenya must borrow food or buy it on credit (Oxfam, 2022). Families headed by women are more likely to be food insecure than ones headed by men, and malnutrition is high with 29 percent of children in rural areas stunted (WFP, 2022).

Agriculture

Agriculture is the main economic driver in Kenya, but the country faces a perennially challenging farming landscape with 80 percent arid or semi-arid land (World Food Programme [WFP], 2018). This, combined with inefficient food systems, causes high prices and inadequate food supplies, resulting in limited access to food (WFP, 2018). Agriculture is linked to more rights than the right to food, it's woven into the right to work for many Kenyans. Rural households in the country, especially western Kenya, depend on agriculture as the major source of livelihood (Etale & Simatele, 2021, Erick et al, 2019, Valbuena et al, 2015). Income from agriculture also plays a vital role in paying school fees (Etale & Simatele, 2021), and thus is also linked to the right to education.

Partnerships key to food security

One-hundred percent food security is one of the state government's "big four" priorities to reach by 2022 with boosting capacity of SHFs as a supporting goal (Government of Kenya, 2020, p. 2). According to WFP, "the country's openness to innovation offers opportunities" for achieving SDG two (2022).

Kenya has moved away from partnering with NGOs since 2018 as it was designated as a lower-middle-income country in 2014 (WFP, 2018). The WFP states it is shifting away from "direction provision of transfers and services" to "strengthening of national systems and capacities to deliver food and nutrition security" (2018, p. 2). WFP's Kenya country strategic plan notes partnerships with the private sector as key to this effort (2018, p. 2). However, reporting and monitoring of private sector involvement in achieving food security in Kenya appears to be very limited based on my literature review. National budget allocations to

agriculture are below the recommended 10 percent, and PPPs form one of the main complementary sources of finance (WFP, 2018). Thus, PPPs are positioned to play a role in fulfilling the right to food, and research is arguably needed on *why* and *how* they are responding and to what extent human rights frameworks are used.

Gender inequality

In Kenya, gender inequality is “both a cause and a consequence of food security, including through limited land rights and opportunities for women” (WFP, 2018). Kenya aims to reduce gender inequalities to achieve sustainable food and security nutrition. Kenyan women comprise 80% of the nation’s agricultural labor force and provide 60% of farm income, yet own just 5% of land (Musangi, 2017, p. 7). Land is majorly controlled and owned by men, with women’s access largely determined through male relatives (Etale & Simatele, 2021, Musangi, 2017; Smith et al., 2008). Despite relevant legislation that clearly forbids sex or gender-based discrimination concerning land in Kenya, including the 2010 Constitution of Kenya, actual implementation in rural areas is scarce (Etale & Simatele, 2021; Cotula et al., 2006; Mwangi, 2013; Smith et al., 2008). Kameri-Mbote and Muriungi (2018) estimate only one percent of women in Kenya are sole registered landowners and only five percent are co-registered as landowners with their husbands.

Nevertheless, the land rights issue is complex, and the role of development actors is debated. Etale and Simatele (2021) argue that it is important for food security initiatives to focus on achieving secure access to land for women. Still, it is critical for development actors to engage with understanding the patrilineal approach to life in Kenya. With men established as custodians of the land, Etale and Simatele (2021) propose development culture and empowerment programs “involve both men and women right from the beginning” for better results at achieving food-secure households and show sensitivity to local knowledge and customs (p. 16). As Norway is a global leader in gender equality, and the United States lags further behind,⁵ I am curious to what extent a Norwegian corporation and a U.S. corporation will be sensitive to gender inequality in their food security PPP programming, and if so, how.

⁵ Norway ranks third in The Global Gender Gap Index 2021, which ranks states’ closing of national gender gaps. The United States ranks 30th, and Kenya ranks 95th, out of 156 countries, (World Economic Forum, 2021).

To conclude section two, the aim of the comparative analysis is to uncover similarities and differences in a Norwegian corporation's and American corporation's approach to integrating human rights frameworks into CSR programs. The context in which this is explored is food security PPP programming in Kenya. To help guide the analysis, hypotheses are presented in section four.

3 CSR and human rights

This chapter expands on the literature review in section two to lay a groundwork for understanding PPPs and possible corporate motives and approaches to implementation. Then, the chapter explores relevant human rights topics: the UNGPs and HRDD; the right to food and the RBA; and how PPPs are linked to the SDGs. Additionally, the human right to food will be expanded on. These topics form the "human rights lens" of this thesis. From here, I identify the research gap and research sub-questions.

3.1 CSR

My literature review revealed that precisely defining the concept of CSR is difficult and often avoided. Matten and Moon (2008) note "defining CSR is not easy" and describe its "dynamic" personality. Sheehy (2015) observes defining CSR is "complex and complicated" because of the dynamic "ecology, society and economic systems" it is involved in, and "the multifaceted nature of the problem and the number of actors, locations and institutions" (Sheehy, 2015, p. 625-626).

However, traditionally, CSR has been termed as "actions that appear to further some social good, beyond the interests of the firm and that which is required by law" (McWilliams and Siegel 2001, p. 117). According to Shabana (2021), who approaches his analysis within the American context, the core purposes of CSR are "legitimacy enforcement" and "legitimacy management". CSR addresses "expectations that society has of organizations at a given point in time" (Carol, 1979, p. 500) and whether organizations meet those expectations, which then warrants its legitimacy (Shabana 2021; Drucker, 1985). Other benefits, such as business success, risk mitigation and reputation enhancement are secondary to legitimacy (Shabana 2021; Rangan, Chase & Karim, 2015). This concept is *legitimacy enforcement*.

Corporations may augment their rationale for CSR with a "business case" motive (Shabana, 2021), and transform society's expectations on the corporation into growth opportunities (Porter and Kramer 201; Shabana 2021; Drucker 1985). Shabana (2021) argues that is this

legitimacy management. Thus, there is a dual nature to CSR, as it is both an imposition due to societal expectations and an opportunity to pursue growth (Shabana 2021; Porter and Kramer 2011; Drucker 1985).

Prominent management scholar Peter Drucker (1954) argued that business executives have a moral responsibility for their decisions, which shape economy and society. As summarized by Kurzynski (2012), Drucker believed that corporations exist to “serve needs of society” and company management holds the duty of making “the interests of the public good the enterprise’s own self-interest” resulting in “a reciprocal exchange of success and satisfaction of goals” (p. 16). Though grounded in moral theory, which typically is associated with traditional CSR versus strategic CSR (Porter & Kramer, 2006), Drucker’s idea of a reciprocal exchange (Kurzynski, 2012) fits well with modern conceptions of CSV and strategic CSR, or the *managerial* conception of CSR and legitimacy management (Shabana, 2021).

Alongside globalization, scrutiny of corporations has grown and interest in the social impacts of companies has risen (Brammer et al., 2012). This scrutiny, akin to the aforementioned “expectations that society has of organizations” (Carol, 1979, p. 500), is essentially legitimacy enforcement. This in turn can create a business need, or opportunity, for legitimacy management.

With this in mind, we may explore two orientations of CSR, the *institutional* and *managerial*, to support the conceptualization of CSR as legitimacy enforcement and legitimacy management tools (Shabana 2021). Additionally, I will further connect the concept of institutional CSR to the normative, ethics-driven case for CSR, and the concept of managerial CSR to the business-driven case for CSR.

Institutional CSR: The normative case for CSR and Legitimacy Enforcement

Institutional theory seems to be central to “what CSR is all about” (Brammer, et. al, 2012). When making sense of institutions, we can turn to a quote in *The Oxford handbook of comparative institutional analysis* (Morgan et al., 2010, p. 2; Brammer et. al, 2012):

The field [in which] we are interested can be defined in how the forms, outcomes, and dynamics of economic organisation (firms, networks, markets) are influenced and shaped by other social institutions....and with what consequences for economic growth, innovation, employment, and inequality. Institutions are usually defined...as

formal or informal rules, regulations, norms, and understandings that constrain and enable behaviour.

It then follows that the institutional orientation to CSR is the “*outside looking in*” view of society, with the highest concern being that of society (Suchman, 1995). Institutional CSR is motivated by “external factors to the corporation” (Shabana 2021, p. 678). Institutional theory both constrains and enables behavior: constraining through rules, negative sanctions or punishments and enabling through positive incentives and rewards (Campbell, 2007, p. 958).

Corporations are also influenced by their social environment when they are in geographical areas where their conduct and social performance face “higher levels of scrutiny” (Shabana 2021, p. 678). It can be deduced that the U.S. and Norway have different institutional pressures as their political-economic institutions and national business systems are different (Gjølborg 2010). CSR behavior differs across national contexts (Maignan and Ralston, 2002), because the institutions within which corporations operate influence behavior (Campbell, 2007).

Campbell (2007) posits, for example, that among other institutional factors, corporations demonstrate greater social responsibility the more that they face strong state regulation, when unions are present, and if there are, among others, institutional investors and independent organizations who monitor their behavior and can influence it. This will be interesting to keep in mind in the comparative analysis, because, as previously explained, Norway has stronger state regulation and union presence than in the U.S., and Yara is partially owned by the state. Indeed, Campbell (2007) argues that Scandinavian countries generally have institutions that “facilitate socially responsible corporate behavior” (p. 963). Of interest as well, Gjølborg (2010) applies institutional theory in her analysis which concludes that the Norwegian state government grounds its CSR discourse in a “humanitarian, normative frame of reference” that builds on a tradition of “internationalism” promoting “global norms of cooperation and humanitarianism” (p. 219).

We can also take institutional theory to understand the historical development of CSR in the United States. Marens (2012) posits that the defeat of American labor movement affected the course of CSR in the country (p. 59). Unions developed on occupational lines and were mostly excluded from having a collective voice in the workplace (Brammer et. al, 2012).

Therefore, the national business system in the U.S. evolved with fewer labor rights (Brammer, et al., 2012) than European business systems with stronger unions. To win public acceptance, executives in the 1920s charged themselves with managing “according to principles of social responsibilities” (Brammer et. al, 2012, p. 11). Thus, the foundational concept of CSR was institutionalized within management practice (Brammer, et al., 2012).

Managerial CSR: The business case for CSR and Legitimacy Management

Contrasting with the institutional orientation of CSR’s “outside looking in” view, the managerial orientation of CSR is the “*inside looking out*” view of organizational managers looking at the business environment (Suchman, 1995). Here, the highest concern is the welfare of the business and its growth. The managerial orientation is apparent in the creating shared value (CSV) notion (Porter & Kramer, 2011), as well as the notion of strategic CSR (Burke & Logsdon, 1996; Matten & Crane, 2005), and stakeholder management (Freeman 1984). These variants possess the “inside looking out” orientation and focus on integrating CSR into core business actions and strategy (Shabana 2021). The aim is to prevent CSR from being “fragmented” or “disconnected from business and strategy” (Porter & Kramer, 2006, p. 79) and to make it strategic.

As discussed previously, the way that CSR evolved within the institutions of the United States led to CSR being understood as a management concept. Indeed, Gjølborg (2010) discusses CSR as an “American management concept” (p. 204), positing that it has “a strong affinity with the neoliberal model” as it “promotes corporate self-regulation and civil co-regulation over traditional government regulation” (p. 204). Will this “business-driven” orientation shine through in how American corporations conceive of CSR and motives for pursuing PPPs?

Merging Managerial and Institutional CSR: PPPs

We can see strains of both managerial and institutional orientations to CSR in PPPs. PPPs are a collaborative effort. Corporations bring together “dispersed stakeholder groups, such as customers, communities, advocacy groups, or other parties, to pursue or accomplish shared goals” (Desai, 2018, p. 222). The collaboration is a “symbiotic relationship” that advances societal goals while also allowing “organizations to influence the solutions being forged to protect their interests” (Shabana, 2021, p. 680). Thus, we can expect strains of both orientations to arise in both actors. Still, using institutional theory, this thesis seeks to unpack

whether the Norwegian and American companies demonstrate an affinity to identify with one typology more strongly.

