

A review of the literature

Commercial Pressures on Land and Their Impact on Child Rights

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COMMERCIAL PRESSURES ON LAND AND THEIR IMPACT ON CHILD RIGHTS: A REVIEW OF THE LITERATURE

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Abstract. The impacts of the recent food, fuel and financial (3F) crises on children's rights and well-being are being widely documented. However, from a child rights and well-being perspective little regard has so far been given to a particular socio-economic trend that has been indirectly intensified by this three-fold crisis: the proliferation of what are collectively known as '**commercial pressures on land**' (CPLs). CPLs essentially refer to large-scale investments in land taking part in large parts of the 'Global South', led by multiple structural drivers, and undertaken by a variety of public, private and hybrid actors, both domestic and foreign, operating in diverse sectors.

This paper aims to provide a comprehensive review of the existing literature on the political economy of CPLs with the specific intention of mapping the relevant channels of impact on the rights and well-being of children living in rural areas where CPLs are fast-proliferating. Although there are some documented benefits, according to the large majority of the literature reviewed, the twin outcomes of *displacement* and *dispossession* are found to be critical negative socio-economic changes resulting from CPLs. In conjunction with a pervasive lack of transparency in the land transfer negotiation and implementation processes, the twin outcomes are in turn associated with a number of transmission channels that can impact the rights and well-being of children in affected rural communities, which mainly consist of: loss of access to land and other essential natural resources such as water; increased risk of insecurity of tenure; loss of livelihoods and sources of income; forced evictions; increased exposure to social conflicts and intra-household tensions; and lack of voice. The review also highlights the importance of bridging and rationalising current data on the scale and impact of CPLs on affected communities, which at the moment tends to be polarised between aggregate level data and those collected at localized levels primarily through small-scale case studies. In the absence of extensive child-centred analyses of the impacts of current manifestations of CPLs, the paper calls for further empirical studies which identify and assess, through a child rights and well-being perspective, the particular 'structure-agency' conditions under which reported benefits and negative impacts of CPLs take place, in order to address policy response gaps.

Keywords: commercial pressures on land, displacement, dispossession, equity, land-grabbing, 'marginality' narrative, 'win-win' narrative

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ACRONYMS

AU	African Union
BITs	Bilateral Trade and Investment Agreements
CAADP	Comprehensive Agricultural Development Programme
CDE	Centre for Development Enterprise
CEDAW	Convention on the Elimination of Discrimination against Women
CFS	Committee on World Food Security
CHRG	Centre for Human Rights and Global Justice
CPL(s)	Commercial Pressures on Land
CRBP	Child Rights and Business Principles
EC	European Commission
ETOs	Extra-territorial Obligations
EU	European Union
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investment
FPIC	Free Prior Informed Consent
GIGA	German Institute for Global Area Studies
GIZ	German Society for International Cooperation
GMG	Global Migration Group
GPF	Global Policy Forum
HLPE	High Level Panel of Experts
HRW	Human Rights Watch
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFAD	International Fund for Agricultural Development
IFC	International Financial Corporation
IFI(s)	International Financial Institutions
IFPRI	International Food Policy Research Institute
IIED	International Institute for Environment and Development
ILC	International Land Coalition
ILO	International Labour Organization
IRC	Innocenti Research Centre
ISS	Institute of Social Studies
LFEs	Large Farm Enterprises
MCC	Millennium Challenge Corporation
MDG(s)	Millennium Development Goals
NGOs	Non-Governmental Organizations
OoR	Office of Research
PSIA(s)	Poverty and Social Impact Assessments
SAP(s)	Structural Adjustment Policies
SEP	Social and Economic Policy
SWFs	Sovereign Wealth Funds
TLD(s)	Transnational Land Deals
UDHR	Universal Declaration of Human Rights
UNCRC	United Nations Convention on the Rights of the Child
UNHABITAT	United Nations Human Settlements Programme
UNICEF	United Nations Children's Fund
WDR	World Development Report

EXECUTIVE SUMMARY

Children living in rural areas of developing countries are among the most persistently vulnerable and disadvantaged social groups. Studies based on geographically disaggregated data consistently show that basic services essential for children's survival, growth and development are generally more underdeveloped in rural areas, where progress towards the achievement of the MDGs is consequently lagging behind.

Meanwhile, economic trends, policies and shocks, which may be locally produced or transmitted down to the community and household levels from on-going or sudden shifts in the structures of national and global political economies, affect children primarily through their impact on household income, level of asset holdings (including land), and access to employment and basic services.

Therefore, in light of UNICEF's **equity** agenda, which re-orientes the organization's priorities to address the critical problems faced by the most disadvantaged children, there is an urgency on the one hand to gain a better insight into the context-specific conditions that render children in rural settings even more vulnerable to on-going and sudden socio-economic trends, and on the other, to assess the nature and respond to the consequences of such trends on the fulfilment of the rights and well-being of rural children.

The impacts of the recent food, fuel and financial (3F) crises on children's rights and well-being are being widely documented.¹ However, little regard has so far been given to a particular socio-economic trend that has been indirectly intensified by this three-fold crisis: the proliferation of what are collectively known as '**commercial pressures on land**' (CPLs).²

These CPLs essentially refer to large-scale investments in land in large parts of the 'Global South', led by multiple structural drivers, and undertaken by a variety of public, private and hybrid actors, both domestic and foreign and operating in diverse sectors. Yet land, along with other natural resources such as water, constitutes the essential means for maintaining security of food, housing and livelihoods for a great proportion of the world's extremely deprived and poor populations, including a high proportion of rural children and youth. In light of this social reality it is important to fully understand any trend that can potentially entrench further (already existing) or create new structural inequities related to access to land resources that have the potential of violating children's multiple basic rights, including the right to food, housing, water, education, health, participation and protection, (and decent work in the case of rural youth and adults).

The review shows that lack of consistent data – particularly on scale and impact on children – is a major impediment for on-going as well as future research efforts in this area. Information on land deals is mostly polarized between aggregate (national or general) level data and those collected at the local level, mostly in the form of specific case studies. The need to bridge and rationalise these forms of data is evident. Nevertheless, although there are some reported benefits, such as social infrastructure development, employment creation and local capacity building, the existing literature for the most part reveals a critical stance on CPLs, in that vulnerabilities associated with their

¹ See: <http://www.childimpact.unicef-irc.org/>

² Section 3.1 will discuss in more detail the diversity of the definitions found across the literature and the rationale behind the selection of this particular term over others.

proliferation include sometimes immediate (as well as heightened risk of future) *displacement* and *dispossession*, which are in turn associated with a number of transmission channels that can impact the rights and well-being of children, and other at-risk groups.

The main channels of impact consist of: actual loss of access to land and other essential natural resources (particularly water) and increased risk of insecurity of tenure; loss of livelihoods and sources of income; and (forced) evictions, all of which in turn result in increased exposure to food insecurity, malnutrition, and subsequent higher risk of stunted growth, ill-health, higher school drop-out rates and increased likelihood of entry into the child labour market, which is largely agriculture oriented.

Forced displacements can likewise lead to loss of housing and water access, which compound the higher levels of deprivation to which rural children are already subjected, due to poorer access to good quality water and sanitation facilities in general, particularly in sub-Saharan Africa. Increased exposure to conflicts as well as social tensions between and within communities and households, are also likely to lead to physical and emotional harm, and in particular are likely to pose higher risks of violence and abuse against women and girls.

The issue regarding the lack of transparency in the way deals are conducted and implemented is also critical, because it implies an associated lack of voice in matters which directly affect the communities concerned, including children. Similarly, the possibility of an intergenerational locking out from access to and use of productive resources, in the absence of alternative livelihood strategies and/or mitigating social protection systems is especially important for current and future youth employment trends in rural areas.

Moreover, CPLs in rural communities are likely to contribute towards an increased push of internal migration towards urban centres, where existing urban (child) poverty and deprivation would be further exacerbated, as access to essential services in urban areas³ would be put under more strenuous pressure. Numerous case studies indicate that children (as well as women and youth) from indigenous groups are particularly vulnerable to all of the aforementioned risks.

In light of these findings, it is therefore very much in the interest of all potentially and currently affected children (and other vulnerable groups), in already disadvantaged rural communities that UNICEF actively engages with the issues revolving around current trends in CPLs. The findings of this literature review flag up the need for empirical assessments on the range of concrete risks due to CPLs, faced by children and the other relevant groups in rural settings.

Equity-centred situation analyses, social impact assessments, case studies and surveys having **children as units of analysis**, could be potential entry-points, to be followed up by policy recommendations that address the relevant needs of the children affected. Such studies would also take into consideration the specific local socio-economic and political contexts in which CPLs occur, as well as the characteristics of each deal concerned. The need to document and leverage best practices in cases where CPLs lead to positive child well-being outcomes is also an important dimension to be proactively incorporated into future field research and data collection efforts.

³ See: UNICEF State of the World's Children (2012a) Children in an Urban World

1. INTRODUCTION

1.1 Why Commercial Pressures on Land Should Matter to UNICEF

UNICEF has been championing the realization of children's rights for the last 65 years. Its central mission to prioritize the needs of the most disadvantaged children is now reinforced as a result of the renewed focus on **equity** in all aspects of the organization's work, including its research activities. Consequently, UNICEF's newly established Office of Research (OoR) at Innocenti is stepping up its efforts to build a sound evidence-base on the critical issues which affect the most vulnerable children, providing data to support advocacy for their rights at country, regional and global policy levels.

This study is a first known attempt to provide a comprehensive review of the existing literature on the political economy of CPLs, with the specific intention to map the relevant channels of impact on the rights and well-being of children living in rural areas, although reference will also be made to other groups such as women, indigenous peoples and youth.

