

Side Session Summary

Land, Corruption, & Human Rights: A Roundtable Discussion on the Human Rights Implications of Large-Scale Land Investments and Constructive Responses

Monday, 16 November 2015, 16:40 to 18:00
Palais des Nations, Room XXIV

Co-organized by the International Corporate Accountability Roundtable (ICAR), the Quaker United Nations Office (QUNO), and the Center for Peacebuilding (KOFF) at swisspeace

This side session aimed to provide an overview of how large-scale land investments result in a wide range of adverse human rights implications, ranging from forced displacement of communities without adequate compensation or access to basic needs like food and water to the targeting and killing of land defenders. The session also aimed to highlight the issue of corruption in terms of how it taints land deals in the following ways: (1) investors paying bribes to public officials in exchange for favorable land deals that violate the rights of local communities; (2) elite capture of the titling process through illegal means and at the expense of local land users; and (3) investor reliance on weak rule of law or corrupt remedial schemes in order to block access to remedy.

The session was moderated by Sara Blackwell, International Corporate Accountability Roundtable (ICAR), and lead discussants included Olivier De Schutter, Former UN Special Rapporteur on the right to food; Josie Cohen, Senior Land Campaigner, Global Witness; David Bledsoe, Sr. Director, Corporate Partnerships, Landesa; Marcela Manubens, Global VP for Social Impact, Unilever; Sin Sokhomony, Agriculture and Land Policy Project Coordinator, NGO Forum Cambodia; and Yuliya Neyman, Land Governance and Legal Advisor, Land Tenure and Resource Management Office, USAID.

The multi-stakeholder discussion identified both problems and solutions in addressing human rights harms in the context of land and corruption. In terms of key problems, participants presented powerful case studies demonstrating the widespread reach of corrupt practices across wide swaths of land and across all stages of land deals, from demarcation to titling to monitoring. Participants also highlighted the need to preserve land rights and natural resources for future generations and challenged the ongoing use of current models of investment and land tenure, as commercial investment generally assumes a Western system of land rights, whereas communal ownership is often not reflected in written records. Issues of capacity in claiming land rights and the right to remedy were also discussed, with a particular focus on the rights of women and indigenous communities. In terms of potential solutions, the discussion focused on enhanced transparency through mandatory reporting; enforced anti-bribery legislation and regulation in both home and host States; increased funding to support further research and advocacy on this issue; integration of the issue into National Action Plans; and technical support for community reporting and empowerment. Overall, participants agreed that a holistic, multi-stakeholder, and interdisciplinary approach would be needed to address the complex issues arising at the intersection of land, corruption, and human rights.