3.2 Business and human rights

Global context: UNGPs as the standard

The MNE, as a *non-state actor*, avoids the international human rights legal obligations placed on state actors (Alston, 2005). There is major societal impetus to more closely regulate human rights abuses by non-state actors, specifically MNEs. There are discussions of whether a legally binding treaty should be in place, and many countries are enacting national BHR legislation, such as France, the United Kingdom, Switzerland and Norway (Business & Human Rights Resource Centre, 2022). Yet, in the absence of internationally binding human rights legal obligations for corporations, non-binding mechanisms such as the UNGPs reign as the normative standard. The UNGPs offer an “internationally accepted framework for enhancing standards and practices with regard to business and human rights” (OHCHR, 2021).

UN Special Representative on Business and Human Rights John Ruggie, the architect of the UNGPs, discusses tension between the business community and human rights advocates in his efforts to operationalize a BHR framework (Ruggie, 2013). He was urged by the business community to encourage *voluntary* initiatives while human rights groups remain skeptical of *non-legally binding* voluntary initiatives under the CSR umbrella because “they permit companies to burnish their image without changing their behavior” (Ruggie, 2013, p. 71). This is an interesting tension to keep in mind in the sense of analyzing to what extent the UNGPs inform corporate actions undertaken in CSR initiatives. Because human rights due diligence (HRDD), a key feature of the UNGPs, is not legally mandatory, are corporations conducting it for CSR initiatives?

Corporate responsibility to protect and human rights due diligence

The UNGPs are grounded in three interdependent, mutually supporting principles. The framework of the UNGPs is “Protect, Respect and Remedy” in which the state has a duty to protect human rights, corporations have a responsibility to respect human rights, and access to remedy must be ensured by the state for abuses in its territory or jurisdiction (UN, 2011).

The corporate responsibility to respect human rights exists wherever a business enterprise operates, and “over and above” compliance with domestic laws and regulations protecting human rights (UN, 2011, p. 13). The responsibility requires that business enterprises “avoid causing or contributing to adverse human rights impacts through their own activities and address such impacts when they occur” and “seek to prevent or mitigate human rights impacts... linked to their operations, products or services by business relationships, even if they have not contributed to those impacts” (UN, 2011, p. 13).

A major component of the corporate responsibility to respect human rights is undertaking HRDD as a core exercise in the development of new business activities or relationships (UN, 2011, p. 18). HRDD is intended to “identify, prevent, mitigate and account for” how businesses address their adverse human rights impacts, and the process includes “assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses and communicating how impacts are addressed” (UN, 2011, p. 17). The guidelines state that in the HRDD process, businesses should heed particular focus to human rights impacts on people with heightened risk of vulnerability or marginalization and account for the “different risks that may be faced by women and men” (UN, 2011, p. 20). They should make efforts to “track the effectiveness of their responses” to such groups (UN, 2011, p. 23). With the UNGP’s due diligence recommendations as guidance, the “*how*” portion of the analysis will address what the due diligence process looks like for Yara and Corteva in their PPPs of study.

3.3 Food security and the rights-based approach

Another relevant human rights lens is considering the RBA, and whether it is a framework applied, or even deemed relevant, by corporations in their design and implementation of PPPs. As many PPPs affect the realization of the SDGs, using the RBA for project design and application would be advocated from the human rights perspective.

Food security and the RBA

This section explores whether the RBA can be a relevant approach for corporations to consider when designing food security PPPs. Johnson (2018) argues that the human right to food comprises the same dimensions as food security, and that the “conceptual and institutional gap between development, from which food security arises, and human rights has significantly narrowed in recent decades” (p. 46). Therefore, human rights frameworks are

being used to understand who should respond and how (Johnson, 2018, p. 46). The main difference is that food security is a technical policy goal while the right to food, in addition to containing the technical dimensions of food security, “embeds...a moral and legal framework for understanding and responding to issues and inequities” (Johnson, 2018, p. 46). Johnson (2018) promotes the RBA as a *macro-level tool* for international regulation of food systems arguing the approach “provides a way to conceptualise the responsibilities of TNCs to begin to fill the legal void in which they have operated due to their lack of international legal personality.” (p. 51). The RBA is also cognizant of power imbalances and empowering marginalized groups, which in the food systems setting includes SHFs, women, children, elderly, those pregnant and lactating, and those with a disability or illness (Johnson, 2018, p. 52). In the proposed typology for a RBA regulating global agriculture, Johnson (2018) calls for “special treatment, support and protections” for groups vulnerable to food insecurity, particularly women SHFs (p. 57). With Johnson’s model as guidance, this thesis shifts from the macro-level to the micro-level of the feasibility and relevance of the RBA in food security. It zooms in on the RBA as a proposed *micro-level tool* for MNEs in their design and implementation of PPP programming.

In addition to its specific relevance to food security efforts, the RBA offers a global normative framework upon which many CSR programs, addressing a range of human rights issues, could theoretically be based. However, my literature review revealed that the conversation on the application of the RBA was primarily constrained to application by state actors and development actors such as NGOs and UN agencies. Thus, one aim of the research is to establish whether this approach is used or deemed relevant by corporate actors involved in food security PPPs.

The UN Sustainable Development Group (2022) defines the RBA as:

“A conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyze inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress and often result in groups of people being left behind.”

Under the RBA, the focus is on processes and outcomes, realizing rights, empowering individuals to claim their rights, and understanding the structural causes of an issue and its manifestations (Kirkemann Boesen & Martin, 2007, p. 10). The empowerment portion is specifically critical, because people must be “actively involved” in the “shaping [of] their own destiny...not just as passive recipients of the fruits of cunning development programs” (Sen, 1999, p. 53). Empowerment of marginalized, disadvantaged and excluded groups is especially important under this approach. Directing attention of PPP programming toward groups affected by power imbalances, like female SHFs, is one way the RBA could potentially strengthen food security PPP initiatives in Kenya.

Right to food and its linkages

The right to food is enshrined in the Universal Declaration of Human Rights (UDHR) as part of the right to an adequate standard of living, and found in the International Covenant on Economic, Social, and Cultural Rights (ICESCR). It is also protected in regional treaties, resolutions and national constitutions, such as the Constitution of Kenya and the African Commission on Human and Peoples’ Rights (ACHPR) Resolution on the Right to Food and Nutrition (RRtFN). The right to food is “realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement” (OHCHR, 2010). In 1999, the Committee on Economic, Social and Cultural Rights (CESCR) adopted General Comment No. 12 on the Right to Adequate Food to guide states and other actors in their interpretation and implementation of the right to food. The CESCR (1999) emphasized the most important dimensions to the right to food as *adequacy*, meaning sufficient nutrition and safety, and *sustainability*, or long-term stability of food availability and access.

Under ICESCR and Article 43(1) of the Kenyan Constitution, the government has the obligation to respect, protect and fulfill the realization of the right to food for every Kenyan. According to the ICESCR Article 11, governments are obligated to take “appropriate steps” to guarantee a right to an adequate standard of living, which includes adequate food, with “international cooperation” being of “essential importance”. PPPs are one way that the state can leverage the international community to help realize the right to food for Kenyans. The ACHPR’s (2019) RRtFN calls on states parties to drive participation of SHFs in the design, implementation and monitoring of policies related to the realization of the right to food (para.

2). ACHPR (2019) also emphasizes the importance of women to rural livelihoods and urges strengthening of “multi-sector and gender-inclusive platforms at the national level” (para. 2).

The right to food is interrelated to other economic, social, and cultural rights, including the rights to education, work, water, health and life (Johnson 2018). The right to food is linked to SDG two, “Zero Hunger”, which sets targets such as:

“By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. (UN, 2015).

As stated previously, the SDGs are grounded in human rights and MNEs play an important role in the realization of the SDGs, both through negative social and environmental externalities, and as a “provider of solutions” (Kolk et.al, 2017). Both Yara and Corteva espouse broad support for the SDGs, and link their PPPs to SDG two, which begs the question of how embedded the RBA may or may not be in their efforts intrinsically linked to realizing the SDGs, and thus human rights.

3.4 Research gap and research sub-questions

CSR, emphasizing responsible corporate behavior, has been widely used in practice and deliberated extensively in literature. BHR, which has emerged as a new discipline and brought developments such as the normative and legal push for HRDD, represents a conceptual shift that grounds the conversation of business responsibility in human rights. My literature review established that there was a gap in the merging of these two disciplines, CSR and BHR. While I found ample literature on the topic of CSR, there was very little that probed at whether BHR frameworks are applied to CSR initiatives. Thus, the merging of these two subjects is an area worthy of exploration. Additionally, I found some literature that related to the cultural comparative portion of my research, but a lack of literature specifically comparing Norwegian and American CSR initiatives, not least from a human rights lens.

As stated previously, the main research question explores why and how Yara and Corteva are responding to food insecurity in Kenya through PPPs, and to what extent these CSR endeavors are grounded in human rights frameworks.

With the literature review complete and the gaps identified, I now have four additional sub-questions:

SQ1: How are Yara and Corteva framing and communicating their food security initiatives and to what extent is language used related to SDGs and human rights?

SQ2: How do participants (i.e., SHFs) perceive these initiatives?

SQ3: To what extent do Yara and Corteva use 1) the RBA and/or 2) BHR standards (specifically HRDD) when designing projects? Do Yara and Corteva think the RBA is a relevant strategy for these initiatives?

SQ4: What are the differences and similarities between how a US corporation and Norwegian corporation approach CSR initiatives?

3.5 Hypotheses

I chose seven hypotheses, which correspond with the themes presented in my research question and sub-questions. The hypotheses were based on the results of my literature review.

H1: Relevant managers at Yara view ethics/morals as a stronger motivator for their CSR initiative than the business case. Relevant managers at Corteva view the business case as a stronger motivator than ethics/morals.

H2: Yara uses more human rights and normative language when communicating its operations, mission and food security goals than Corteva.

H3: Participants perceive these initiatives as contributing to the realization of their right to food and their right to a livelihood.

H4: Public-private partners have not discussed human rights with the participants.

H5: Participants perceive these initiatives as empowering.

H6: Both Yara and Corteva ground food security PPP efforts in the UN SDGs.

H7: Differences will include that Yara is more thorough in due diligence of its PPPs than Corteva. Similarities will include that both actors do not ground their PPPs in the RBA, nor will they see the approach as a relevant strategy. Still, some elements of their approach will meet good programming practices for the RBA.

4 Methodology and methods

This chapter gives an overview of my research methodology and the methods chosen for this study. I begin with a brief description of my theoretical approach. Then, I present my rationale for choosing comparative case studies and the mixed methods underpinning my research: content analysis, interviews and focus groups involving fieldwork in Kenya. Then, I reflect on limitations of the study and challenges faced in data collection. Finally, I discuss ethical concerns and how I addressed these as a researcher.

4.1 Theoretical approach

In my literature review, I combined relevant CSR theories into two categories:

- 1) Managerial CSR: The business case for CSR and Legitimacy Management
- 2) Institutional CSR: The normative case for CSR and Legitimacy Enforcement

These ideas will guide the comparative analysis between Yara and Corteva. Institutional theory will also be drawn on, as it is useful for understanding cross-national differences in corporate governance (Aguilera and Jackson, 2003). Specifically, this paper builds on Matten and Moon's (2008) proposal that differences in CSR among various nations can be attributed to "longstanding, historically entrenched institutions", such as national business systems (Matten and Moon, 2008).

Building on the application of CSR theory, human rights theory will also inform the analysis, with the RBA and the principles behind the UNGPs and SDGs serving as a lens to evaluate the PPPs.