The diversity of definitions of the phenomenon of CPLs, the multiplicity of actors, driving forces and sectors of investment involved, along with the relative novelty of intensity⁴ and the large geographical scope, makes it a complex phenomenon to analyse. Moreover, a consistently quantified scale of investments in land, as well as disaggregated data on the impact of such investments on the affected populations, is neither easily nor uniformly available within the literature⁵ (Cotula, 2011a; FIAN, 2010; Schneider, 2011). This is due not only to the freshness and currency of the phenomenon as a research area, but also because of the general lack of transparency and relatively high speed with which investments in land are being negotiated across large parts of the developing world.

In spite of these challenges, there are a number of factors that prompt an initial review of the constantly growing literature on CPLs, focusing on the channels of transmission that impact the rights and well-being of rural children.

The first overarching rationale for analysing global socio-economic and political trends such as CPLs which, on face value, do not appear to be directly and visibly affecting the rights and well-being of children, rests on the fact that these global trends and policies are in fact significant for them, as they clearly characterize the micro-level environment in which they survive, grow and develop (UNICEF, 2011).

Furthermore, apart from states, the other set of main actors driving CPLs is the corporate sector, whose socio-economic and political role in the context of globalization, as well as the associated human rights implications of the sector's activities on vulnerable groups, including children, is increasingly being recognized⁶ (Ruggie, 2011; UNICEF, 2012b): hence, the need to monitor the activities of the sector in the sphere of CPLs from a child rights and well-being perspective.

⁴ See Section 3.3 for some discussion on historical trends behind CPLs.

⁵ A new attempt to bridge the data gap on CPLs is being made through the **Land Matrix** initiative, which will be discussed in more detail in Section 3.2.

⁶ The Committee on the Rights of the Child is currently in the process of issuing a General Comment on Child Rights and the Business Sector.

Beyond these two overarching justifications, the social, economic and political context in which CPLs are proliferating is one where poverty in much of the developing world still remains largely a rurally concentrated phenomenon (although accelerating urbanization may be causing a shift away from this trend).⁷

Data from UNICEF's 'Global Studies on Child Poverty and Disparities' indicates that most of the extremely poor children in rural areas, including those from indigenous communities, face deeply entrenched inequitable and structurally driven multiple deprivations (Barkat, 2009; Minjuin, 2011). Meanwhile, two billion people depend on an estimated 500 million small-holder farmers (Anseeuw et al., 2012a) for their food security, making up a large proportion of the population living in extreme poverty in rural areas.

In this context, land and other natural resources, such as water sources, wetlands, forests, grazing lands, remain the most essential assets for rural communities, serving multiple **safety net functions** such as primary home-base, productive and cultural resources (Mabikke, 2011; Xiubian, 2011; Zagema, 2011). While the rural poor generally "lack the means to participate in the modern cash economy, and when they are denied access to land, they are effectively pushed into destitution" (Odhiambo, 2011), it is also the case that an overall equitable and secure access to land and related productive resources is critical for rural development (Zoomers, 2011), and a necessary condition for the achievement of the MDGs (Farha, 2011). This makes any process that may potentially erode the right of poor rural households to securely access land and other associated rights, quite significant both from short-term and long-term perspectives (German et al, 2011).

In addition, the overwhelming lack of transparency with which CPLs are being negotiated and enforced, due to weak governance and oversight mechanisms, at global, regional and local levels, provides an additional cue for analysing the potential infringements of human rights of vulnerable groups (Brown, 2011; Cotula, 2011a), especially children. The lack of voice in matters that affect them is indicative of the extent of marginalization of these groups. (UNICEF, 2012b).

Altogether these factors signal that CPLs pose significant threats to the already precarious conditions of economic and social security of the millions of small-holder farming households, those whose livelihoods are based on agricultural wage labour, as well those who depend on free access to communal lands for a variety of non-farm income generating activities. Thus, an immediate analysis of the structural inequities that CPLs could potentially further aggravate must be undertaken, applying the human rights framework, and focusing particularly on the rights and well-being of the most vulnerable groups, primarily children, but also young people, women and indigenous groups. Positive outcomes due to CPLs also need to be highlighted in order to inform best practices which may assist in designing concrete policy responses.

1.2. 'Child Invisibility' in the Literature

While a multiplicity of definitions, actors, drivers and investment sectors abounds (as will be described in **Sections 3-5**), one commonality found throughout the burgeoning literature on CPLs is the visible lack of exclusively child-focused analyses. This is also true for gender-based assessments,

⁷ See UNICEF (2012a) State of the World's Children Children in an Urban World.

although these are increasingly being undertaken, for instance in Behrman et al (2011), Chu (2011), Daley (2011), Daley and Park (2011), and White and White (2011).

Over the years, due to insufficient data and information, compounded by lack of voice and participatory engagement, children in rural areas have not always received full attention in policy-making processes which directly affect them (Du Guerny, 1998). Yet, beyond this somewhat persistent reality, the lack of child specific investigations of the current waves of CPLs is likely to be due to, as mentioned earlier, the relative newness of the phenomenon although, as will be described later in this review, some documents do make references (albeit anecdotally) to the actual as well as potential consequences of CPLs on children in specific contexts.

Another issue to be considered is the potential lag between actual land transfers and implementation of operations, and the time of the signature of the investment contracts. This can impede the immediate visualization and documentation of the precise impacts⁸ (especially long-term ones) of CPLs on children and other vulnerable groups (Daley, 2011). Data in such cases may only be accumulated progressively.⁹

Therefore, the substantial gap in the existing literature as far as systematic and cumulative impact assessments on affected populations is concerned – in particular applying a child perspective – implies **child invisibility** in the literature, further justifying the need for research into the nature and consequences of CPLs through a child lens. Such research should identify the affected children, the most relevant channels of impact transmission for them focusing on specific local conditions, as well as tracing macro-level commonalities/differences in terms of impact types (positive and/or negative), magnitude, governance mechanisms and policy responses (i.e. uncovering the ‘structure-agency’ dynamics at play). In this sense, this literature review can be viewed as an initial effort to lay the foundations for additional empirical work across UNICEF’s country and regional offices, where CPLs are deemed to be particularly significant phenomena which need to be monitored.

1.3. Methodology, Scope and Structure

A web-based search has been the main methodology used for the secondary data and resource-gathering process. Hundreds of documents including academic publications, grey literature reports, news articles and social media materials were included for the review. Numerous documentaries were also consulted. Furthermore, participation at two conferences¹⁰ directly linked to the topic of CPLs has facilitated the data collection and research process.

In terms of its analytical scope, the literature review focuses relatively more (though not exclusively) on CPLs related to food crops and bio-fuel investments, on the one hand, and land-use transfers mainly in rural areas on the other. However, the phenomenon of CPLs is not confined solely to rural areas: it also takes place in urban and peri-urban contexts and covers many more industries beyond

⁸The exceptions to this are however instances in which displacements/evictions occur, especially those undertaken on a large scale, whereby immediate impact on vulnerable groups including children, can be relatively more easily documented and assessed.

⁹ Some alternative ways to accumulate instant data would be through real-time monitoring using digital technologies where possible, as well as through rapid impact assessments.

¹⁰ The first conference was held at the ISS, The Hague, on the topic of the Agrarian Question in view of CPLs (May 2011). The second conference was the CFS 37th Session at FAO, Rome, featuring discussions on the Voluntary Guidelines on Responsible Governance of Land Tenure (October, 2011).

agriculture (food and bio-fuel crops), including extractive industries,¹¹ forestry, tourism, conservation, and infrastructure development to name just a few.¹² The discussion based on aggregate level data tends to be more focused on agricultural investments, whereas the case studies cover other sectors of CPLs as well as agriculture.

Moreover, the geographical scope of the review is on CPLs in developing countries, although developed countries such as Australia, New Zealand and the US have also attracted media attention for the growing numbers of large-scale land investments currently taking place within their frontiers (Anseeuw et al., 2012b; GPF, 2011).

This review is structured in ten sections including this Introduction. **Section 2** provides a brief overview of rural child poverty and well-being, with the aim of contextualizing the need for child focused analyses of CPLs taking place in rural areas. **Section 3** sets the background of CPLs by elaborating definitional and historical issues, as well as the scale, pace and regional focus.

Section 4 discusses the driving processes, followed in **Section 5** by a focus on the key actors at the centre of CPLs. **Section 6** discusses narratives promoting CPLs, namely 'win-win' and 'marginal' land discourses respectively. It also provides a synthesis of the economic arguments critiquing the 'win-win' narrative.

Section 7 links the debate on CPLs with the human rights analytical framework, which is followed by a discussion of the transmission channels relevant for understanding the human rights impacts of CPLs on children and other vulnerable groups (**Section 8**). In this section reference will be made to examples drawn from case studies found throughout the literature, in order to substantiate as far as possible, both current and potential impacts of CPLs on child rights and well-being. Other at-risk groups such as indigenous peoples, women and youth will also be referred to.

In **Section 9**, the relevance of the equity dimension in the debate on CPLs is expanded upon. Prior to the conclusion, in **Section 10** the relevant governance measures currently being promoted in relation to CPLs are discussed briefly.

¹¹ Extractive industries constitute one of the longer-standing Foreign Direct Investment (FDI) activities in developing countries, involving land and leading to the twin impacts of dispossession and displacement with further socio-economic implications for the affected local populations. Parha's (2011) report of UNHABITAT focusing on forced evictions does not take into account CPLs as key eviction-inducing factors. The report instead centres on: urban development, large scale development projects, natural disasters and climate change, mega-events and economic evictions including those caused by the global financial crisis.

Box 1. Understanding child well-being and child rights as two sides of the same coin

Child rights are conceptualized as being inherent to every child. Yet it is important to highlight that child rights, and human rights in general, have come to being accepted as such over a long period of time, and their institutionalization is the result of an incremental realization that widespread *ill-being* is not humanly tolerable.

Similarly, **child well-being**, which entails children's quality of life as an outcome of the dynamic interplay among multiple dimensions (material, non-material, relational and subjective), essentially implies the realization of child rights and can be measured both in terms of positive well-being outcomes, indicative of the realization of child rights, and negative well-being outcomes, which indicate deprivation(s) of such rights (across any and/or all of the dimensions indicated above).

