

Committee: Environmental Commission

Issue: The question of the erosion of land rights through global land-grabs

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Introduction

Communities, especially indigenous communities, are at risk of losing their land rights to large corporations and developed nations. These large scale land acquisitions are predominantly affecting communities in Africa, Asia, Latin-America, and Eastern Europe. Already millions of hectares of fertile land used for agriculture and habitat by those communities have been taken by global land-grabs. Countries like the Gulf States, the United States of America, European nations, and BRIC (Brazil, Russia, India, and China) have been participating in this land acquisition, replacing agricultural lands with profitable monocrops. Many of the corporations claim that they are acquiring these lands in order to play their part in improving food security. However, for many of the local farmers who once inhabited those acquired lands, they are without the means to provide food for their families and the international community like they were before. Despite the environmental and human rights these land-grabs threaten, governments are offering their full support in order to obtain desirable foreign direct investment.

With these frantic land-grabs, a third of the world's population is left vulnerable to dispossession by more affluent nations. Roughly 2.5 billion are highly dependent on their land and the natural resources they provide. 370 million of which are Indigenous communities. By no fault of the community, many can not offer the proof that they hold the rights to the seemingly empty and available land. Because of this, a switch of ownership results, displacing many of the world's poorest families and communities. With the growing greed of corporations seeking land for cash crops, those communities are placed in danger of losing their rights to the land they inhabit. Many NGOs such as 'Lands Right Now' and 'GRAIN' are focused on securing land rights for those endangered communities and raising awareness to this issue. However, they have not claimed many results as of now.

Definition of Key Terms

Land Grabbing

Otherwise known as large-scale land acquisitions. It is the sale and leasing of large expanses of land by domestic and transnational corporations and industries, governments, and individuals.

Acquisition

An asset or an object that can be bought or obtained.

Land Law

As defined by the Law of Property Act: Land includes land of any tenure, and mine and minerals, whether or not held apart from the surface, buildings or parts of buildings and other corporeal hereditaments; also a manor, an advowson, and a rent and other incorporeal hereditaments, and an easement, right, privilege, or benefit in, over, or derived from land.

Environmental Degradation

It is the deterioration or disintegration of the earth and the earth's environment through the consumption of assets (such as air, water, and soil), the destruction of the ecosystem, and the eradication of fauna.

Monoculture Crops

Believed to be more profitable, monocropping is the act when farmers plant only one crop on the same land year after year. Despite its supposed profitability, many believe that it is too harsh on the environment.

Pastoralism

A branch of agriculture focused on the raising of livestock. Pastoralists concern themselves with caring for, tending to, and the use of animals such as cattle, sheep, goats, camels, yaks, and llamas.

Smallholding

A small piece of land and its adjacent living area for the smallholder and their family, as well as a stable for the smallholder's livestock. Typically smallholding is under 50 acres, and covers less land than a typical farm.

Indigenous

Defined by international and national legislation, Indigenous people have a specific set of rights which tie them to particular territories and lands based on historical and cultural factors.

Background Information

The environmental implications

Most land grabs have been to replace the land of communities with profitable plantations of soy, oil palm, cotton, and other cash crops. These ways in which the land is used by the corporations is, most often, incredibly detrimental to the ecosystem. This has an unfortunate tendency to result in environmental degradation. The industries taking over the land can cause deforestation, a loss of biodiversity, water pollution, and soil pollution. Not only does this affect the land itself, but it also affects surrounding communities. Besides damaging the environmental rights of the surrounding people, byproducts from the industries can infiltrate water sources used by the existing community, greatly affecting their health. It is rare that land grabbing is not also followed by environmental degradation, leading a path of destruction in a, once, healthy ecosystem.

The social implications

Communities, especially pastoralists, smallholders, and indigenous peoples, are left defenceless to the land grabs. In most cases they are not even informed that the land they have used for generations has been given ownership to an international corporation and are forcibly removed from the land. Most land grabs are possible to the weak legal framework that ties the original communities to their land. Undocumented or poorly documented ownership of the land allows for corporate countries and industries to abuse their power and take over the land of poor communities that have nothing else.

Displaced farmers have nowhere else to go, leading to a rise in slum settlements in major cities. However, not only are the farmers affected. Many of these industries acquire land with the promise of foreign direct investment and the building of hospitals, schools, and clinics. However, most of the profits from these industry plantations are never seen by the local population of the country and the promises of healthcare and education never seem to materialize.

The global land-grab phenomenon



Figure #1. A map depicting global land grabs. Shaded countries represent the event of a land grab and light-to-dark coloured countries represent the intensity or amount of land grabs. (GRAIN)

Some corporations claim to participate in the global land grab in support of food security and solving global hunger. Industries claim that the “unused” can be utilized in a global effort to minimize other global issues. However, those claims negate the consequences that fall upon the landless communities. Food security, environmental rights, holistic health, and shelter are all disrupted when industries uproot individuals from those lands. A bizarre phenomenon considering many of the industries claim to be in support of land grabs because they benefit the food security and health of the international community.

The indigenous communities that use the supposedly unowned land are neglected by the industries and are left without support from their own governments when they are removed from their habitats. Though corporations may attempt to keep respect to the land rights of others, the legal framework of the country they are working in is far too weak to ensure that none of these consequences are set in motion. Land investment policy is also fairly difficult as many governments lack the capabilities to implement such a policy. It is impossible to believe that every land deal can properly be assessed by an official. As well, it is also not realistic to assume that land grabs can be “undone”. Many of the deals have been completed and remain, now, irreversible. Instead it is suggested that industries that participate in land deals in African,

Latin-American, Asian, and Eastern European countries should equally invest in both the land and the communities that reside there.

Timeline of Events

Date	Description of event
2001	Implementation of the EBA Agreement in the EU, which led to a rise in land grabs in Cambodia
2002	The Italian company, Benetton, acquired 1 million hectares of land in Argentina to monocrop wools, cereals, and wood
2006	A local politician in Cambodia, Ly Yong Phat, acquired 60,000 hectares of land in his own country and dedicated it to the production of sugar cane
2007-2008	Land grabbing truly re-emerged after the spike in global food prices
2009	Investors abandon a sugarcane plantation in Mozambique, after the expelling of a thousand villagers and the clearing of a thousand hectares of land
2010	The World Bank starts actively promoting land grabbing as a means for rural development
2011	US Dominion Farms acquired 30,000 hectares of land in Nigeria to produce rice

UN Involvement, Relevant Resolutions, Treaties and Events

Shortly before the UN Committee on World Food Security met (CFS), Olivier de Schutter, UN Special Rapporteur, mentioned that: “the threat of land grabbing has reminded us how vital access to land is for 500 million food-insecure households around the world.” The Committee came together to discuss on the issue of land rights and subsequent global land grabbing. The CFS adopted the new ‘Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forest in the Context of National Food Security.’ In the guideline, the global land-grab phenomenon is referred to with the suggestion of the implementation of safeguard to protect the tenure rights of local people and for the protection of their human rights, livelihoods, food security and the environment.

- Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forest in the Context of National Food Security, 11 May 2012
- Permanent Sovereignty of States over Natural Resources, 14 December 1962 (1803(XVII))

- Charter of Economic Rights and Duties of States, 12 December 1974, (3281(XXIV))

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