4.2 Research strategy: comparative case studies

As a research strategy, the case study “comprises an all-encompassing method – covering the logic of design, data collection techniques and specific approaches to data analysis.” A case study is a detailed analysis of a single case (Bryman, 2012). Case study research can be understood as “small-scale research with meaning” (Tight, 2017) and is praised for its flexibility. (Tight, 2017, p. 2). Especially in the international business sector, case studies are useful for “studying complex phenomena and incremental processes” (Vissak, 2010, p. 382) and answering ‘how and ‘why’ questions” (Vissak, 2010; Yin, 2011).

Merriam (1998, p. xiii) defines case study research as “an intensive, holistic description and analysis of a bounded phenomenon such as a program, an institution, a person, a process, or a social unit.” In this research study, the presence of human rights standards and frameworks in corporate-driven PPPs are the phenomenon of interest, and Corteva and Yara’s CSR programs in Kenya are the bounded contexts in which the phenomenon is researched.

This thesis is designed as a comparative case study. To explain what this means, I turn to a policy brief by Delwyn Goodrick on comparative case studies by the UNICEF Office of Research Methodological Briefs.⁶ Goodrick (2014) describes the comparative case study as involving “analysis and synthesis of the similarities, differences and patterns across two or more cases that share a common focus or goal” (UNICEF, 2014).

Krehl and Weck (2019) produce a helpful framework which I will draw upon to defend my choice of two case studies for a comparative study. First, Krehl and Weck (2019) ask the researcher to define how the cases been chosen (p. 1869). In research practice, cases are chosen for myriad reasons “from convenience and familiarity to fascination and strategy” however “once chosen...the case must be justified” (Walton, 1992, p. 125). In this sense, familiarity played a key role in my choice of national contexts, as I am an American citizen living in Norway. However, strategy bolstered my decision to choose these two national contexts because of the countries’ different national business systems and human rights orientations. The choice of national context, actor and specific companies are justified in

⁶ This is selected as a relevant resource to my thesis as it is geared toward evaluating programs from a human rights perspective.

section two. The cases were chosen purposively, in a non-probability sampling manner, based on the characteristics outlined in section two.

Second, Krehl and Weck (2019) ask the researcher to consider what constitutes the case or the objective of comparison within each case, such as processes, connections, outcomes or any combinations of such (p. 1869). The object of comparison here can be defined as the combination of motivations, approaches, processes, stakeholder responses, and language choices comprising Yara's AA initiative and Corteva's NPA in Kenya. Human rights frameworks are the common "lens" through which these approaches, processes and outcomes are evaluated and compared. Due to the small scope of the case study, the aspiration of this research is not to deliver a representative or comprehensive study, but rather an empirical analysis profiling two actors.

My mixed methods data collection involved fieldwork in Kenya, semi-structured interviews, a focus group, and quantitative and qualitative content analysis, which I will now discuss in detail.

4.2.1 Data collection: interviews and focus group

A series of semi-structured interviews were held with two groups corresponding to each corporate actor being studied. The selection of the interviewees was purposive in that they were selected deliberately because their views are pertinent to the issues explored. These groups include:

- 1) main corporate contacts involved in the project including headquarters CSR/sustainability/human rights staff, executives and in-country program managers
- 2) relevant contacts from public sector organizations, for example non-profit partners, where feasible

Semi-structured interviews were used because it allows space for participants to share their own perspectives and opinions. As this is a qualitative research effort, the interview is a useful method as it provides flexibility (Bryman, 2012). This allowed me to explore various topics and delve deeper if an interviewee expressed a unique point of relevance to my research. However, a degree of structure was necessary to ensure comparable data across the two cases. I developed an interview guide for each group, available in Appendix C. A full list of the

interviewees is available in Appendix E. These interviews helped me answer my primary research question, as well as my third sub-question, addressed in section 5.2, on use of RBA and/or BHR standards in project design.

The views of participating SHFs were also critical data to my study, to answer my second sub-question, addressed in sub-section 5.3, on SHF perceptions of the PPP initiatives. A focus group and structured interviews were the methods for collecting this data. A focus group was held with 12 participants in Corteva's NPA. As a qualitative research method, the focus group is "posited to lie between naturalistic observation and individual interviews" and therefore can mimic group behavior in natural settings (Seal, Bogart, Ehrhardt, 1998). It is helpful in evaluating programs and offers flexibility in exploring "attitudes and norms that emerge during the data collection process" (Seal, Bogart, Ehrhardt, 1998; Dawson et al. 1993; Krueger, 1994). Drawbacks include that focus groups may not be the ideal method for exploring "complex" or "socially stigmatized beliefs and behaviors in depth" (Seal, Bogart, Ehrhardt, 1998) and difficulty in determining whether silence means participants concur with statements or not (Asbury 1995). To dig more deeply into potentially contentious topics, such as gender discrimination, individual interviews could have been helpful to avoid participants influencing other participants' inputs. Additionally, this group was on the larger size and a smaller group could have helped with issues like overall ease of facilitation (Bryman 2012; Peek and Fothergill 2009) and a greater likelihood of participants feeling comfortable sharing diverse opinions (Bryman, 2012, p. 508). As a qualitative method, another drawback is that one cannot accurately quantify frequency distributions of attitudes and beliefs within a certain population (Dawson et al., 1993; Krueger, 1994). However, the method was ideal for gathering information quickly. The focus group stimulated natural conversation that highlighted common themes and brought about empirical findings that introduced new elements of interest to the study.

Arranging a comparable focus group comprised of Yara's AA participants was the research goal, but not possible due to logistical constraints. These constraints included the disparate geographic locations of AA participants. To overcome the logistic barrier, I provided a written questionnaire to Yara and relied on their assistance in coordinating a structured interview of five participants.

All interviews I conducted lasted approximately 30 minutes to one hour and were recorded and manually transcribed. The five interviews conducted by Yara agronomists with the AA participants were not recorded but manually transcribed. Once all interviews and focus groups were transcribed verbatim, I adopted a thematic approach to analysis by using a software tool, Atlas.ti, to code the transcripts and identify emerging and recurring ideas. I also searched for similarities and differences between how interviewees discussed topics (Bryman, 2012). For example, if a corporate interviewee spoke about the primary goal of the PPP as doing good for society, I noted down “motives – normative”. I then noted down main themes from each interview and connected these to wider thematic categories. My analysis then consisted of analyzing point by point what interviewees said about these themes and how this related to human rights and CSR theories and norms.

4.2.2 Data collection: content analysis

The aim of the content analysis was to observe how the actors portray both their overall corporate purpose and operations, and their PPPs. Analyzing language around their corporate purpose and operations was necessary as a first step because both Yara and Corteva closely tie their food security CSR initiatives to their overall corporate missions. I performed both quantitative and qualitative content analysis to achieve this aim and help answer my first research sub-question.⁷ The findings are in sub-section 5.4.

Quantitative content analysis was used to establish a baseline for how Yara and Corteva are communicating about the companies’ purpose and operations and which themes are highlighted most frequently. This method helped me “draw inferences about the meaning and intention of a text through an analysis of the usage and frequency of words, phrases, and images” (Halperin & Heath, 2012, p. 310). I analyzed public corporate webpages to establish how Corteva and Yara frame and communicate their core missions, values and operations. This content was deemed relevant because strategic CSR is embedded in business operations and strategy. Second, I analyzed public webpages on each actor’s website related to PPPs carried out in Kenya. An overview of the quantitative analysis coding procedure, which used Atlas.ti, can be found in Appendix A.

⁷ My qualitative content analysis was also used as data throughout other sections of the empirical analysis, as relevant.

I also employed qualitative content analysis of an additional selection of documents deemed particularly relevant to my research to explore more deeply the “meaning, motives and purposes” (Halperin & Heath, 2012, p. 319) of language used. My qualitative content analysis focused on both corporate documents available in the public domain such as code of conducts and annual sustainability reports, as well as select internal documents shared by the companies such as PPP strategies and due diligence reports. These internal documents are not linked in the bibliography, as the companies only agreed to analysis by the research team. The primary issues a researcher faces when analyzing private documents are credibility and representativeness (Bryman, 2012, p. 551). Credibility because the writers of such documents are likely aiming to express a particular point of view. Representativeness because it cannot be certain that the researcher has access to a comprehensive set of documents that illustrate the entire context of an issue (Bryman, 2012, p. 551). This is relevant because, for example, there could have been additional strategy documents regarding the PPPs that revealed various “cases” for participation and could have illuminated additional motives for participation. Despite this, the mixed methods approach of interviews helped with triangulation.

4.3 Reflections on research quality and limitations

According to Bryman (2012), two of the most important criteria for evaluating social research are *replication* and *validity*. For replication, it is necessary for the researcher to be clear about the procedures so they may be replicable by another researcher (Bryman, 2012, p. 47). I have attempted to make my procedures for carrying out each research method clear, from the content analysis procedures to my approach to interviews and focus groups. This helps ensure that the study is as replicable as possible.

A validity concept that is relevant to the qualitative aspect of this study is *ecological validity*, referring to the “naturalness of the research approach” (Bryman, 2012, p. 48). While ecological validity is likely most applicable to ethnographic research, Bryman (2012) suggests it can also apply to interviews (p. 48). As much as possible, I sought to conduct the focus group and interviews from a “naturalistic stance” (Bryman, 2012, p. 48). This involved fieldwork. I traveled to Nakuru County, Kenya, to conduct the focus group in person, at the Elburgon Dairy Progressive Society where the focus group participants regularly are present. The goal was to avoid “fabricated, artificial” (Bryman, 2012, p. 48) environments and situations and instead to pursue an informal, familiar setting that would be comfortable and natural for the participants. In the case of the focus group, we set up a circle of chairs and a

table with snacks and water in an open-air barn. Additionally, wherever possible, I conducted corporate interviews at Yara and Corteva's offices in Oslo and Nairobi, in the space of their choosing.

As the concept of validity tends to be most helpful and applicable to quantitative research (Bryman, 2012, p. 47-8), we can turn to a parallel concept more useful for qualitative research: *credibility* (Bryman 2012; Lincoln and Guba 1985). Lincoln and Guba (1985) recommend respondent validation or triangulation to help ensure that the researcher has correctly interpreted an aspect of social reality. Respondent validation was out of the realistic time-bound scope of this thesis. However, as mentioned earlier, triangulation, "using more than one method or source of data in the study of social phenomena" (Bryman, 2012, p. 392), was used as much as possible to help validate findings. The mixed methods approach of employing content analysis, interviews and focus groups helped with validation.

Another interesting criterion relevant to this study to consider is *authenticity* (Lincoln and Guba, 1985), which corresponds with "action research" (Bryman, 2012, p. 393). Authenticity deals with the impact of research and considers whether the research helps members arrive at a better understanding of social milieu and whether it empowers members to engage in action (Bryman, 2012, p. 393). A practical aim of this research is to provide my reflections, via this thesis, to actors involved in PPP initiatives to potentially help such actors strengthen PPPs from a human rights standpoint. Thus, it is my hope that this research has authenticity and could inspire action.

The primary limitation in my research was language. As I do not speak fluent Swahili, I relied on translators to both help facilitate the focus group and carry out the structured interviews. During the focus group with NPA participants, I gave a general introduction and posed questions in English. The translator translated to Swahili for the participants, who responded in either English or Swahili. For all inputs given in Swahili, the data collection relied on the translator's English translations. The structured interviews with Yara AA participants were carried out by Yara staff in Swahili or English, and the transcriptions were recorded in English. The English transcripts were used as my data.