In addition, the '**duty-claimant**' aspect of child rights is an important dimension, and constitutes an added value of the rights approach to development (ultimately aimed at securing well-being). Accordingly, appropriate child rights indicators would monitor this duty-claimant aspect, in support of the fulfilment of well-being outcomes.

2. RURAL CHILD POVERTY AND WELL-BEING: A SNAPSHOT

According to the IFAD (2011) *Rural Poverty Report*, the population of the developing world, although displaying major demographic shifts towards increased urbanization, still remains largely rural. The report indicates that 55% or 3.1 billion people reside in rural¹³ areas. Fertility rates, although falling, remain generally higher in developing countries and within them even more so in rural areas.

The report also points out that children (0-14 years) and youth (15-24 years) make up a large proportion of the population in the developing world, representing between 35% and 62% respectively. Similarly, the number of people in the rural areas of developing countries as a percentage of those living in extreme poverty is around 70% (Bertini, 2011; Win, 2011). Consequently, it can be inferred that a large proportion of the extremely poor are likely to be made up of children and youth in rural regions (UNICEF, 2012b).

According to the IFAD report, the highest rural poverty incidence is in sub-Saharan Africa, where more than 60% of the rural population lives on less than 1.25 USD/day, and almost 90% lives on less than 2 USD/day. South Asia is however where the highest (absolute) number of rural people (and consequently children) living in poverty resides, namely over 500 million in total (IFAD, 2011).

Poverty reduction in rural areas has seen some significant progress, especially in East Asia, where between 1988 and 2008, the level of rural poverty decreased from 98% to 35%. In Latin America it also decreased from 42% to 20%, over the same period, but not in sub-Saharan Africa, where the level of rural poverty has actually experienced an increasing trend from 75% to 87%, over the same period (Bertini, 2011).

¹³ The definition of what is rural and what is urban (and peri-urban) is not straightforward: national definitions are usually adopted for the purposes of statistical analyses (IFAD, 2011).

Meanwhile, it is now well-established that poverty, a crucial determinant of disparities in child survival, growth and development, is complex and multidimensional, featuring both income and non-income drivers (Minjuin and Nandy, 2012). Tools are being continuously developed to refine the measurement and analysis of this complex phenomenon, with the aim of capturing as accurately as possible its multi-dimensionality for the purposes of supporting much more accurate and relevant policy-making processes.

For instance, IFAD has developed a 'Multidimensional Poverty Assessment Tool' (**MPAT**)¹⁴ for conducting rural poverty household surveys, on the basis of four overarching domains of poverty: '**fundamental needs**', '**rural assets**', '**exposure**' and '**equality**' respectively, which are in turn comprehensively composed of ten dimensions (Cohen, 2009).

The 'fundamental needs' domain and its six dimensions roughly correspond to the child deprivation dimensions adopted by the 'UNICEF Global Studies on Child Poverty and Disparities' (Minjuin, 2011): i.e. food, shelter, health, sanitation, education and water (information being the only dimension not included in the MPAT, but relevant for child deprivation).

In terms of the second domain of the MPAT, 'rural assets', the dimensions include farm and non-farm assets, whereas the third domain - 'exposure' - includes both exposure and resilience to shocks, as its key dimensions. Lastly, the fourth MPAT domain 'equality' incorporates gender and social equality dimensions (Cohen, 2009).

In connection with the first domain, 'fundamental needs', MDG1 aims at the eradication of poverty by halving the proportion of people who suffer from hunger by 2015, and one of its core indicators is underweight prevalence for children under 5 years of age. Undernutrition – which leads children to being underweight – is linked to lack of food security,¹⁵ as well as lack of adequate access to water, sanitation and health services. Moreover, high dependency ratios¹⁶ in rural areas imply that children are disproportionately more affected by lack of adequate care, nutrition and access to health and education services (IFAD, 2011).

Table 1 shows that in all developing countries children under 5 years of age are twice as likely to be more underweight than their peers in urban areas. In Latin America, as well as East Asia and the Pacific, the ratio is relatively larger showing how the general disparity between rural and urban children in relation to access to essential services is likely to be influenced by their greater availability as well as affordability in urban areas. However, this is less the case in sub-Saharan Africa and South Asia where the rural to urban underweight prevalence ratios are smaller.

¹⁴ See: <http://www.ifad.org/mpat>

¹⁵ Food security as defined by FAO is "a state of affairs where all people at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life" (World Food Summit, 1996). In Section 7 further distinction between the twin concepts of food security and food sovereignty will be made.

¹⁶ Indicating the number of young people (under 16) and older people (over 64) dependent on people of working age (16 to 64).

Table 1. Underweight prevalence and stunting of children 0-59 months by area of residence, and rural to urban ratio for U5MR

Region	Underweight prevalence			Stunting			U5MR
	Urban%	Rural%	Ratio: Rural to Urban	Urban%	Rural%	Ratio: Rural to Urban	Ratio: Rural to Urban
Latin America and the Caribbean	3	7	2.3	10	24	2.4	1.7*
East Asia and the Pacific (excluding China)	4	10	2.5	23	35	1.5	2.8
sub-Saharan Africa	15	25	1.7	32	46	1.4	1.9
South Asia	33	45	1.4	39	50	1.3	2.7
Developing Countries	14	28	2.0	29	45	1.5	2.2

Sources: UNICEF Global Databases cited in UNICEF (2010) Progress for Children: Achieving the MDGs with Equity; U5MR data from http://www.childinfo.org/mortality_disparities.html, except * Latin America & the Caribbean figure sourced from UNICEF (2010) above.

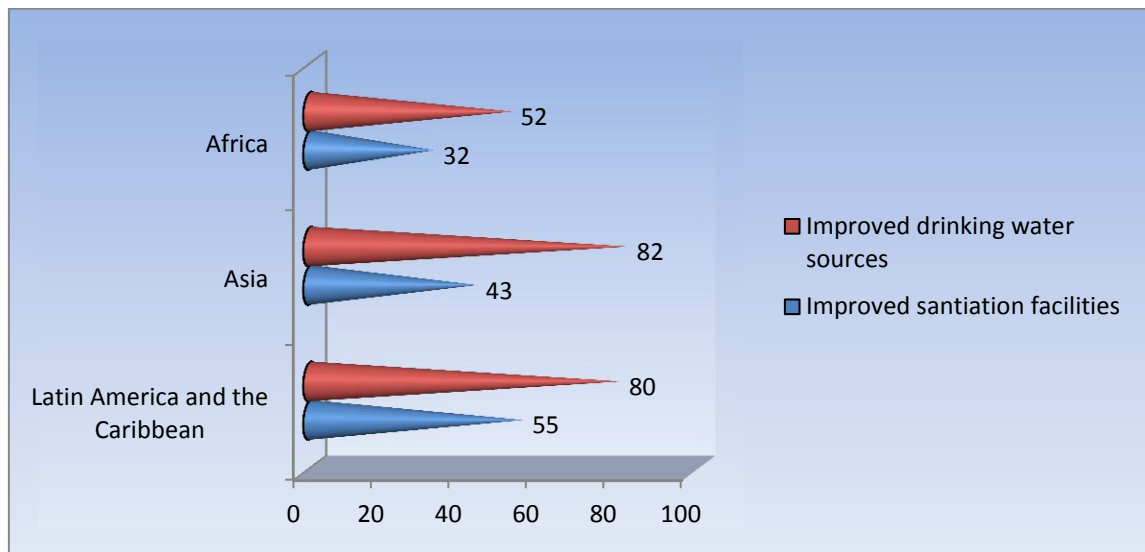
The second indicator for MDG1 is stunting, which results from chronic malnutrition and is likewise more pronounced in rural areas, where across developing countries children are 1.5 times more likely to be stunted with respect to their urban counterparts (Table 1-Column 7). However, disparities among regions indicate that, while stunting has nearly halved in Latin America since the 1990s, it has increased by 20% in Africa (Haddad, 2011).

The mortality rate for children under five years of age (U5MR) is monitored through MDG4. According to Table 1 above, there is a 2.2 rural to urban ratio of U5MR, which is even more critical in Africa (Haddad, 2011), owing not only to malnutrition, but also inadequate access to health services for treating preventable diseases such as diarrhoea and pneumonia, and insufficient access to safe water and sanitation facilities.

As shown in Figure 1 below, use of improved sanitation facilities remains very problematic in almost all rural regions of the world, particularly in Africa, where only 32% of the rural population had access to improved sanitation by the year 2008. According to the joint UNICEF and WHO (2012) latest update on the progress made in the provision of accessible drinking water and sanitation, urban-rural disparities are likewise quite pronounced with 79% of the global urban population using improved sanitation facilities, compared to just 47% of the rural population. In terms of absolute numbers, 1.8 billion people lack access to improved sanitation in rural areas, representing 72% of the global total of those under-served (UNICEF and WHO, 2012).

In this respect, access to improved water resources fares much better, especially in Latin America and Asia, where 80% and 82% of their respective rural populations had improved drinking water resources by 2008. The situation in Africa is however relatively less positive, with only 52% of the rural population having improved drinking water resources over the same period (Figure 1). In terms of urban-rural disparities, UNICEF and WHO (2012) indicate that the ratio has improved over the last two decades, although the number of people in rural areas using an unimproved water source as of 2010 was still five times greater than in urban areas.

