



Global Demand for Natural Resources and Local Demands for Justice

About business, land and rights...

Anne-Sophie Gindroz, September 2014

This editorial aims to reflect the multidimensionality of the issue of global demands for natural resources and local demands for justice. It touches on some of the diverse agendas, development visions and arguments being mobilised by a wide range of actors. Communities – from the First Nations of northern Québec to farmers in rural Niger – are caught in the middle of these games without having been able to play a role in defining the rules. What unites these disparate cases is that the fundamental question that matters in the end is: Who owns these resources and who makes the decisions?

Environmental protection for development is not enough...

"Countries have a right to develop their natural wealth and assets," says Jonathan Porrit, former UK Green Party Chairman, who is increasingly concerned by environmentalists with unrealistic ideals for zero deforestation. *"If anybody thinks we're going to have a sustainable world that is only sustainable in terms of keeping very, very large numbers of people in chronic poverty, they're insane"* he said (1).

Monique Barbut, Executive Secretary of the UN Convention to Combat Desertification said: *"Land issues will nearly always involve a trade-off between social, economic and environmental needs, and should be managed to best serve these competing demands. Investing in agricultural practices that have left more than half of the global cropland degraded is not only unsustainable, but unconscionable – particularly when viable alternatives exist (2)."* Good practices exist even in Least Developed Countries (LDCs) such as Ethiopia and Niger, where farmers have recovered the productivity of entire regions (5m hectares in Niger's Zinder province and over 1m hectares in Tigray, Ethiopia) using cheap and easy means based on local resources. But to extend such practices on large scale, farmers land rights need to be secured.

Industrial agriculture for development: Are you sure?

In the dominant development model, adverse environmental effects are often supposed to be off-set by the developmental benefits. According to a World Bank report entitled Practice of Responsible Investment Principles in Large Scale Agricultural Investments, *"job creation was the most frequently cited benefit arising from the investments; indeed, investors in the sample operations employed around 40,000 people—an average of one job for every 20 hectares of land—often in remote areas where formal employment had not previously existed (3)."* From a development perspective, this raises at least two questions: First, are the workers being paid living wages? And second, in comparison how many people/livelihoods are supported by one hectare of land administered and used by local communities? As to the first question, the World Bank recognizes that *"around half of jobs provided by our investors were temporary, casual, or seasonal.[...] For about 30 percent of investments surveyed, the share of permanent employment was less than a quarter of jobs provided."* And there is an additional gender bias, as *"where women were employed, it was more likely that they were casual, temporary, or seasonal jobs [...]. As such, women were overrepresented in the worst paid and most insecure jobs."* In addition, where collaboration with outgrowers is practiced, *"virtually all outgrowers were men. Only 1.5 percent of outgrowers were women. One cooperative member explained that this was due to obstacles women face in owning or renting land in some places."* The second question is not addressed in the report. But for sure, gender inclusiveness and land rights tenure constitute essential features of business scheme resulting in successful sustainable development.

Peoples' rights first

As experts navigate the spectrum of development strategies, and powerful corporate interests increasingly occupy the political sphere and resource rich territories, who should actually decide? In international high level meetings discussing Effective Development Cooperation, governments, aid providers, private sectors and civil society organizations agreed on the need to put the people at the center. If the opportunity is missed to turn abstract global commitments – on democratic ownership of the development agenda, more inclusive dialogues and partnerships, etc. – into practice when addressing natural resources exploitation for development, then the purpose of setting-up a Global Partnership for Effective Development (GPEDC) is clearly irrelevant.

Indigenous Peoples movements are growing better organized, more visible, and stronger in advocating for their collective tenure rights on their customary territories, with some successes in pushing their issues high on the political agenda of their country. In Indonesia for example, the Constitutional Court issued a decision in 2013 stating that forests customarily belonging to Indigenous Peoples be removed from State-managed forests. Implementation is however moving slowly ahead. In Quebec, referring to a Canadian Supreme Court judgment recognizing ancestral rights of Tsilhqot'in First Nation on their aboriginal land in British Columbia, the Atikamekw First Nation has declared that any development project taking place on its 80,000 square kilometres territory must get its approval (4). *"Gone are the days of negotiating the rights of the Atikamekw, which have not been surrendered, for the benefit of a state that imposes its rules as if such rights do not exist,"* an Atikamekw chief said. *"Our jurisdiction, our rules and our conditions must be respected."* One of the communities' leader added that his community is not opposed to development per se. *"We only oppose development that threatens our culture and way of life. We must act."*

Conclusion

Responding to Sir Jonathan, many would say *"those who think we're going to have a sustainable world by denying very, very large numbers of people their resources rights, they're insane."* Global demands for natural resources are increasingly met with local demands for justice. But to reverse this on-going dominant trend requires concerted actions from all. This might be what some countries hosting major extractive companies investing abroad have stated to seriously consider when debating the possibility of holding them accountable for their business in foreign countries. In the United Kingdom, a recent poll says that 71% of MPs questioned, want British firms held to account in the UK for harm caused in developing countries, including allowing workers to bring civil cases in the UK. The move follows growing concern over human rights abuses in overseas factories used by British firms (5). In Switzerland, the topic has been put on the table as well. Political pressure is mounting and the Swiss parliament is debating the effective enforcement of the Ruggie principles on business and Human Rights (6), even talking about granting victims of human rights abuses involving Swiss companies abroad, direct access to the Swiss justice. How successful such rich countries driven initiatives will be in accommodating resources rights claims and in providing effective remedies for abuses suffered by those defending their land, might be key to achieve justice and development in so-called poor countries.

References

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