From the corporate perspective, a limitation of this research design was access to information. I have discussed document bias. Another issue was access to people. While I aimed to speak with as many staff as possible with roles relevant to my research, I was operating at the will of

the companies. I would have appreciated more interviews with Corteva, for example, but did not have the opportunity to speak with more than two corporate staff. However, the staff interviewed were extremely relevant to my research because they planned and oversaw the PPPs of study. Additionally, I triangulated the Corteva perspective with interviews with Land O'Lakes Venture37, a non-profit partner in the PPP, a dairy cooperative manager and the focus group. As mentioned earlier, another limitation was my inability to coordinate a focus group with the AA participants, and the reliance on Yara agronomists to coordinate and conduct the interviews. Ideally, I would have carried out the interviews, to neutralize the experience of the interviewees, whose answers could have been influenced by the interviewer's affiliation with Yara. It is also worth mentioning the unavoidable bias present in the corporate interviewees, as they have a vested interest in the companies researched.

4.4 Ethical considerations

The research was filed with and approved by the Norwegian Centre for Research Data (NSD). All participants in interviews and focus groups were provided with an informational letter prior to the start, which included information on the purpose of the study and how data would be stored and processed. The letter contained a consent form to sign, stating they agreed to participate and understood the information provided. All interviewees were encouraged to ask questions and informed of their rights to withdraw consent. Each participant in the study gave informed consent and identities were kept anonymous, however corporate participants were given the option of having information like their work title included in the appendix.

Additionally, during my field research in Kenya, I aimed to show "sensitivity to context" (Yardley, 2000, p. 220) by being aware of the dynamic of me arriving as a white, European outsider to analyze social realities in a different socio-economic-political context. With this, I exercised methodological self-consciousness, by considering my relationship to those I study (Bryman, 2012; Lynch, 2000).

5 Empirical analysis

My empirical analysis consists of four parts. First, exploring Yara and Corteva's *motivations* for AA and NPA. Second, dissecting the *planning process* and whether human rights frameworks and standards were used. Third, examining the *implementation* of AA and NPA and how the PPPs are experienced by the participants themselves. Fourth, analyzing Yara and Corteva's *communications to the public* about their overall mission and the PPPs of study.

Throughout the analysis, my primary research question (RQ, p. 4) is answered, as well as the fourth sub-question, which addresses cultural differences (SQ4, p. 24). Where relevant, the additional sub-questions are answered and each of the hypotheses are addressed.

5.1 Part 1 – exploring motivations

The first part of my research question (RQ, p. 4) explores “*why*” Yara and Corteva have PPPs in Kenya dedicated to food security. This “*why*” question is the part of my research concerned with the actors’ motivations for launching AA and NPA.

For this question, I posed two relevant hypotheses (H1, H6, p. 24). As I will explain, based on my research, both hypotheses were confirmed.

Motivations for Yara’s Action Africa

Yara attributes the eruption of the COVID-19 pandemic as the situation that triggered the concept and launch of AA (Yara, 2022a; Interview Yara, 2022). Two staff who directly project managed AA described it as a CEO-driven program, saying that the program was a statement from the CEO, Svein Tore Holsether (Interview A Yara, 2022; Interview C, Yara, 2022). The idea evolved after Holsether reflected on the pandemic implications, “picked up the phone” to converse with David Beasley, Executive Director of the WFP, and ultimately brought a bigger team together to address Yara’s role in food security during the pandemic and to design an initiative (Interview C, Yara, 2022). In April 2020, Holsether signed a call to action led by the Food and Land Use Coalition to prevent a global food security crisis while combatting COVID-19, along with other corporate and public sector leaders (Food and Land Use Coalition, 2020). On June 2, 2020, Yara announced AA in a press release, bolstered by quotes of support from Beasley, former Prime Minister Erna Solberg, and the Norwegian Minister of International Development, Dag Inge Ulstein.

All Yara interviewees that I asked about the motive for AA, four in total, emphasized the ethical/moral, or normative, case as the driving motive.

“If you want to really synthesize it and make a brutally short answer, I think Yara wanted to use its capacity to do a meaningful, good thing. It’s not very complicated.”
(Interview C, Yara, 2022)

Interviewees expressed an institutional orientation to CSR by emphasizing Yara's role in society.

“The culture is - how do we impact socially? How do we make people's lives better? I think that has to do with Action Africa - it's humanity, how can we elevate these people whereby they can support their communities.” (Interview B, Yara, 2022)

AA was framed as “to some extent very atypical” because the organization is “not a philanthropic organization” but “a business with a purpose” (Interview C, Yara, 2022). The business case for AA was acknowledged but ultimately dismissed or seen as secondary to the ethical/moral motive. The business case was dismissed for reasons such as Africa is not the region contributing financially to the company (Interview B, Yara, 2022), the fact the company was donating quality fertilizer for free (Interview D, Yara, 2022), and that it “was a donation – there wasn't ROI” (Interview A, Yara, 2022). Still, the interviewees acknowledged there could be possible business value “potentially in the future” (Interview B, Yara, 2022) and that the company “did get information [and data]” (Interview A, Yara, 2022) that adds value to the firm, especially its marketing efforts.

In summary, when discussing motives, Yara interviewees stressed the institutional orientation to CSR, emphasizing the normative, moral aspect of AA. While they acknowledged there may have been a business value, it was not seen as the driving motive whatsoever.

Motivations for Corteva's NPA

When probed about motives, the two Corteva interviewees involved in the NPA cited the business case for the initiative. One interviewee broadly discussed the business benefits of partnerships, describing them as something that can help the company “reduce risk”, as occurring when there is “alignment between investments by development partners”, and as a strategic tool when Corteva faces “difficult business regulatory operating environments” (Interview A, Corteva, 2022).

The NPA was framed as a “business opportunity” that arose out of a need to keep the cost of feed affordable (Interview B, Corteva, 2022). The need for cheaper feed was identified by the public sector, specifically organizations like USAID and the government agencies, who held conferences on the topic, and pressure for a solution grew from NGOs and farmer

cooperatives (Interview B, Corteva, 2022). According to the interviewee, this resulted in Corteva being “very proactive” in responding to the opportunity, “given the work we’re doing in other parts of the world” (Interview B, Corteva, 2022). The interviewee explained that Corteva had a program in Pakistan that was “very successful” and the “ecosystem and farmer demographics are similar” in Pakistan and Kenya (Interview B, Corteva, 2022).

This business focus extended to the way that Corteva discussed SHFs generally, focusing on them as “customers” and “business-minded entrepreneurs” (Interview A, Corteva, 2022). An interviewee explained:

“Some people think what we do with SHFs is an extension of philanthropy, but absolutely not. In Africa and Asia, they make up 98% of our customers. So, they are 100% integral to our business model, and we look at them like we look at customers across the world. Building trust with them. We are not looking for them to buy seeds from us one year and never again. We want them to buy seeds and crop protection products for decades to come.” (Interview A, Corteva, 2022)

This business framing coincides with the *managerial* conception of CSR, which frames CSR opportunities in terms of business value to the firm and creating shared value.

Corteva also emphasized the role of relationships in motivating partnerships. Kenya partnered with Land O’Lakes Venture37, the non-profit associated with Land O’Lakes, an American agribusiness and food company, to create the NPA. An interviewee explained the idea was sparked “private to private” in conversations between Corteva and Land O’Lakes (Interview A, Corteva, 2022).

“We were talking one day and said wouldn’t it be great we could do more with women smallholder dairy farmers, given their expertise with dairy and ours with feed.”
(Interview A, Corteva, 2022)

Corteva’s business goals in Kenya (Corteva, 2022d) coincided with an opportunity to partner with Land O’Lakes’ non-profit. The business opportunity from Corteva’s perspective is framed as “private interest in expanding forage access in East Africa” (Corteva, 2022d). This is key because “Corteva supplies enough silage for two acres per site, at 15 sites across

Kenya” (Corteva, Interview C, 2022) through the NPA, and then farmers must pay for the silage themselves, and thus are converted to customers. Similarly, Yara’s AA program provided an in-kind fertilizer donation, but once the donation was claimed, farmers interested in continuing with the fertilizers must purchase independently.

Comparative analysis

In summary, AA is conveyed as a CEO-driven initiative motivated by the ethical, moral, or normative case, for CSR. In comparison, NPA is conveyed as arising due to the business case for CSR. Hence, based on my research, H1 is confirmed. I will now place this finding within the broader context of CSR norms and the state’s expectations of corporations in Norway and the U.S. In doing so, I will link AA with institutional CSR and the NPA with managerial CSR.

The support for AA shown from the Norwegian government fits with Gjøølberg’s (2010) Norwegian model of CSR, where the government is keen to support CSR initiatives to promote its own “humanitarian superpower” brand and to align CSR initiatives to its own foreign goals. Yara stated the Norwegian government was “happy to be associated” with the program (Interview-C, Yara, 2022). However, according to Yara, any normative pressures that may exist from the government did not impact the company’s decision to launch AA (Interview-C, Yara, 2022). Still, one interviewee stated that “pressure for Norwegian companies to ‘do good’ has *always* been there” (Interview E, Yara, 2022). This sentiment complements Gjøølberg’s (2010) notion that Norwegian CSR is simply “a new corporate addition to the long-standing Nordic traditions for internationalism; for establishing and promoting global norms of cooperation and humanitarianism” (p. 219). Indeed, the Norwegian government describes the value of AA through the lens of cooperation, by praising partnerships addressing the SDGs:

“If we are to reach the Sustainable Development Goals, as well as the people who need our help the most, we need even more public-private partnerships.” – Former Norwegian Minister of International Development Dag Inge Ulstein (Yara, 2020b)

“Sustainable Development Goal 17 calls for partnerships... In the current COVID-19 crisis, partnerships such as the one Yara is initiating, are both commendable and important... Through this initiative, Yara and its partners can help secure critical food

production for those most vulnerable to the effects of the pandemic.” – Former Norwegian Prime Minister, Erna Solberg (Yara, 2020c)

In terms of the Norwegian government’s human rights expectations of corporations, a Yara staff member said the company does not “feel pressured by the Norwegian government” to engage more strongly on human rights (Interview C, Yara, 2022). However, the Norwegian Transparency Act, coming into force July 2022, was mentioned as a new “tangible” regulation that may increase the urgency of a human rights perspective in all business activities (Interview E, Yara, 2022). Despite Yara staff perceiving little to no institutional pressure from the government to do better in the human rights arena, the Norwegian government’s institutional support of CSR activity like AA is arguably tied to its human rights expectations. The Norwegian government presents CSR in a “normative, value-based argumentation” (Gjølberg 2010) that ties CSR to human rights at its core, because it links CSR to *human dignity*, the foundation of human rights:⁸

“The ethical justification for CSR springs out of the inviolability of human dignity...A company’s profit or activities are not goals that can be viewed in isolation from other concerns. Economic activities also require an ethical foundation that puts people, the environment and broader societal concern centre stage.” (NMFA, 2009)

The institutional orientation to CSR observed in Norway contrasts with the managerial approach to CSR observed in the U.S., described by scholars as profit-maximizing, managerial and individualistic (Moon & Vogel, 2008, Argandoña & Hoivik, 2009). In the U.S., the government did not espouse any public support for the NPA. However, the United States Agency for International Development (USAID) has a history of involvement in similar PPPs with Corteva. The U.S. government’s support for a similar PPP in Zambia is described in a press release as aligned with the U.S. government’s prioritization of “enterprise-driven inclusive economic growth” (Global Communities, 2020). As mentioned earlier, the U.S. and Norway have different institutional pressures as their political-economic institutions and national business systems are different (Gjølberg 2010). The U.S. government framing its support for the similar Zambia program in terms of economic growth and the

⁸ UDHR Article 1.

independent role of business, with wording like “enterprise-driven”, fits with the political-economic institution and national business system of the United States.