Figure 1. Access to improved water and sanitation in rural areas, 2008 (as a % of rural population)

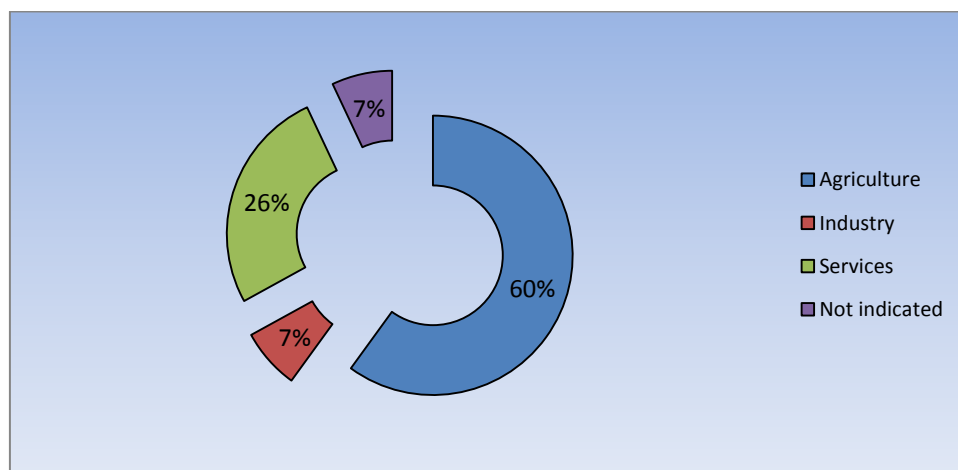


Source: UN Population Division (2011). Rural Population, Development and the Environment

Achieving universal primary education is the objective of MDG 2: accordingly, in 43 countries where comparable data is available, 72% of rural children are able to attend primary school compared to 86% of urban children (UNICEF, 2010). Much disparity exists however within regions and countries, with sub-Saharan Africa reporting the lowest percentage, namely 65% of all its children attending primary school (both rural and urban).

Despite positive strides in primary school enrolment, a high number of children and youth in rural areas do not attend secondary school, or are 'out-of-school' (IFAD, 2011), which has a direct impact on the long-term individual and aggregate human capital development.

Figure 2. Child labour (5 -17 years) classified by economic sectors



Source: Diallo et al (2010) Global Child Labour Development: Measuring Trends from 2004-2008, ILO

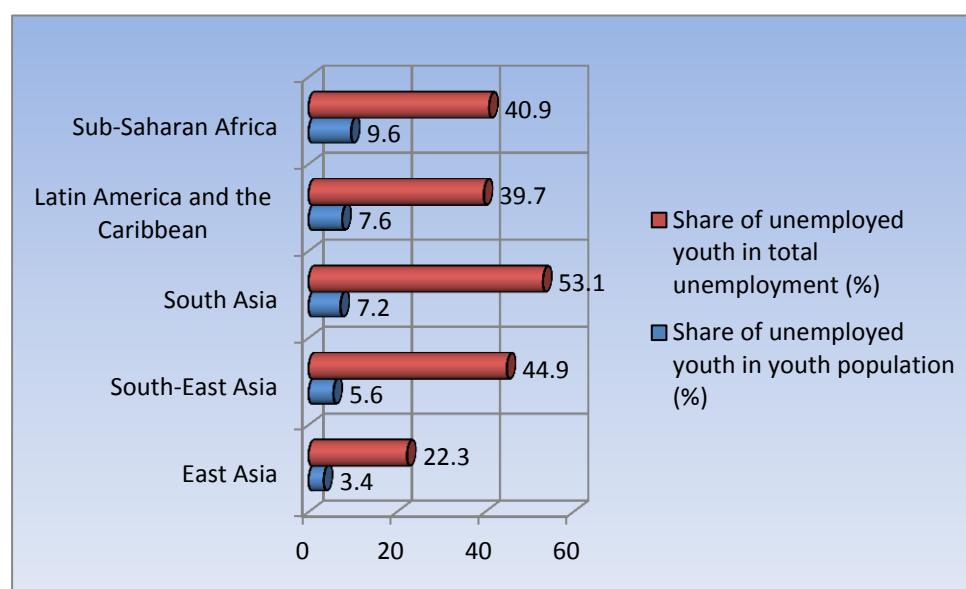
In addition, the pervasiveness of child labour in agriculture leads to further impediments for overcoming conditions of chronic poverty and low human capital development. As shown in Figure 2 above, an overwhelming 60% of child labourers between the ages of 5 and 17 work in the agricultural sector, the mainstay of the large majority of the rural poor in developing countries.

Within this 60%, the majority of children are boys, namely 68.8%, whereas girls make up 37.2% (Diallo et al, 2010).¹⁷

On the other hand, current global demographic trends point to a growing youth population (youth bulge), which translates into a relatively high number of dependents of non-working age in poor rural households. As shown in Figure 3 below, the share of youth unemployment in total populations in sub-Saharan Africa, South Asia and South East Asia is particularly pronounced.

Because of the large number of young people in these regions, there is an indication that youth unemployment is already – and likely to remain – a major challenge in rural areas (as well as urban ones), where opportunities in both farm and non-farm economies are increasingly lacking (Bertini, 2011).

Figure 3. Share of youth unemployed in total unemployment and in youth population: regional (unweighted) averages of latest year data beyond the year 2005



Source: Key Indicators of the Labour Market (KILM) 10: Youth Unemployment, ILO, 2011

In the absence of adequate policy space for job creation and governmental support in the form of comprehensive or targeted social protection measures, unaddressed rural youth unemployment has deep social consequences which can include: lost generations of unemployed and under-employed youth, civil unrest and political crises, and accelerated migration trends towards urban and peri-urban centres. In this context, internal migration, although embraced as a form of adaptation and coping mechanism against the backdrop of diminishing opportunities, could however lead to the breakdown of rural family structures, while potentially increasing urban informality and poverty.¹⁸

The foregoing discussion has highlighted the multi-dimensionality and interdependence between the different well-being dimensions (hence rights) encompassed in the ‘fundamental needs’ domain. Meanwhile, within this socio-economic context of rural poverty and deprivation, it is important to

¹⁷ Most of the work undertaken by children engaged in agricultural labour consists of unpaid family work.

¹⁸ There are some studies however that relate how children and youth are positively affected as a result of migration, including the chance of employment, education and escape from violence, conflict and poverty, and the resulting sense of empowerment and independence.

point out that growing insecurity of access to farmland, and common natural resources (such as water, forests, grazing land) needed for livelihoods and income generation as well as for preserving cultural practices, coupled with greater food price volatility, figure high among the most threatening risks that rural communities face today (Bertini, 2011; IFAD, 2011).

While land scarcity and fragmentation are putting children and youth at particular disadvantage with respect to their inability to inherit sufficient land assets for future viable livelihoods, at the same time, they remain more likely to be disproportionately affected by the above-mentioned trends and shocks along with women, adolescent girls, and indigenous peoples, as their living situation is likely to be already rooted in social, political and economic inequities (IFAD, 2011).

As will be shown in the following sections, large-scale investments in land can be interpreted as particular socio-economic trends which, although having the potential to generate economic benefits, equally represent significant threats to the currently prevailing livelihood strategies adopted by the rural poor, potentially impacting on the fulfilment of the 'fundamental needs' of children's well-being described earlier.

3. SETTING THE CONTEXT OF CPLS

The previous section gave a brief overview of the multi-dimensional poverty and deprivation context in which children in rural areas tend to live, underscoring the need to analyse CPLs from the perspective of their rights and well-being. Prior to doing so however, this section will elaborate on the definitions, scale, pace and regional focus, and historical significance of CPLs.

3.1. Definitions

This literature review is one of a growing number of studies focusing on the fast developing socio-economic and political trend, which goes by different names, such as ‘land-grabbing’, ‘commercial pressures on land’, ‘rising interest in farmland’, ‘large-scale land acquisitions’, ‘transnational corporate/commercial land deals’, ‘foreign investment in agriculture’, ‘agri-colonialism’, ‘land appropriation’, ‘globalization of land markets’, ‘rush for land’, ‘production grabbing’, ‘carbon grabs’, ‘dispossession from below’, ‘farms race’, ‘the new colonisation’, ‘commercial cropland expansion’, ‘outsourcing’s third wave’, to cite the most prominent (3DThree, 2009; AGTER, 2010; Amanor, 2011; Anseeuw et al, 2011; Arslan et al, 2011; Deininger et al., 2011; De La Cruz, 2011; Economist, 2009, 2011; Hall, 2011; Huggins, 2011a; Merlet and Jamart, 2009; Leach et al, 2011; Salerno, 2011; Tsikata and Yaro, 2011).

The existence of so many competing ways of naming and defining a phenomenon is indicative not only of its relative novelty as a research field proper, but also the inherent complexity that surrounds it. Each definition adopted ultimately conveys a specific message, based on a particular ideological frame, with an intended explanatory purpose regarding the nature and consequences of any social phenomenon under investigation.

In this case, the mainstream research and policy community tends to use the terms ‘rising interest in farmland’ or ‘foreign investment in agriculture’ (Deininger et al., 2011). These terminologies however, focus on farmland investments only and usually carry a positive under-tone regarding the need for investments in agriculture.¹⁹ In contrast, more critical and radical voices tend to describe the trend as ‘land-grabs’/‘land-grabbing’, or ‘rush for land’ for instance. These largely coincide with the voices coming from the bulk of the media, as well as the views of much of the civil society, which mostly sees the trend as having a devastating impact on the local livelihoods of millions of people in developing countries (Development, 2011).

Zoomers, an exemplar of the critical voice, presents the phenomenon as ‘land-grabs’, which she then defines as “large-scale, cross-border land deals or transactions that are carried out by transnational corporations or initiated by foreign governments” (2010). Similarly, Benjaminsen et al. see the trend in terms of “processes whereby smallholders are dispossessed of their land through interventions by outside actors” (2011). Taking on an analogous approach, Wisborg (2011) refers to the phenomenon as ‘transnational land deals’ (TLDs), which cause long-term changes in local level land tenure systems, with a primary aim of meeting food, energy and profit needs of the countries from which the invested capital originates.

¹⁹ See Section 6.1 on narratives promoting CPLs for more details.

In contrast however, Hall, D. (2011) indicates that terminologies such as ‘land-grabbing’, and TLDs, although provocative, limit the scope and understanding of a complex phenomenon, by leaving out some critical nuances, focusing only on international actors, and neglecting the role of domestic investors, and national as well as sub-national governmental interest groups in propagating the CPL agenda.

Cotula et al., (2009), in one of the initial seminal works on the topic, refer to what can be considered a more ‘inclusive’ notion of ‘large-scale land investments’, a term also adopted by Graham et al. (2011), Mishra (2011), Woodhouse and Ganho (2011). Similarly, a growing number of publications are applying the term ‘commercial pressures on land’ (CPLs), conveying importance to all processes of land concentration and land privatization for purposes of economic gain (Daley, 2011).

The focus of analysis in the case of CPLs is not only farmland, in contrast with the more mainstream research, but also other forms of transfers of common property resources, such as grazing land, forests, wetlands, water resources, among others. The terminology CPLs is likewise not restrictive in relation to the range of actors, drivers and sectors of investment on which the focus of analysis can be made.

Therefore, without denying the importance of choosing and applying one specific term and definition premised on specific ideological justifications, and in the interest of simplifying a phenomenon which is already quite controversial, complex and currently under-analysed (especially through a child well-being lens), the literature review will predominantly make use of the more comprehensive term ‘commercial pressures on land’ (CPLs) interchangeably with ‘large-scale investments in land’.

3.2. Scale, Pace and Regional Focus of CPLs

One of the main challenges of conducting research on the topic of CPLs stems from the sparse and, where available, often competing data that attempts to quantify the scale of the phenomenon (Hall, D. 2011). As argued by Anseeuw et al (2012b) information on land deals is mostly polarized between aggregate (national or general) level data, and those collected at the local level, mostly in the form of specific case studies. The need to bridge and rationalise the different types of data is therefore evidently urgent, though challenging.

Various numbers have been put forward from different sources in relation to how much land is being leased out, and how many such deals have actually been concluded. Where scale data is available, the investment timeframes as well as the countries and sub-regions of reference are likewise different from source to source. There is also some confusion between whether the reported land deals actually refer to acquisitions, as opposed to leases or are in the process of being leased and/or acquired. Quite importantly, and related to the inconsistencies of the scale figures, there are also data constraints concerning consistent documentation on the range of impacts (both positive and negative) of the land deals on the affected local populations (especially children).

In terms of scale data for example, the often cited World Bank report by Deininger et al. (2011) had quoted a total of 46.6 million hectares as having been leased out in the years 2008-09, whereas IFPRI’s von Braun and Meinzen-Dick (2009) indicated that between 37 and 49 million hectares had undergone some form of negotiation during the period of 2006-09 period (De La Cruz, 2011).

Similarly, while Win (2011) notes that the average annual expansion of agricultural land acquisition before 2008 consisted of 4 million hectares, the World Bank indicates that large-scale land investments have risen by a factor of 10 in the last decade (cited in Wily, 2011b).

A major initiative to collate and disseminate data on the scale, pace and other key relevant statistics as well as aggregate impact of CPLs is represented by the **Land Matrix**.²⁰ Its purpose is to not only systematically collate, but also cross-reference data on large-scale investments in land. This data-bank, which arguably represents the most comprehensive one-stop shop available regarding CPLs, is based on two types of data-sourcing methodologies: those indicated as ‘**reported**’ on the one hand, which are sourced from publications, field-based research project findings, or media resources, and those listed as ‘**reliable**’²¹ on the other, which have been triangulated across these multiple sources.

The transactions that make up the dataset have five specific characteristics (Anseeuw et al, 2012a, 2012b):

- (a) They have been concluded after 2000 (only);
- (b) They consist of 200 hectares or more;
- (c) They entail transfer of the right to use, control or own land through sale, lease or concession;
- (d) They imply conversion of land use by small-holders to large-scale commercial entities; and
- (e) They are international transactions, involving a foreign investor(s), whereby domestic actors are included only in the case of joint ventures with the foreign companies.

However, the Land Matrix, while being a useful tool for further refining current and upcoming research on CPLs, has various limitations which stem from inaccuracies of the underlying information on the deals, in particular relating to whether their status is actual or prospective; media biases and potential overestimation and/or underestimation of the actual size of the land deals. The dataset is also continuously updated as new data are entered or already existing data are revised in terms of the changes in their reliability, hence even the data used in this review are likely to be presented differently in the database.

Another key limitation of the Land Matrix is that it hosts significant information on impact in terms of reported benefits as well as violation of rights of affected communities; however, for legal reasons the more sensitive types of information are not made publicly accessible in the online database.²² Consequently, the impact as well as scale data and charts sourced from the Land Matrix presented in this review are limited to the pre-existing method of analysis and presentation of findings.

In spite of the fact that any research activity that uses the Land Matrix dataset in addressing the issue of impacts on rural populations of CPLs will consequently reflect these inaccuracies, the Land Matrix is crucial and gives an aggregate picture of CPLs occurring in seven specific sectors: food and bio-fuel (agriculture), industry, forestry, livestock, mineral extraction, conservation and tourism.

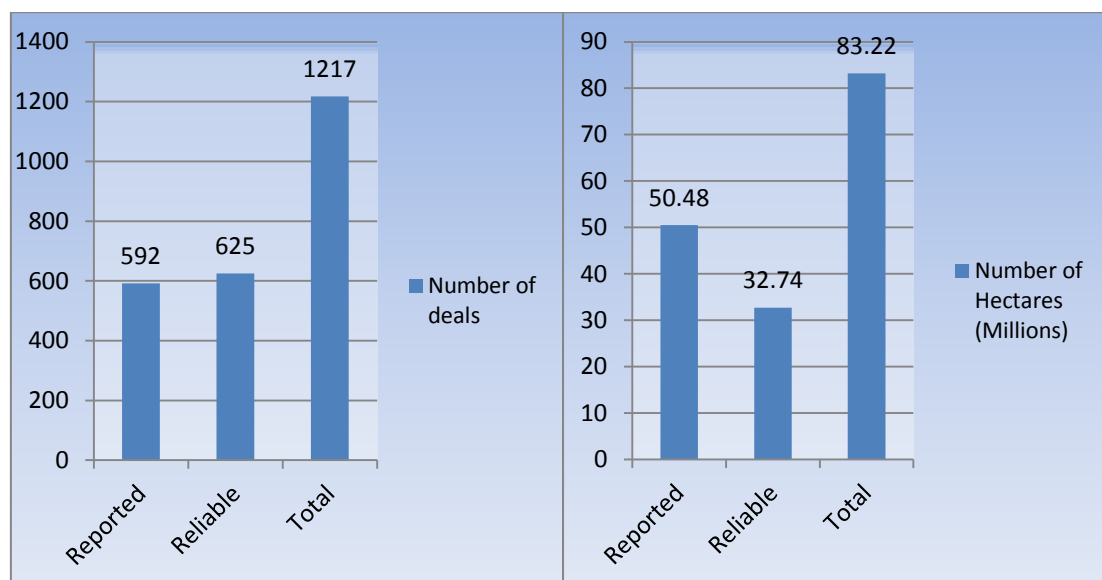
²⁰ Started in 2009, and officially made publicly available in mid-2012, the Land Matrix consists of a database on land deals established on the basis of a partnership between the following organizations: ILC, CIRAD, CDE, GIGA, and GIZ. It can be accessed at <http://landportal.info/landmatrix>

²¹ More precisely, the data available online at the moment are only those which have a 1-3 level rank, of ‘reliability’. Those which have not been triangulated, i.e. with rank 0 are labelled ‘reported’ data and are not currently publicly accessible in the Land Matrix (Anseeuw et al., 2012b).

²² There might be a need to forge some type of collaboration, if possible, with the Land Matrix developers for potentially accessing the raw data on the more sensitive pieces of information if additional studies on the topic of CPLs and children are to be conducted.

The majority of the data focuses on the first two sectors – food crops and bio-fuel CPLs –indicating higher media and academic attention in these sectors, as well as their current relative importance in terms of magnitude of investments vis-à-vis other forms of CPLs, including extraction of minerals, which has been a traditionally more prominent sector of investment in natural resources, particularly in Latin America, but also increasingly in sub-Saharan Africa (Anseeuw et al., 2012a).

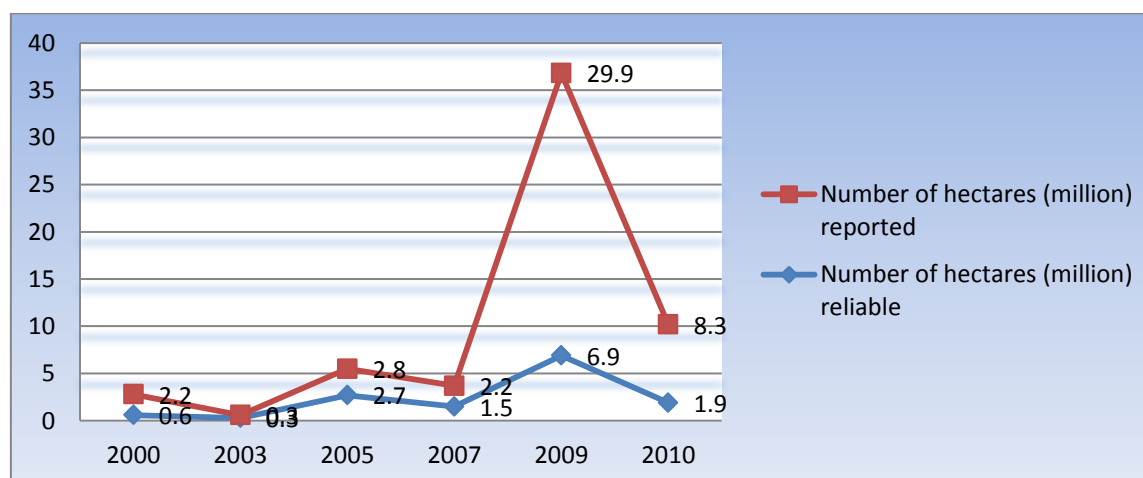
Figure 4. The global scale of CPLs



Source: Land Matrix quoted in Anseeuw et al (2012b)

In terms of the global scale of CPLs, Figure 4 above shows that according to the Land Matrix data, between the years 2000 and 2011, there have been 1217 deals, of which 592 are reported only and 625 are reliable. In terms of size, the total number of deals corresponds to at least 83.22 million hectares, whereas the reported and reliable data are associated with up to 50.48 and 32.74 million hectares respectively (Anseeuw et al, 2012b).