The orientation toward the individual over the collective is also a possible reason that Corteva refers to its own corporate 2030 sustainability goals in its promotional materials, rather than consistently linking its PPPs and CSR efforts to the SDGs, as Yara does. Corteva announced its 2030 Sustainability Goals in 2020 without mentioning the UN SDGs (Corteva, 2020c). Corteva interviewees linked the NPA to the company’s own goals. Still, Corteva’s (2020a) Sustainability Report espouses support for the SDGs and links them to both its own 2030 sustainability goals and its “global, company-wide strategy” and “program for corporate citizenship and philanthropy” (p. 109). It specifically links its work to empowering women and ensuring SHF livelihoods to UN SDG two (Corteva 2020a, p. 109).

Both actors actively link their PPP programming to the SDGs, with SDGs being used as a theoretical, normative basis for the activities, so we can conclude they “ground” the PPPs in the SDGs. Based on my research, H6 is confirmed. Still, this paper does not have evidence to conclude that the SDGs were the driving motive for the PPPs or influenced how the programs were designed. Additionally, attention is drawn to the differences between Corteva and Yara’s linking of their PPPs to the SDGs. Corteva takes a more independent, branded approach by pedaling its own sustainability goals and corporate citizenship and philanthropy, which aligns with notions of voluntary, individualistic, external CSR. Alternatively, Yara consistently links the PPP to the SDGs, thus outwardly confirming its commitment to global norms, and aligned with the institutional orientation to CSR observed in Norway.

5.2 Part 2 – planning

After determining *why* Yara and Corteva are responding to food insecurity in Kenya through PPPs, my next task was to determine “*how*” Yara and Corteva are doing so, and “to what extent these CSR endeavors are grounded in human rights frameworks and standards” (RQ, p. 4). Thus, this section addresses my primary research question as well as my third sub-question which explores whether the actors use the RBA and/or BHR standards such as HRDD (SQ3, p. 24). Additionally, it explores whether the actors consider the RBA a relevant strategy (SQ3, p. 24). For these questions, I posed one relevant hypothesis (H7, p. 24), which was confirmed according to my research.

Rights-based approach

My research established that both Yara and Corteva do *not* deliberately use the RBA in planning and designing PPPs or in the actual project management. This is not necessarily surprising, as I did not find evidence of the RBA being used in corporate-driven initiatives during my literature review.

Some interviewees at Yara and Corteva did not appear to have reliable knowledge of what the RBA entailed and put forth support for the notion the projects used the RBA. However, the credibility of these assertions was weak, as when probed for evidence of the RBA the answers were nonspecific. The interviewees at Yara and Corteva with the deepest knowledge of the project design confirmed the approaches to AA and the NPA were *not* grounded in a RBA, nor thought that the RBA was a particularly relevant strategy.

Yara put forth that the company's approach to PPPs, which focused on coalition-building and doing things "in a good manner" was sufficient on a normative level (Interview C, Yara, 2022). Corteva asserted that in general the company does not put their work with SHFs, including through PPPs, in a human rights framework (Interview A, Corteva, 2022). Rather, Corteva focuses on "enriching the lives of smallholder farmers and communities while also growing business in emerging markets" (Interview A, Corteva, 2022). Still, the value of this enrichment and "sustainable impact" is described as needing to align with "business aspirations" (Interview A, Corteva, 2022).

Nevertheless, best practices of the RBA could theoretically still be present in Yara and Corteva's PPPs. One important consideration in judging the presence of RBA was studying how Yara and Corteva sourced participants. Participants of AA in Kenya were chosen based primarily on the county they operate in and the fact that they met the definition of a SHF (Interview D, Yara, 2022). The fertilizer donations were distributed through retailers to both "new farmers and existing farmers on [Yara's] databases" (Interview A, Yara, 2022). In Kenya, marginalized, disadvantaged and excluded groups were not targeted, as promoted by the RBA.⁹ Still, empowerment, a focus of the RBA (Kirkemann Boesen and Martin, 2007, p.

⁹ It is worth highlighting though that in some AA countries, such as Mozambique, Malawi and Zambia, Yara donated through non-profit partners (Interview A, Yara, 2022). For example, the African Fertilizer and Agribusiness Partnership (AFAP) oversaw donations to Dzaleka refugee camp in Malawi, whom UNHCR Representative Fatima Mohammed-Cole emphasized were amongst "the most vulnerable" (Yara 2022c). The

17), was present in AA in that Yara connected farmers with agronomy advice and resources, and thereby supported their ability to claim their right to food and work.

Participants in Corteva's NPA were similarly chosen based on geography. The project's "target regions" were Nakuru, Kericho, Kiambu, Uasin Gishu, Nyeri and Meru counties, with all participants operating in these counties (Corteva 2022d). The strategy overview document for NPA provided for analysis by Corteva makes clear the initiative's focus on women but does not include any elaboration on human rights challenges or gender-based obstacles, so it cannot be concluded that women were chosen as a focus group because they are marginalized. In fact, identifying women SHFs as the target group corresponds with Corteva's business strategy for marketing their corn silage seed in Kenya as the SHF women in Kenya are "the key influencers doing the hard labor and feeding and milking the animals" (Interview B, Yara, 2022). Having a business case for engaging women in the NPA does not discredit the "shared value" component of the NPA and its potential to empower and positively impact the human rights of the women it engages. As stated earlier, Corteva also place women at the center of their sustainability strategy, and links empowering women to working toward SDG two (Corteva 2020a). This further supports the notion of "shared value" as both societal and business goals are accomplished. One can conclude that AA and NPA do meet some elements of the RBA. Specifically, a focus on empowerment, and in the case of NPA, the focus on a vulnerable, marginalized group: women. Thus, the RBA portion of H7 (p. 24) is confirmed. Still, whether empowerment is truly being experienced by participants is a question to be answered in section 5.3 on implementation.

Due diligence

My research established that both Yara and Corteva had a due diligence process in place prior to the launch of AA and the NPA. Both companies' due diligence was focused on vetting the integrity of partners though, and the process was not framed as HRDD, per se. Yara discussed country-level human rights impact assessments (HRIAs) as a relevant human rights-driven component of their broader due diligence process, however Yara had not conducted a HRIA for Kenya. Corteva did not indicate that they carry out this activity.

African Women in Agribusiness Network (AWAB) distributed 1200 fertilizer bags to women vulnerable to extreme poverty in Malawi (Yara 2022c). The prioritization of participants in the initiative along the marginalization line in this way is aligned with the RBA to programming. However, this practice did not apply in Kenya.

According to the UN (2018), HRDD “is an art more than a science, as it needs to be tailored to the particular situation of a business enterprise” (p. 12). Additionally, the primary purpose of HRDD is the prevention of adverse impacts on people, and HRDD should “be commensurate with the severity and likelihood of the adverse impact” meaning that the higher the likelihood and severity of an adverse impact, the more “extensive” the HRDD should be (UN, 2018, p. 5). Because the profiled actors were engaging in a CSR activity intended to enhance people’s lives, it is conceivable that both saw the vetting of their partners as sufficient due diligence prior to the launch of their PPPs, though this claim would need to be verified. The ability to research Corteva’s due diligence process was limited, so this section primarily focuses on Yara.

Norway’s NAP establishes that the Norwegian government expects all corporations to conduct HRDD for their operations (ICAR, 2017A), and the NAP contains specific recommendations on obtaining expertise for risk identification and assessment, integrating findings from the due diligence process, and measuring and reporting (NMFA, 2015). However, the NAP does not specifically address applying due diligence to PPPs. Yara conducted integrity due diligence (IDD) for all partners involved in AA prior to the launch of the initiative, and the IDD process included a human rights analysis. On a broad level, the company conducts IDD “before an agreement or transaction with any new business partner” (Yara, 2022d). Yara also conducts an annual human rights risk assessment through an external party to “risk-rate” the countries it operates in, look at Yara’s “footprint” and critically examine the company’s “activities” (Interview E, Yara, 2022). This assessment helps Yara prioritize where risk is highest and identify where country-level HRIAs should be conducted. Since the company began conducting HRIAs in 2019, HRIAs have been completed in India, Philippines, Colombia and Brazil. In 2022, Yara is conducting HRIAs in Africa. For East Africa, Tanzania is the selected country and risk findings and “lessons” from Tanzania will be applied to Kenya (Interview B, Yara, 2022). When probed about human rights risks in East Africa, unfair wages and ethnic or tribal discrimination were referenced. Gender discrimination was also seen as a human rights risk but classified as a “secondary” risk after ethnic group discrimination (Interview B, Yara, 2022).

According to the UNGPs, a HRDD process should “identify, prevent, mitigate and account for how [businesses] address their impacts on human rights” (p. 16). Comparatively, IDD

refers to “investigating the integrity risk posed by stakeholders in projects, deals and other joint enterprises” (Harrison Datlof, 2015). IDD is about taking a risk-based approach and can “contribute to long-term value creation through reducing the risk of wrong investments and unwanted partnerships” (Transparency International Norway, 2014). The OECD Due Diligence Guidance for Responsible Business Conduct (2018) clarifies that though many enterprises understand risk in terms of risk to the enterprise, the OECD guidelines take “an outward-facing approach to risk” referring to the “likelihood of adverse impacts on people, the environment and society” (p. 15). In 2011, the guidelines were updated to include a human rights chapter consistent with the UNGPs, making the guidelines the “first international instrument to integrate the corporate responsibility to respect human rights as defined in the UNGPs” and to “incorporate risk-based due diligence into major areas of business ethics related to adverse impacts” (OECD-FAO, 2016, p. 17). Norway is a member of the OECD and Yara upholds a stated policy commitment to the OECD Guidelines (Yara, 2022c). According to the 2011 OECD chapter on human rights, HRDD can be embedded “within broader enterprise risk management systems provided it goes beyond simply identifying and managing material risks to the enterprise itself to include the risks to rights-holders” (p. 32). Therefore, Yara is compliant with the OECD Guidelines and the UNGPs in that it has a due diligence process in place to “identify, prevent, mitigate and account for” (UNGP, p. 16) the actual and potential adverse impacts to rights-holders caused or contributed to by Yara, and those directly linked to them through business partners. However, Yara should be careful to avoid operating with only “a mindset of risk to the business and not risk to right holders” (UN, 2018, p. 8).

According to the staff member responsible for the process, “every institution that worked with Action Africa had to go through this [due diligence] process” (Interview B, Yara, 2022). There were “some challenges” with conducting due diligence for non-profit organizations because they lack “a corporate structure, with compliance officer, governance committee, et cetera...so we scrutinize the individuals owning the [non-profit] and do a background check to make sure no human rights violations in the legal system are identified” (Interview B, Yara, 2022). A sample IDD document was shared by Yara and contained three sections: anti-corruption and integrity; human resources, human rights and labor rights; and health, safety and environment (Yara, 2022b). The IDD probed at whether business partners abide by internationally recognized human rights and labor standards, requested partners’ human rights and labor rights policies, inquired about use of prison labor, child labor or forced labor,

overall working conditions and compliance with minimum wage and labor laws. The anti-corruption and integrity section was the longest section, inquiring on ethics and compliance, sanctions, bribery and corruption. The health, safety and environment section inquired about health and safety offenses and business-wide systems for health and safety and environmental management. (Yara, 2022b).

While Yara is compliant with the OECD Guidelines and the UNGPs in terms of conducting due diligence, a stronger human rights approach would have been to launch AA with a HRIA already in place for East Africa. While Yara's business partner relationships were accounted for, potential adverse impacts of the CSR initiative itself on involved communities were not formally mapped out. According to the UN (2011), HRDD involves identifying who may be affected by adverse impacts, and "project[ing] how the proposed activity...could have adverse human rights impacts on those identified", with special attention to those at risk of marginalization or vulnerability and keeping in mind gender differences (p. 19-20). The NMFA (2009) states that Norwegian businesses should "be among the best at practicing CSR, thereby helping to strengthen the status of human rights" (p. 10). The NMFA (2009) specifically praises the benefits of PPPs, but notes that "environmental awareness, social responsibility in relation to the local community and affected groups" are essential to the success (p. 61). Without a HRIA done for East Africa prior to the launch of AA, there is not an empirical basis for this research to claim that all potential adverse human rights impacts were identified, nor that the environmental awareness and social responsibility promoted by the Norwegian state had been achieved prior to launching the program.