Figure 5. The global pace of CPLs



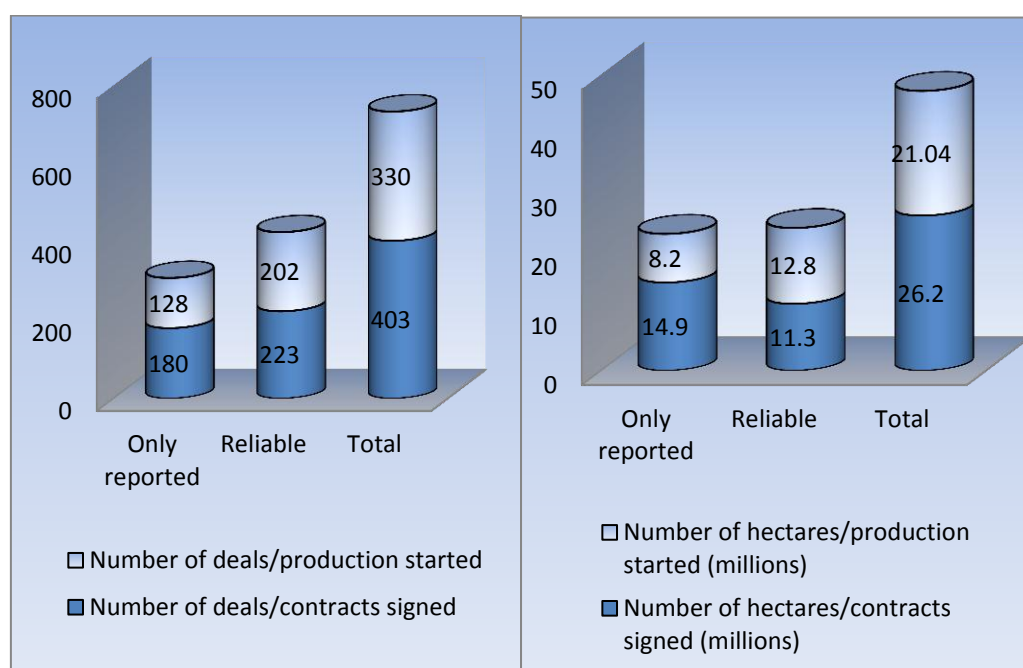
Source: Land Matrix quoted in Anseeuw et al (2012a)

Figure 5 above displays the pace at which CPLs have grown during the period 2000-2010 in terms of numbers of hectares for both reported and reliable deals. According to the data, a sharply increasing trend in CPLs is recorded in 2007, with 2009 representing the peak year, which corroborates the literature's emphasis on the role played by the 2007-08 food-fuel-financial (3F) crises as the major collective force behind the rapid proliferation of CPLs.

Although as shown in Figure 5 there has been a marked decrease in the number of hectares leased/acquired in 2010, structural drivers such as increasing demand for food due to rising global population; economic growth and shifting demographics in countries such as China; and rising demand for bio-fuels in the face of climate change and energy security dynamics, remain some of the critical enablers of long-term growth in CPLs globally.

As mentioned earlier, there is conflicting data regarding how many of the deals have actually been operationalized, and how many represent contracts that have simply been signed. This in turn has implications in terms of ensuring reliable assessment of impacts on the populations affected. Nonetheless, on the basis of the 758 agricultural deals included in the Land Matrix, as shown in Figure 6 below, 403 deals covering 26.2 million hectares are only signed, out of which 223, covering 11.3 million hectares, are reliably sourced.

Figure 6. Agriculture deals (bio-fuels and food crops) with contracts signed and production started expressed in terms of number of deals, and size of investment in hectares (millions)



Source: Anseeuw et al (2012b)

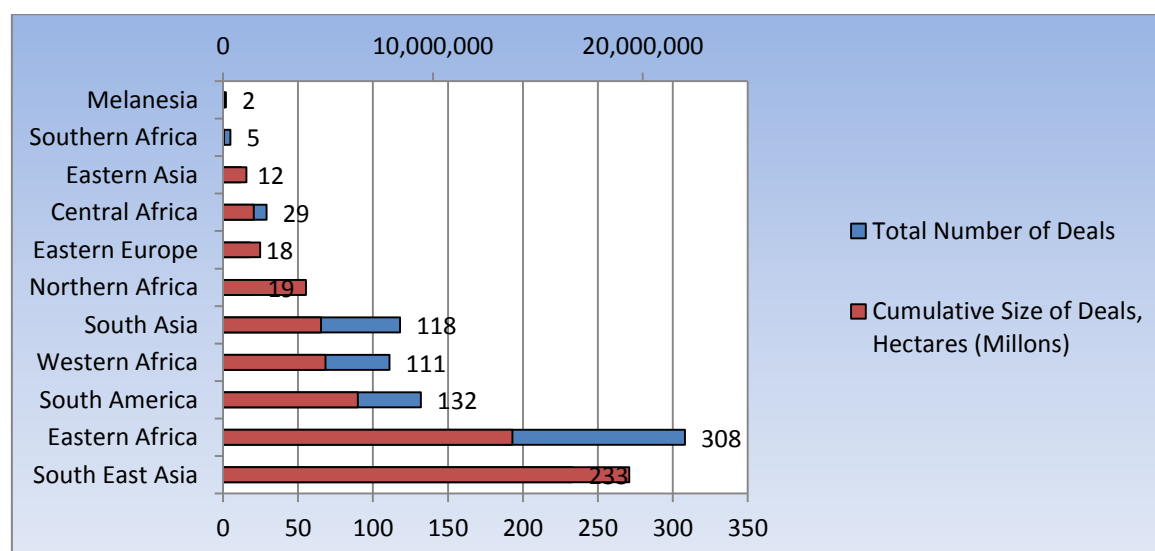
In terms of implemented contracts leading to some form of production, 330 deals covering 21.04 million hectares have been reported, out of which 202, corresponding to 12.8 million hectares, are reliably sourced. According to Anseeuw et al. (2012b) this represents an **81.9% implementation rate** for CPL deals that have been contractually signed.

On the other hand, Figure 7 below summarizes the regional distribution of CPLs in terms of the reported deals indicating that sub-Saharan Africa on the whole, as mentioned in Section 2 - the

region where the rural poverty incidence has increased over the last two decades - is also the main target for CPLs. In Africa as a whole, 462 of the deals reported are considered reliable and cover approximately 24.1 million hectares. This confirms the need to scrutinize how CPLs affect poverty reduction efforts in the region. Sub-regionally, Eastern Africa hosts most of these deals (308) followed by Western Africa (111).

In terms of the cumulative size of deals, Asia exceeds Africa by approximately one million hectares. Yet, in terms of number of deals, Asia with a total number of 365 has fewer than Africa (462). Sub-regionally, South-East Asia is the most targeted area accounting for 233 deals, followed by the South Asian landmass (118). The third region where there is significant CPL activity is Latin America, with a total number of 132 deals, covering approximately 6.4 million hectares. Eurasia is another significant region where, according to Visser and Spoor (2011), the world's largest agricultural land reserves are increasingly facing commercial pressures.

Figure 7. The regional distribution of CPLs



Source: Land Matrix Database accessed July, 2012

3.3. Historicizing CPLs

Framing the current trend in CPLs in a historical context is as important as assessing its current and future impacts on affected communities. In light of this, Huggins (2011a) argues that the role of the colonial powers²³ in having set the agricultural production (and raw material extraction) structures in the 'Global South' on the basis of an export-oriented economic model, is an important precursor to current forms of CPLs.

Other reviewed documents likewise point to similarities between the current CPL phenomenon and the colonial era. In so far as it was an era that relied on power disparities between the conquered populations on the one hand, and the colonizers on the other, a strong parallel can in fact be drawn between the form of ownership of land and other natural resources and transmission of their use, and the current form which manifests itself as CPLs (AGTER, 2010; FIAN, 2010; Odhiambo, 2011; Taylor and Bending, 2009).

²³ This does not however suggest that there was no pre-colonial 'grabbing' of land.

In particular, McMichael (2011b), based on his observation on food crop-related CPLs, argues that a transition within the global food regime is currently occurring, and is in turn enabling the geopolitical repositioning and rising importance of land and natural resources in the South as key productive centres for food.

In the post-colonial period many of the newly formed governments favoured small-scale farming, (White, 2010) and followed protectionist industrial policies as the basis of their national economic development. However, since the onset of the debt crisis of the 1980s, the Structural Adjustment Policies (SAPs) prescribed by the International Financial Institutions (IFIs) have created the space for export-oriented and market-based policies aimed primarily at securing economic growth. Among other factors, these policies have been conducive to a progressive alienation of customary land rights²⁴ (also in Development, 2011; Huggins, 2011a).

Indeed, with the increasing commercialization of land, supported by its rising value as well as trends in privatization, high commodity prices, and policy adjustments, the processes of land concentration have increasingly taken over redistributive agrarian reforms, most prominently in Latin America (Marin et al., 2011; Merlet and Jamart, 2009), but also in parts of Asia, for example in India, Bangladesh, Philippines, Thailand, Indonesia, Cambodia, as well as parts of East and Southern Africa (IFAD, 2011).

However, despite the existence of the historically significant precedent to current forms of CPLs, some scholars have emphasized that there are several key differences between the two processes of colonization and CPLs (Hall, R. 2011a, b). The first and most obvious of these is the absence of direct military intervention from an outside state structure as a means to secure access to land and other natural resources, in the current trend of CPLs.

Secondly, as will be described in Section 5, the actors directly involved in CPLs are nowadays not just states, but a mixed grouping, which includes the more traditional states (national and sub-national level actors) and private corporations, alongside (new) private interests, such as financial companies including equity and pension funds, as well as state-owned investors and hybrid entities (public-private partnerships), and inter-governmental, non-corporate actors, including the IFIs.

Moreover, while today these actors are from within domestic, regional and international frontiers, the drivers of current forms of CPLs are also much more varied and include new factors such as growing energy security needs, climate change, and increasing ‘financialization’ of land.

It is therefore arguable that current manifestations of CPLs do in a way represent a perpetuation of historical processes of economic and social transformation, which continue to bring about distributional consequences in terms of access to and deprivation of scarce natural resources in developing countries. However, current forms of CPLs also have unique qualitative characteristics (Bush et al., 2011) in relation to scale, intensity, sectors of investments, and multiplicity of driving forces as well as type and origin of the principal actors involved, all adding to the complex interplay among all these defining characteristics.

²⁴ **Customary land rights** “are often not codified in law, and though locally recognized have little status in courts. Most importantly, customary systems often regulate rights of access and use over lands formally held by the State, which often guards the right of allocation.” (Galaty, 2011).

4. DRIVING PROCESSES

As described in the previous section, trends in market liberalization since the 1980s across the developing world have resulted in macro-economic policy reforms, which have incrementally created favourable conditions for transnational investors interested in land and other natural resources (Amanor, 2011). However, beyond this underlying force, and similar to the discussion on the definitions of CPLs, multiplicity is reflected in the nature of the driving processes at the heart of current forms of CPLs.

Anseeuw et al (2012a) differentiate first and foremost between ‘**drivers**’ and ‘**triggers**’ behind CPLs. According to their argument, the 3F crises of 2007-08 can be considered as the main triggers behind the recent proliferation of CPLs. The **food crisis** in particular has ushered in an “era of tightening world food supplies”, which is making a nation’s ability to grow food a “new form of geopolitical leverage” (Brown, 2011). This is resulting in an increase in offshore farming, primarily aimed at securing food supply by countries whose import bills have skyrocketed during the food crisis (Daniel and Mittal, 2009; Deininger et al., 2011; Visser and Spoor, 2011; Zoomers, 2010, 2011).

Global population growth, coupled with changing demographics and an exhaustion/lack of natural resources in specific set of countries,²⁵ have likewise reinforced the call for food security related investments, leading to a ‘third wave of outsourcing’ (Cotula et al., 2009; De Schutter, 2009; Economist, 2009; Ravanera and Gorra 2011). Moreover, in view of high and volatile agricultural commodity prices some stakeholders involved in the food processing and distribution sectors, have started to extend their control over the entire food production and distribution value chains through ‘vertical integration strategies’, of which investing in land is a key component (Anseeuw et al, 2012a, Cotula et al., 2009; GRAIN, 2008).

Alongside the food crisis, an important trigger of current trends of CPLs is **financial speculation** and the associated **profit motive**. With the onset of the recent worldwide financial crisis, investments in land have in fact become an attractive outlet for financial actors to diversify their investment portfolios in face of highly volatile market prices for exotic financial products (Deininger et al., 2011; Graham et al., 2011).

This in turn has increased the commercial value of land as a tradable commodity. However, such market value is not always purely driven by rising real prices of land, but is increasingly based on speculation that prices will further appreciate as its commodification continues and is viewed as a solution to the crisis of capital in the current era of ‘financialization’ (GRAIN, 2008; McMichael, 2011a; Merlet and Jammart, 2009).

Overall, the Land Matrix data, as shown in Table 2 below, confirms that agricultural crops are the most forceful drivers behind CPLs, representing the highest shares of hectares in land (48.2 million) and accounting for 758 reliable deals. Hence, offshore farming and acquisition of farmland, spurred by the food and financial crises, and particularly geared towards food production, is not the single main driving force behind fast-developing CPLs. Indeed the data corroborates that demand for non-food agricultural products, most notably **bio-fuels or agro-fuels**, spearheaded by **oil price increases** and the associated need for **energy security**, as well as political dynamics around **climate change**

²⁵ More of this will be covered in Section 5.

concerns, is an equally, and possibly preeminent factor in this equation (Anseeuw et al., 2012a,b; Mutopo, 2011; Zoomers, 2010, 2011).

Table 2. Global drivers of CPLs (2000-2011)

Types of investment	All reported deals		Reliable deals	
	Number of deals	Hectares (millions)	Number of deals	Hectares (millions)
Agriculture (bio-fuels and food crops)	1162	82.3	758	48.2
Forestry	129	12.0	129	12.0
Industry	103	1.8	103	1.8
Livestock	67	1.7	67	1.7
Conservation	6	2.5	6	2.5
Mineral extraction incl. petroleum	91	3.9	50	1.7
Tourism	23	2.3	16	2.3
No Information	237	12.8	31	3.8
Total	1668	117.8	1160	74

Source: Data compiled from Land Matrix July 2012 and Anseeuw et al. (2012b)

While originally popular in Brazil, the conversion of land for the production of bio-fuels has now spread to other prominent countries in the Latin American region including Argentina, Mexico, Guatemala, Nicaragua, Panama and Uruguay (Bravo, 2011). For instance, Alonso-Fradejas (2011) presents the case of Guatemala, where the increase in world oil prices has shifted the interest towards alternative fuels such as palm oil or sugar cane, consequently increasing the demand for land suitable for monocultures.

This phenomenon is not limited to Latin America: Cotula et al. (2009) report similar motives for investment in agro-fuel production in sub-Saharan Africa where prominent examples include Mozambique, Sierra Leone, Tanzania and Kenya. Similarly, in the case of Asia, the Philippines produce cassava and oil palm, whereas Cambodia produces sugar-cane, and Indonesia oil palm for bio-fuel production (Borras and Franco 2011).

On the other hand, De Schutter (2009) and Cotula et al (2009) refer to emerging **carbon markets** to combat climate change as important drivers behind an increasingly large number of land investments, whereby some state and private actors purchase land for re-forestation and preservation to counterbalance carbon emissions. Specifically, at the global level land investments in forestry make up 12 million hectares accounting for 129 deals globally (Table 2). The majority of these investments is taking place in Asia, followed by Africa and Latin America.

In this context, it is important to take into consideration the political dynamics behind climate change and how mitigation policies at the global level, such as the **REDD+** and other carbon

sequestration schemes, are contributing both directly and indirectly to heightened vulnerabilities associated with large-scale investments in land, through re-forestation and preservation initiatives, as well as the increased production of agro-fuels mentioned earlier (Toulmin et al., 2011).

Mining induced land concessions account for 1.7 million hectares globally, with Latin America occupying first place, followed by Asia and increasingly also Africa, as new exploration for extractives is leading to new findings in countries such as Uganda, Kenya and Ghana. Other countries prominent in this particular sector include Peru, Guatemala, Nepal, India, Mozambique, Angola and the Democratic Republic of the Congo.²⁶

Zoomers (2010) and Mutopo (2011) refer to the development of protected areas/nature reserves, ecotourism and large-scale tourist complexes, as important drivers to take into consideration. Kabiri (2011), for instance, discusses a wildlife **conservation** project in Tanzania (Tanzania Land Conservation Trust) as a seemingly risk-free type of CPL because of the ecological benefit associated with it. Examples of the construction of tourist complexes driving CPLs are found in Nepal, where agricultural lands are being converted into parks and botanical gardens, and in the Philippines where mangrove forests are likewise being converted into privately owned beach resorts (Ravanera and Gorra, 2011).

A key **ecological driver** not included in the Land Matrix database is **water scarcity** which, according to some scholars, is increasingly the main 'hidden' agenda behind many CPLs, as a critical point of negotiation in land leasing/acquiring processes is the securing of water rights (Bues, 2011; OI, 2011c; Toulmin et al., 2011).

Additionally, Zoomers (2010, 2011) considers the proliferation of **Special Economic Zones** (SEZs) as playing some role in the growth of CPLs, particularly in China and increasingly also in India (Ravanera and Gorra, 2011), where 303 SEZs are reported as being underway for the purposes of setting up export industries, construction of real estate complexes as well as commercial hubs (Zoomers, 2011). In the Land Matrix data, SEZs are included as **industrial** investments for which, according to Table 2, there are 103 reliable deals at an estimated 1.8 million hectares. **Livestock** related investments constitute another key driver of CPLs with approximately 1.7 million hectares, corresponding to 67 reliable global deals.

Similarly, a factor that influences the pressure on land indirectly is the growth in the global population, which increases not only the demand for food as mentioned earlier, but also accelerates processes of **urbanization** (Deininger et al., 2011). Increasing housing demands are critical drivers for land investments particularly in urban and peri-urban contexts, in countries such as Nepal and India as well as Brazil, Dominican Republic, Zimbabwe and Nigeria (Farha, 2011; Ravanera and Gorra, 2011).

Conflicts have been an additional influencing factor for CPLs in specific cases such as Bangladesh and Northern Uganda, where ethnic conflicts and a power vacuum have made it easy for specific interest groups to appropriate land for their own use (Adnan, 2011; Mabikke, 2011).

²⁶ Extractive industries can be considered to constitute a more mature form of investment compared to bio-fuels for instance and their global scale is likely not be fully represented here as data on the Land Matrix is limited to transactions concluded from 2000 onwards and mainly focuses on agricultural production data.

Box 2. Main directions of land use change due to CPLs

Corroborating the findings in Table 2 above, which shows the prominence of bio-fuel and food-crops production oriented CPLs, Borras and Franco (2010a) as well as Hall, D (2011) provide a good synthesis of the most frequent typologies of the main changes taking place in land use due to CPLs. The first of these is the **‘food to food’** typology, which results in the conversion of land producing food for consumption or domestic sale, to production of food for export and foreign consumption.

The second typology consists of the **‘food to bio-fuels’** land use change, which is based on the conversion of food producing land to the production of bio-fuels, mainly for foreign consumption. **Indigenous forest clearance for food production** and **for bio-fuel production** aimed at export markets are respectively the third and fourth typologies of land use change.