Still, it *is* worth highlighting that driving respect for human rights forward throughout business relationship networks has been argued as "one of the most transformative aspects of the UNGPs" and "the key to how business can and should make its largest positive contributions to the 'people part' of sustainable development" (Shift, 2016, p. 3). Further, Shift (2016) argues that the notion that businesses have a responsibility to contribute to development through business relationships is "the quiet revolution at the heart of the UNGPs" (p. 4). In this sense, the normative and pragmatic value of having IDD procedures in place for AA business partners should not be understated from human rights and sustainable development perspectives.

As stated before, access to information on the due diligence process for Corteva's NPA was limited. However, Corteva did confirm that for the NPA, the company conducted due diligence on PPP partners Land O'Lakes and the International Livestock Research Institute. Land O'Lakes Venture³⁷, which oversaw NPA's program management, carried out due diligence on local partners (Interview A, Corteva, 2022). The PPP partner vetting process consisted of the head of agricultural development "researching an organization and their operations in a specific country to ensure that their core strengths and values align with the objectives of the partnership" and consisted of initial scoping conversations (Interview A, Corteva, 2022). The process did not include a risk assessment (Interview A, Corteva, 2022). Corteva's Code of Conduct states the company conducts "risk assessments and due diligence checks on third parties" with whom it intends to conduct business (Corteva, 2022e), however this appears to not have extended to this PPP. The mention of due diligence is also placed within the Code of Conduct's section about compliance with international trade laws and does not mention human rights or the importance of working with partners that conduct business in line with internationally recognized standards, as Yara does in its Code of Conduct. Without formal risk-based due diligence or HRDD being a tangible part of the PPP, I cannot conclude that Corteva's due diligence process is as structured as Yara's. Based on this analysis, the due diligence portion of H7 (p. 24) is confirmed, so I accept the entire hypothesis as confirmed. Applying an institutional lens, this makes sense. The U.S. NAP does not require HRDD or the disclosure of HRDD activities (ICAR, 2017b), and compared to the Norwegian NAP, the language from the government to businesses regarding HRDD is softer. For example, the U.S. Government (2016) states that it is "*supportive* of company efforts to voluntarily report on human rights impacts" and the "particularly *encourages* corporate due diligence and reporting" in conflict-affected areas (p. 17). This language is less prescriptive than the Norwegian NAP, which states due diligence and assessment of human rights risks as a state *expectation* (p. 9).

5.3 Part 3 – implementation

The third part of my analysis focuses on implementation of the PPPs and how they were experienced by the participants. It was paramount to my research effort to integrate the perspectives of the SHFs partaking in the CSR initiatives. The data gained through the interviews and focus groups helped me answer the 'how' portion of my main research question, as well as my second sub-question on how participants perceive the initiatives (SQ2, p. 24).

Additionally, data from the participants helped me evaluate three hypotheses, H3, H4 and H5 (p. 24).

To evaluate participant perspectives on Corteva's NPA, I conducted an in-person focus group at the Elburgon Progressive Dairy Farmers Cooperative Society in Nakuru County, Kenya, on March 9, 2022. A group of 12 Kenyan citizens, consisting of 11 women and one man between the ages of 35 and 60, were present. Participants were sourced with the help of local staff from Land O'Lakes Venture³⁷. All questions posed to the group were translated to Swahili by an agronomy staff member with Land O'Lakes Venture³⁷, although some participants answered in English. The staff member, hereafter called "Sally", also translated responses from participants, and those translations form the basis for much of the focus group transcription, as previously mentioned. The questions guiding the focus group discussion can be found in the interview guide in Appendix C. The focus group was open in discussing their experiences with the NPA, and every participant contributed during the session. Despite the presence of one male participant, the women spoke directly about issues related to gender inequality. To gain an understanding of how participants perceived the initiatives, general questions were asked regarding how their life situation has been impacted by participation in the program and how they think the initiatives could be improved.

When asked whether their business and income levels improved through participation in the NPA, participants agreed that there had been a baseline improvement in productivity that resulted in more money. However, all 12 participants stressed it was not enough, and they need more support. All participants provided comments suggesting more could be done to improve the impact of the PPP on their life situation. In communications materials, Corteva says that the initiative is "empowering" and links the program to its 2030 sustainability goal to empower women in their communities (Corteva, 2022c). However, the overall impression given by the participants was that they did not feel empowered in their lives as it pertained to their food security and livelihoods despite the program's assistance. Though appreciative of the program, several comments suggested that the NPA helped their human rights situation improve only marginally.

When asked what kind of improvements to the CSR program would help, answers primarily included more frequent trainings on a wider variety of topics, and overall knowledge-building. One participant requested trainings be more regular so participants could better

master the skills they were learning. Another emphasized the need for more business trainings. Another expanded on this, requesting business training specifically on how to invest farming income to further develop her business. Consensus was unanimous that more trainings on improving the health and nutrition of their cows would be helpful. Other knowledge gaps included understanding where to access silage and feed in the long-term once the corporate trainings and in-kind donations ceased.

A recurring theme in the focus group was the challenges that gender inequality, mostly on a family level, pose to the female farmers in exercising the full potential of their participation in NPA. Many women stated they do not have autonomy over their earnings:

“They are not able to implement what they learn – like buying fertilizer and seeds and doing soil testing – because the cash [earned] goes mostly to men after tending to household and school fees. And if the men even give them some cash, it’s not enough to support them in all that they want to do, to implement what they learned to try to advance their business.” (Sally)

Addressing gender inequalities is crucial to improving the positive human rights impacts of these initiatives. The concept of inherent dignity is prominent in human rights discourse. The women described themselves in terms that suggested they do not feel “free and equal in dignity and rights” (UDHR, Article 1). For example:

“We are like donkeys, we are suffering.” (Female participant)

This “suffering” was repeatedly contributed to gender inequality. The women said, in consensus, that they hold disproportionate daily responsibilities at home and on their farms, without reaping personal financial benefits, as they perceive the men in their lives do. A couple of women said their husbands used income gains realized by the women, through participation in NPA, to buy alcohol.

“You are left with the whole world when you are a woman. When you do get money, the man pockets it in his pocket.” (Female participant)

Some women made statements suggesting they felt undervalued and overwhelmed.

“Whenever you have a ‘successful’ man here, there must be a woman hidden behind him.” (Female participant)

“They are left to take care of the cows. They are also taking care of the kids alone or with very little support, sometimes they feel overwhelmed.” (Sally)

The women’s inputs were confirmed by the one male participant who concluded he saw gender discrimination “everywhere”.

In public-facing communications materials, Corteva frequently discusses “closing the agricultural gender gap” and “empowering women” (Corteva, 2019). Based on the input from the focus group, a gap appears to exist between these aspirations and the reality of the NPA program’s impact on empowering women and challenging gender bias. Prioritizing sensitivity to gendered challenges could be helpful for those managing the programs and running the trainings for the NPA’s outcome to be one of human rights realization. Because the women saw gender inequality as directly affecting their ability to lead dignified lives.

Several questions were posed to the group on their understanding of human rights. It became clear that participants overall did not have a great understanding of human rights, but the desire to learn about their rights and promote them was strong. All participants expressed a desire for more education on their human rights. The 11 women participants expressed a yearning for general support in learning about and ultimately exercising their human rights.

“Some are familiar with human rights, but really not so much. They feel that other women elsewhere in the world are being supported. But the support does not come to them. They are wondering why not them. They do not know their rights, just depending on the men to tell them.” (Sally)

This desire for human rights education and support sometimes manifested in frustration. One participant retorted, “Why not us? What about us? Are we not the women of Kenya?” as the women discussed the general lack of knowledge of, and help with understanding, their human rights.

As stated earlier, several comments suggested that the NPA helped the participants' human rights situations improve only marginally, specifically regarding the right to food and the right to work. However, because the NPA interviewees reported a poor understanding of human rights, on average, their answers to this improvement question may not be as credible from a research perspective as the AA participants, 80 percent of whom were familiar with human rights. Nevertheless, the NPA participants made clear that any gain in milk productivity or income has, for now at least, only benefited their family unit and they have not seen it benefit the broader community. As summarized by Sally, the SHF participants "are just trying to sustain themselves", and though "they are seeing some progress...they are not there yet in terms of achieving the right to food as they expect."

Based on my research of Corteva's NPA, H3 and H5 are not confirmed, as my research did not provide strong enough data that the SHFs perceive the NPA as contributing to the realization of their rights to food and work, or that they perceive the initiative as empowering. This conclusion does not discredit the rise in income and progress the participants reported appreciating. Rather, the research did not gather conclusive empirical evidence to confirm these hypotheses. H4, which hypothesized that public-private partners had not discussed human rights with the participants, was confirmed as the participants said they had not discussed human rights with the PPP partners.

The structured interviews with Yara's AA participants yielded different results, with H3, H4 and H5 confirmed. The participants were five women including two from Western Kenya, specifically the Nyamira/Kisii region and Kakamega county, and three from the greater Nairobi area.

The differences in data collected from the AA participants versus the NPA participants were:

- Stronger agreement by AA participants that the program had positively impacted their lives, versus the response from participants in NPA.
- AA participants reported greater familiarity with the concept of human rights. This included four out of five participants in AA with familiarity, versus three out of twelve in the focus group. It is possible this is because the sample group of AA participants included participants closer to Nairobi, the country's hub for education and business.
- All five AA participants said the program helped with their right to food, whereas NPA participants did not indicate strong agreement with this statement. One theory is that the fertilizer is a quicker solution than the longer-term effort of improving dairy cow

nutrition, however this would need to be confirmed. It is also worth reiterating that because the NPA interviewees reported a poor understanding of human rights, on average, their answer may not as credible from a research perspective.

- Gender discrimination was reported less frequently by AA participants than NPA participants. This is explored below.

The similarities in data collected from the AA participants versus the NPA participants were:

- All five AA participants said their finances improved, at least in the short-term, because of the fertilizer donation. NPA participants also indicated their finances improved through NPA.
- School fees and household needs were highest priorities for the additional income gained through the programs for both groups. Both groups confirmed positive impacts of these programs on the right to education because income gains helped with school fees.
- No AA participants or NPA participants reported they discussed human rights with anyone from Yara or Corteva. All AA participants and NPA participants agreed human rights education would be useful.
- Both AA participants and NPA participants, on aggregate, expressed a desire for more communication and support from agricultural suppliers like Yara and Corteva.

Suggestions from the AA participants for improving the program or similar PPPs included better communication and more check-ins from Yara. Four out of five suggested Yara partner with other suppliers, for example seed or foliar fertilizer companies, to help provide a greater range of solutions.

It was interesting to see that four out of five AA participants indicated they did not experience gender discrimination, whereas the women in the focus group unanimously agreed they had. The one AA interviewee who did acknowledge discrimination described the levels as “high” and “worse since she is not married” (AA participant, 1). She said that access to credits were “not approved by the male gender to women in my community” (AA participant, 1). This discrimination is possibly linked to her location, as she is based in Western Kenya, as were the NPA interviewees. However, another interviewee, said that she felt her status as a woman was positively impacted by being a successful farmer, after the

community saw “good results of farming by a woman” (AA participant, 2). This highlights the importance of understanding the unique social challenges of each community a corporation is engaging in, to best serve PPP participants.

This paper takes the position that it could be valuable for Corteva and Yara, and corporations in general involved in similar PPPs, to proactively map out the human rights landscape of the locations in which they engage in CSR programming, an exercise neither company said they did. This effort would include stakeholder engagement, meaning that the corporate partners hold discussions with potential participants and members of the community to better understand the social fabric of the communities they are engaging in. This touches on a larger issue with PPPs. Research from the Fairtrade Foundation (2014) on four agricultural PPPs in Ghana, Malawi and Kenya found that PPPs fail to engage effectively with SHFs, making assumptions about their needs while ignoring or overlooking their actual concerns and priorities, and treating farmers as beneficiaries rather than partners (p. 28). It found that corporations, governments and PPP stakeholders can do more to actively involve SHFs the design and development of PPPs. This participation by SHFs would also help ground the process further in the RBA, because participation is a key principle underpinning the approach (Kirkemann Boesen & Martin, p. 23).

Another reflection is that corporate partners could shape PPP programming to include human rights messaging in trainings and communications with participants. In Kenya, my research showed the relevance of taking a gender equality lens to trainings and communications with participants and targeting of both women and men with human rights messaging. While there is a normative case for this sort of human rights training, in the case of Corteva, it would also support the company’s business strategy which recognizes women as key stakeholders. In addition, it would bolster the trustworthiness of claims made by corporations that the PPPs are empowering. It would better ensure that participants are “key actors in their own development” and not just “passive recipients of commodities and services”, a good programming practice under the RBA (UN Sustainable Development Group, 2003, p. 3).

However, companies are not yet necessarily viewed as development actors. As articulated by Yara and Corteva, both companies relate to SHFs in PPPs as not only participants they are serving, but also potential customers. Thus, it could be more realistic for public partners in PPPs, such as government or NGO actors, to promote the RBA in PPP planning discussions.

In the context of NPA and AA, two relevant human rights are the right to food and the right to work, as repeated throughout this thesis. Partners in food security PPPs in Kenya should strive to integrate knowledge of these rights and other relevant rights when onboarding and training participants.

5.4 Part 4 – communicating to public

The final part of my empirical analysis seeks to broadly establish how Yara and Corteva communicate to the public about their overall mission and work, as well as their PPPs. This was done through the quantitative content analysis. To ground the analysis in human rights, I focused the quantitative content analysis on key concepts aligning with the themes of human rights, the RBA and sustainability. This analysis addressed SQ1 (p. 2), and H1 (p.24) was the relevant hypothesis.

The full results of the quantitative content analysis for Corteva are available in Appendix B. The nineteen key concepts that the quantitative analysis coded for are in the far-left column. Each row outlines the frequency the concept was mentioned in the overall document sample, as well as the percentage of total documents that mention the key concept at least once. The most significant findings were that Corteva did not mention human rights once, while Yara used the term in 9.4% of its sampled documents. H2 (p. 24) hypothesized that Yara would use more human rights/normative language than Corteva. Based on this quantitative research, specifically the absence of human rights language in Corteva’s web materials, H2 is confirmed.

Neither Corteva nor Yara used the term ‘rights-based approach’. These findings complement and help triangulate the findings from the corporate interviews. Because neither Corteva nor Yara confirmed use of the RBA, it is natural that the RBA did not appear in the content analysis. Corteva not mentioning human rights, and Yara doing so, is unsurprising given the differences in how interviewees described the PPPs and their companies. Corteva focused on the business case for CSR, and Yara focused on the normative case for CSR, the latter of which is more explicitly concerned with promoting global norms such as human rights. Both Corteva and Yara used terms associated with the RBA, such as ‘empower’, and terms related to marginalization. Words coded to fit the concept of marginalization were primarily ‘gender’ or ‘woman/women’. The quantitative analysis shows that Corteva discusses marginalized communities to a greater extent than Yara with 21.4% percent of documents containing the

concept of marginalization versus 9.4% of Yara’s documents. This is because several of Corteva’s documents discuss women SHFs, and frame gender equality as key to achieving food security.

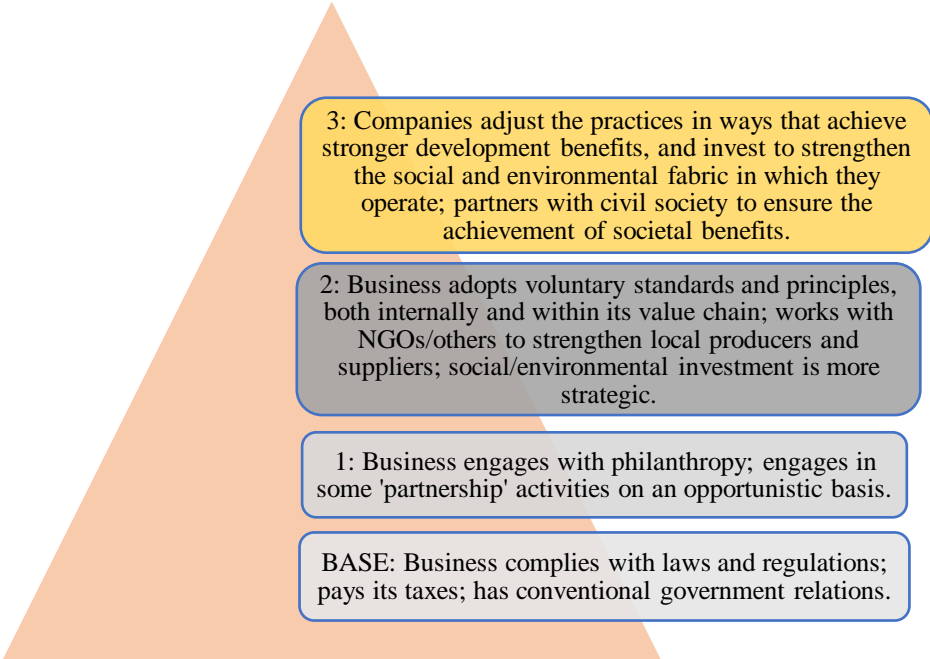
Other interesting findings are that Yara refers to the SDGs in 28% of its documents, whereas Corteva refers to sustainability goals in 14.3% of documents. However, this statistic is primarily made up of Corteva referring to its *own* corporate sustainability goals, *not* the SDGs. This is because, as explained earlier, Corteva chose to brand its own sustainability goals. The results from the *qualitative* content analysis of the internal company documents and relevant public documents have been interspersed throughout this paper, as relevant.

5.5 Summary

To summarize the “how” portion of this research effort, and relate it further to the SDGs, see graphic 5.5.1 (p. 53). The graphic, modified from the SDG Partnership Guidebook by Stibbe, Prescott, The Partnering Initiative and UNDESA (2020), illustrates three stages of a business’ alignment as a partner with the SDGs, with stage three being the goal. After analyzing the PPPs through the various stages – motives, planning, implementation and communication – I would place both Yara and Corteva in stage two.

Table 5.5.1: Three stages of business PPP engagement to reach SDGs

THE GOAL
 Business is fully engaged as a partner in delivering the SDGs through its PPPs



I would argue that Yara is closer to level three because of its championing of human rights standards, clear outward commitment to the SDGs, linking of its PPPs to the SDGs, and its more formal, structured due diligence process. However, my research has demonstrated that there are ways both companies could adjust their PPPs to achieve stronger development benefits and strengthen the social fabric in which they are operating. These two factors are key indicators listed in stage three of Table 5.5.1.

To reach level three, I have five reflections for Yara and Corteva regarding their food security PPPs in Kenya, based on my research. First, reconsider the relevance of the RBA in PPP programming and integrating human rights principles into the program objectives. Second, consider targeting the most vulnerable, disadvantaged or excluded groups amongst the SHFs, and pay special attention to local, gendered power structures and challenges of women. Third, recognize that the participants are rights-holders. Ensure the PPPs target the participant's ability to claim their rights by strengthening their knowledge of the basic human rights that they possess relevant to the PPP's work, such as the right to food and the right to work. Fourth, to properly empower the participants, include the SHFs in the strategic planning process. The design should ensure meaningful participation by the stakeholders themselves. Fifth, join with partners to institute a comprehensive HRIA in the countries, and better yet local regions if feasible, prior to the start of PPP activities. Additionally, HRDD for all entities involved in the PPPs should be considered as a standard operating procedure.

To work toward the goal of businesses being fully engaged as PPP partners in reaching the SDGs, more guidance and normative pressure is needed from the UN, governments, NGOs and civil society. This will ensure there is greater harmony between corporate-driven PPPs and the agenda for sustainable development as outlined in the 2030 Agenda. Leveraging existing human rights mechanisms, such as the RBA and HRDD, would help ensure better coherence of PPPs with human rights goals. It would also enhance accountability and positively impact the lives of those who participate in PPPs. Progress may be quicker in countries with national business systems containing a strong normative pressure toward CSR and human rights standards, like Norway.

6 Conclusion

This thesis used a comparative case analysis of a Norwegian corporation, Yara, and an American corporation, Corteva, to explore the merging of two complementary but distinct concepts: CSR and BHR. The cases chosen were PPPs in Kenya dedicated to food security. Drawing on CSR theories, institutional theory and human rights theory, the thesis aimed to establish why and how Yara and Corteva engaged in the PPPs, a form of CSR. Specifically, the research probed at the extent to which the PPPs, from the corporate perspective, were grounded in human rights frameworks and standards. This included a detailed examination of whether the PPPs employed the RBA and HRDD processes.

To summarize the findings of my main research question (RQ, p. 4), my research established that Yara and Corteva depict their motives, or their “why”, for entering PPPs dedicated to food security in Kenya in differing ways. Yara attributes AA to normative ideals that correspond to institutional CSR and legitimacy enforcement, while Corteva attributes its NPA to primarily business motives, aligning with managerial CSR and legitimacy management. To summarize the “how”, my research established that neither Yara nor Corteva ground their PPP in the RBA, nor see it as particularly relevant. Due diligence is used by both actors, however Yara demonstrates a more structured process for vetting the integrity of all partners, including from a human rights perspective. However, neither Yara nor Corteva used a HRDD process in their PPPs that analyzed the communities they were engaging in from a human rights risk perspective. These findings are not necessarily surprising, as the RBA is a tool primarily used by development actors such as NGOs and UN agencies, and the HRDD is primarily concerned with mitigating a company’s most severe human rights risks, rather than auditing its CSR or partnership efforts to positively contribute to human rights. However, the findings suggest that corporations have an opportunity to strengthen their contribution to PPPs to reach the SDGs by employing human rights frameworks and tools.

Cross-cultural studies on PPPs addressing other SDGs may be of value to the BHR community and reveal best practices and areas of improvement for corporate actors. For the agricultural sector in Kenya, longer-term research is needed on the economic and social value of PPPs for SHFs, and their impacts on SHF human rights realization.

In the SDG era, all societal sectors – including business – are recognized as key development actors (Stibbe, et. al., 2020, p. 10). Human rights advocates across every sector, public and private, have an opportunity to help strengthen PPPs by striving to align human rights and business goals of PPPs. It is my hope this thesis made a small contribution toward this alignment.

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Appendixes

Appendix A – Quantitative content analysis coding procedures

For Corteva, the content is broken into two categories: corporate content and content related to Kenya. To choose the ‘corporate content’ material for the study, I downloaded webpages that explain how Corteva operates such as ‘who we are’, ‘our impact’, ‘our purpose and values’, ‘how we work’ and ‘sustainability’. This resulted in 13 documents. Content related to Kenya was collected by performing a search for news features, blog posts and press releases related to Corteva’s PPPs in Kenya. This resulted in 15 relevant documents. Total, 28 documents were quantitatively analyzed for Corteva. The same process was applied to selecting content for Yara. However, given the breadth of Yara’s content on its website, I

chose to only include operations-related content that concerned agriculture and farming, leaving out industries like industrial and maritime. Additionally, instead of choosing content only related to Kenya, I searched for news features, blog posts and press releases related to Action Africa. This program was the PPP of focus for this actor and its branded, cohesive nature offered the most useful materials into how Yara communicates its PPPs affecting Kenya. This resulted in 19 corporate documents and 13 Action Africa-related documents. Total, 32 documents were quantitatively analyzed for Yara. I used a priori coding, meaning that the codes were chosen prior to the analysis (Halperin & Heath, 2012).

For each web page selected, the page’s content was copied into an individual word document and given a document tag. This included an entry number and description of content, such as general web page (WP), blog post (BP), or press release (PR). The documents were then uploaded into Atlas.ti for coding. With words and phrases as my recording unit, I analyzed the frequency of terms such as ‘public-private partnership’, ‘human rights’, ‘rights-based approach’ and ‘sustainability’ – as well as more specific words and phrases such as ‘right to food’, ‘empower’ and ‘sustainable development goals.’ All terms searched can be found in Appendix A which breaks down which documents contained which coded word or phrase.

Appendix B – Quantitative content analysis results

<i>Key concepts across Corteva’s external documents</i> <i>N = 28 documents analyzed</i>		
Key concept	Number of references	Percentage of documents with reference
Public-private partnerships	30	50%
Human rights	0	0%
Right to food	0	0%
Right to livelihoods	0	0%
Right to health	0	0%
Human rights due diligence OR due diligence	0	0%
Rights based approach	0	0%
Empower	10	17.9%
Accountability	1	3.6%
Participation	4	14.3%

Marginalization (terms include Marginalized OR disadvantaged OR gender OR women OR youth OR vulnerable)	13	21.4%
Transparency	14	10.7%
Reporting or measurement	4	10.7%
Sustainability	44	53.6%
Economic development	9	28.6%
Sustainable goals or SDGs	6	14.3%
Food security OR food insecurity	63	67.9%
Livelihoods OR increasing income OR enrich	34	67.9%
Health OR wellbeing	26	50%

<i>Key concepts across Yara's external documents</i> N= 32 documents		
Key concept	Number of references	Percentage of documents with reference
Public-private partnerships	32	40.6%
Human rights	6	9.4%
Right to food	0	0%
Right to livelihoods	0	0%
Right to health	0	0%
Human rights due diligence OR due diligence	0	0%
Rights based approach	0	0%
Empower OR empowerment	3	9.4%
Accountability	4	9.4%
Participation	2	6.3%
Marginalization (terms include Marginalized OR disadvantaged OR gender OR women OR youth OR vulnerable)	5	9.4%
Transparency	2	6.3%
Reporting or measurement	31	18.8%
Sustainability	70	37.5%
Economic development	2	6.3%

Sustainable development goals (SDGs)	14	28%
Food security OR food insecurity OR food systems	23	37.5%
Livelihoods OR increasing income OR enrich	15	28%
Health OR wellbeing	21	37.5%

Appendix C – Corporate/partner semi-structured interview guide

Semi-structured interview guide: corporate/partner contacts

Introduction: Give information and consent form, explain the purpose and process of the interview, ask for permission to record the interview, and explain what will be done with the data. Note: not all questions will be posed to each interviewee.

Organization and background

1. What is the core purpose of your organization?
2. In your own words, why is your organization participating or conducting this initiative?
 - a. *If follow-up needed:* Business case? Ethics and morals?

Initiative-specific questions

1. How do you define smallholder farmers?
2. How are project participants (smallholder farmers) selected? Is there criteria?
 - a. Are marginalized farmers (for example, women) prioritized?
 - b. Who ultimately selects the participants?
 - c. Do participants sign any agreements prior to participating?
3. How are specific regions within a country selected? Is there criteria?
 - a. To what extent are local state actors engaged prior to starting the project?
 - b. How would you describe the relationship between your organization and the local government?
 - c. How have local state actors reacted to the projects?

Human rights due diligence

4. To your knowledge, to what extent is human rights due diligence (HRDD) conducted prior to the start of multi-stakeholder initiatives?
 - a. Who is responsible (e.g. company, aid agency)?
 - b. If HRDD is not conducted, why is it not?
 - c. Does your company conduct human rights due diligence to look at the company's overall potential and actual adverse human rights impacts?
5. What have been the findings of your organization's HRDD conducted for this project?
 - a. What actual or potential adverse human rights risks/impacts have been identified?
 - b. How have findings been integrated across practices?
6. In your opinion, is your organization sensitive to the social fabric of the communities it is engaging in? Do you have any examples?

If asked for specifics: For example, assessing regional conflicts, ethnic tensions, power imbalances, gender inequalities, land rights, etc., that may affect the lives of locals.

7. Does your organization publicly report on outcomes and impacts of this initiative?

- a. Why or why not?
 - b. Do you think that your organization should publicly report on outcomes and impacts of this initiative's activities?
8. Does your organization have the expertise to incorporate human rights into its operations?
- a. Does your organization have dedicated human rights staff?
 - b. Has your organization worked with a human rights institute to improve its overall human rights impact?

Human rights

1. In your own words, can you describe what 'human rights' means to you?
2. Are human rights relevant to your work?
 - a. How do they impact your organization's work or your work specifically?
 - b. If relevant, are they a useful tool/framework or a burden/inconvenience to consider?
3. How do you think human rights are perceived by the beneficiaries of this initiative?
4. Has your organization held any trainings or internally communicated about human rights as it relates to the company and its work and operations?

Right to food/food security

1. What are your perceptions on the right to food?
 - a. Who bears the duty to fulfill this right?
2. Do you perceive the right to food as an effective tool for dealing with food insecurity?
 - a. Should it guide the work of initiatives like this?
3. In your opinion, how can business, civil society (such as community-based and farmers organizations, and NGOs) and government work together to improve food security?
 - a. What do you think the role of multinational firms in your sector is in achieving food security?

Rights-based approach

1. In your own words, what is your organization's driving impetus for participating in this initiative?
 - a. Does profit play a role?
 - b. Does public image play a role?
 - c. How do shareholders perceive the initiative and its value?
2. Do you think that your organization uses a rights-based approach to this initiative?
 - a. Is a rights-based approach relevant for this initiative, in your opinion?

SDGs

- Are issues about sustainability something that people tend to use in their day-to-day work?
- Do you use SDGs in your work?

Definitions of key concepts - to provide in interviews as needed

Human rights

Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination

Source: UN.org. <https://www.un.org/en/global-issues/human-rights>

Human rights due diligence

The UN Human Rights Council says that prevention of adverse impacts on people is the main purpose of human rights due diligence. It concerns risks to people, not risks to business. It involves identifying and assessing actual or potential adverse human rights impacts that the enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships

Food security

Food security, as defined by the United Nations' Committee on World Food Security, means that all people, at all times, have physical, social, and economic access to sufficient, safe, and nutritious food that meets their food preferences and dietary needs for an active and healthy life.

Source: <https://www.ifpri.org/topic/food-security#:~:text=Food%20security,%20as%20defined%20by,an%20active%20and%20healthy%20life>.

Right to food

The right to adequate food is realized when every man, woman and child, alone or in community with others, has the physical and economic access at all times to adequate food or means for its procurement.

Source: UN General Comment 12 (Committee on Economic, Social and Cultural Rights, CESCR, 1999).
<https://undocs.org/E/C.12/1999/5>

Rights-based approach

A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyze inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.

Source: Unicef. https://sites.unicef.org/policyanalysis/rights/index_62012.html.

Appendix D – Smallholder farmers focus group/interview guides

Part I: NPA Focus Group Guide

Introduction: Introduce self, purpose of research and focus group, emphasize independent research effort, give information and consent form, ask for permission to record and explain what will be done with the data.

Questions

Opening questions

- Please tell us your name and how long you have been participating in the “Nourishing Prosperity Initiative” program.

Introductory questions

- How did you first learn about this program?

Transition questions

- Think back to before you became involved in the Nourishing Prosperity Alliance and had support from Corteva & Land O’Lakes. At that point in time, what were your biggest challenges as a farmer?
- Did you have any concerns about participating in this initiative?
 - o Did you have an opportunity to voice them?
 - o Did you have any opinions about the farming practices, or feed practices, introduced by the Nourishing Prosperity Alliance?
 - Did you have an opportunity to discuss your opinions?
- How has being a woman affected your experience working as a farmer?

- Have you faced gender discrimination in the labor market?
- Did the fact this program was female-focused appeal to you?
- How has your life been impacted because of participating in this program?
- How could the program be improved?

Key questions

Read definition of the human right to food – from the UN Office of High Commissioner for HRs

- The right to adequate food is realized when every man, woman and child, has access at all times to adequate food. It's about the right to feed oneself in dignity.
- The right to food affects several other human rights: such as the right to health (because of nutrition), the right to life, the right to education (children need food to concentrate at school), and the right to work or livelihood (employment usually needed to afford food)
- What are the biggest obstacles to achieving food security in this region, in your opinion?
 - Do you think the human right to food is, or could be, an effective tool for dealing with food insecurity?
- How has your participation in this initiative affected your right to adequate food?
 - How about members of your community, or Kenyan citizens, and their right to food?
- How effective are initiatives from the business world and NGOs, like this Nourishing Prosperity Alliance, in fulfilling human rights, in your opinion?
 - Have you discussed human rights with partners at Corteva or Land O'Lakes?
 - What have you discussed?
- Who should fulfill the right to food? For example, individuals like you and me, the Kenyan government, corporations?
- What do you think of human rights as a concept? Are they helpful?

Ending questions

- Is there anything we should have talked about, but didn't?

Part II: Action Africa Structured Interview Guide

1. How did you first learn about Yara and its Action Africa program?
2. What have been your biggest challenges as a farmer?
3. Did you have any concerns about receiving support from Yara? Did you have an opportunity to voice the concerns?
4. How much fertilizer did you receive for free from Yara?
 - a. Did you purchase more with your own money when it ran out? If no, will you? Why or why not?
 - b. Were you trained on how to use the fertilizer? If so, who trained you and how could the training be improved?
5. How has being a woman affected your experience working as a farmer? Do you face gender discrimination?

6. How has your life been impacted because of participating in this program with Yara?
7. How could the Action Africa program be improved? What other support do you need?
8. Are you familiar with the concept of human rights?
Note to interviewer: If answer is no, please provide definition to interviewee:
 Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Everyone is entitled to these rights, without discrimination. Human rights are protected by law. They include for example, the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and the right to food.
9. Has Yara’s Action Africa program helped you achieve your human right to food? In other words, has the program helped ensure you can feed yourself and have adequate food?
 - a. Has it helped others in your community achieve their right to food?
10. Has participation in the program with Yara impacted any other human rights, for example the right to education (for children, or you)?
11. Have you discussed human rights with anyone from Yara?
12. Would you like more information on your human rights? Do you think human rights education for you and those in your community would be useful?
13. Is there anything we should have talked about, but didn’t?

Appendix E – List of interviewees

26 total

Organization or group	Role	Details
Participants in Corteva’s NPA (12 people)	Smallholder farmers	In-person focus group, Nakuru County, Kenya, March 2022
Participants in Yara’s Action Africa (5 people)	Smallholder farmers	In-person, individual structured interviews, throughout Kenya, April 2022
Yara	Stakeholder Relations & Business Development Manager	In-person, Oslo, April 2022
Yara	Human Rights Manager	In-person, Oslo, Norway, April 2022
Yara	Lead, Yara Africa	Online, April 2022

Yara	Regional Marketing and Communications Manager (Kenya, Uganda, Tanzania, Rwanda)	Online, April 2022
Yara	Regional Ethics & Compliance, Africa	Online, April 2022
Corteva	Global Agriculture Development Leader	Online, Spring 2022
Corteva	Kenya Country Leader	In-person, Nairobi, March 2022
Land O'Lakes Venture 37 (Affiliated with Corteva through the NPA)	Agronomy and Forage Technical Assistance	In-person, Nakuru County, Kenya, March 2022
Elburgon Progressive Dairy Farmers Cooperative Society, Nakuru County (Affiliated with Corteva through the NPA)	Chairman	In-person, Nakuru County, Kenya, March 2022