Although useful, this categorization of the main directions of change in land use fails to capture the role of communal lands (other than indigenous forests) as targets of land investments, an issue which will be addressed in **Section 6**.

From the point of view of social, economic and environmental consequences, the rapid proliferation of CPLs and the subsequent displacement of food producing and communal lands for alternative production purposes (mainly bio-fuels and food crops) is particularly striking in countries where most of the extremely poor rural families rely on subsistence agriculture and livelihood strategies which are essentially based on access to and use of land and other natural resources (Harvey and Pilgrim, 2010). These issues will be discussed in more detail in **Sections 7 and 8**.

5. KEY ACTORS

In order to fully capture the complexity of the CPLs phenomenon, and to ensure accountability in designing appropriate interventions that are able both to address the negative social repercussions they can produce and reinforce the conditions under which they lead to positive outcomes, it is imperative that the characteristics and specific interests of the multiple actors involved are well understood and contextualized.

Accordingly, the literature highlights five main clusters of key actors:

- Public sector actors: including home and host governmental actors and local public administrative bodies in the host countries; public/state owned companies, and supranational entities such as the EU;
- Private sector actors: including domestic, as well as international investors, which can be further divided into corporations (such as agribusinesses) and a wide variety of financial entities like investment funds, pension funds;
- International institutions: including the IFIs and their affiliates, regional bodies such as the AU and regional development banks;
- Civil society actors: NGOs, the media, academic institutions and faith-based entities;
- Small-holders and other groups who are mainly discussed in terms of actual and potential impacts that large scale land investments (may) have on their rights, livelihoods, as well as other dimensions of well-being.

Beyond these formal classifications, there are also hybrid actors, such as public-private partnerships and sovereign wealth funds (SWFs) which are equally important players, accounting for 12 deals globally, and covering 0.6 million hectares of land (Anseeuw et al., 2012b).

Public Sector Actors

German et al (2011) argue that the proliferation of CPLs is not driven by the private sector alone but is, at least to some extent, a supply driven process, whereby host governments play a proactive role guided by a strong faith in foreign direct investment (FDI) -based national economic development (also in Merlet and Jamart, 2009). This specific sub-cluster of public sector actors relates to the host/domestic governments located in much of sub-Saharan Africa, Latin America and Asia.

The domestic government actors typically consist of central and local governments, as well as governmental agencies, which provide financial, administrative, legislative and policy support to make land more attractive for investors. They are also involved in terms of establishing bilateral trade and investment agreements (BITs), which facilitate processes of land commercialization and export of produce in international markets.

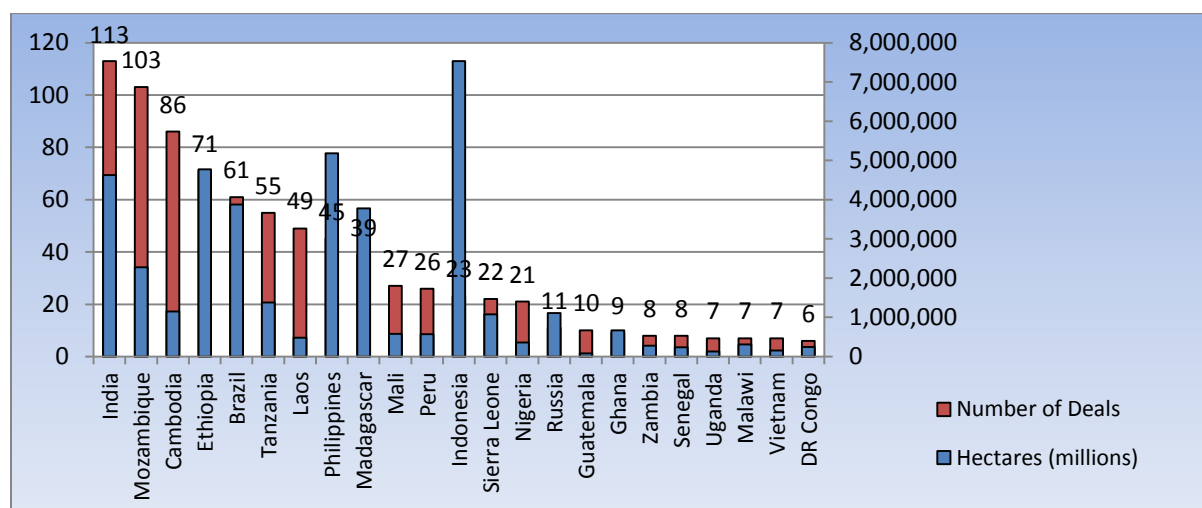
Figure 8 below is based on the most current data from the Land Matrix, and shows the most targeted countries hosting CPLs according to the number and cumulative size of reliable deals. In total 84 countries are targeted by investors, yet 70% of the reported targeted surface area is concentrated in 11 countries, of which 7 are located in Africa (Anseeuw et al., 2012b). Small countries such as Indonesia and Philippines are particularly striking as they host a relatively low number of land deals, 23 and 45 respectively, but cumulatively each covers large sizes of land, approximately 7.5 and 5 million hectares respectively. The fact that both countries have some of the

highest population sizes in spite of their relatively small landmass is also a pertinent factor in analyzing the impact of potentially displacing CPLs in these countries.

The role of local politics in facilitating CPLs is presented by Fortin (2011), whose research focuses on Indonesia's oil palm industry particularly in the West Kalimantan region and by Ginting and Pye (2011), who specialize in CPLs in West Papua, Indonesia, where local level governments have played a distinctively proactive role in the land investment processes of the region.

Furthermore, Maughan's (2011) elaboration on how national demand and supportive policies for agro-fuels is leading to CPLs in Colombia, also shared by Marin et al (2011), describes in detail how the main bio-fuel producers, who are well-established agro-industries producing sugar and palm oil, have benefited from the existence of an inextricable linkage between the enforcement of such an enabling policy environment on the one hand, and the increasing demand for bio-fuels at the local and global levels on the other. This is indicative of the dynamic interconnection between driver-actors, seemingly inherent within on-going manifestations of CPLs.

Figure 8. Most targeted countries by number and cumulative size of reliable deals



Source: Land Matrix database, July 2012

Other cases where the central government has played a pivotal role in shaping a land investment include Zimbabwe's Nuatnetsi Ranch bio-diesel project (Mujuere and Dombo, 2011) as well as much of the CPL activity in Cameroun (Simo, 2011), Ethiopia (Horne, 2011a) Mali (Baxter, 2011b), Mozambique where, as in the case of Colombia, specific policies have been introduced promoting bio-fuel production (Behrman et al., 2011; Hanlon, 2011).

In addition to the domestic/host governments, home/investing governments and publicly-owned companies are equally important actors, accounting for 172 deals covering 11.5 million hectares. Three groups of home countries have been identified, namely: emerging countries, such as China, Brazil, South Korea, India and South Africa; the Gulf States such as Saudi Arabia, United Arab Emirates and Qatar; and the 'Global North', including the US, EU member states and Japan (Anseeuw et al, 2012b).

Overall, the above groups of countries are involved in land acquisition/leasing both directly and indirectly through:

- Investments for agro-production purposes particularly in the case of the food import-dependent Gulf States as well as state-owned enterprises of China, and partnerships with LFEs prominent in Russia and Ukraine;
- Investments for portfolio diversification as financial investors, for example through SWFs;
- Negotiations with target countries to establish legal frameworks for investment (e.g. through BITs); and
- Implementation of policy reforms and instruments domestically to make investments for the private sector in outside markets more 'lucrative', for example by providing loans with lower interest rates (Cotula et al, 2009).

China (see Box 3 below) and South Korea are considered to be the biggest investing countries in terms of size of land deals, followed by the Gulf States, EU and the US (Benjaminsen et al. 2011; Graham et al., 2011). In the case of South Korea the policy for restructuring its agricultural sector through overseas investment in land and food production has been promoted as a cost effective measure that reduces subsidies for domestic food production and supply (Development, 2011).

Box 3. China and the drive for CPLs

According to Xiubin (2011), China's economic growth – underpinned by rapid industrialization and urbanization – has come about through a substantial increase in internal CPLs leading to some 4 million hectares of farmland being transformed for non-agricultural sectors.

This in turn has led to some 50 million people losing their farmlands in spite of the lack of a well-established nationwide social security system that covers all peasants in rural China, and raises the alarm regarding mounting food and job insecurity. Interestingly, China is a leading country in CPLs overseas, driven by mounting internal food insecurity, in turn caused by these processes of demographic change, urbanization and industrialization. In this context China has been aiming to increase its rice production from 100,000 to 500,000 tons over a period of five years from 2009, by outsourcing this production to Asian and African states. This initiative has led, among numerous other CPLs, to the purchase of 101,171 hectares of land in Zimbabwe in June 2008, and an investment of 800 million dollars in Mozambique to modernize the country's agriculture for the exportation of rice production (Daniel and Mittal, 2009).

One of the most defining characteristics of the emerging countries is their capital wealth and relatively low possession of arable land. This trend "towards regionalism characterized by South-South relationships" (Anseeuw et al 2012b) is one of the central features of current manifestations of CPLs. Indeed, India, Brazil, China and South Africa are interesting cases, in that they are actively engaged in CPLs in other countries, while also being subjected to CPLs within their own borders from both domestic and international investments (Mishra, 2011; Rowden, 2011; Zoomers, 2010).

The change towards more sustainable energy sources has been reinforced by policies in the EU and the US (Borras et al., 2011c; Graham et al., 2011), which in turn are driving investments in bio-fuels in target countries. In the case of the EU, these policies aim to increase the usage of renewable energy to a certain percentage of the total energy consumption (Borras and Franco, 2011; Graham et al., 2011); based on mandatory bio-fuel blending as well as domestic bio-fuel production, these policies in turn feed into the rush towards the production of agro-fuels across the 'Global South'. On the other hand, Japan is part of the group of countries with less favorable conditions for agrarian

production and a large population. However, Japan has a more indirect approach and relies more on private companies to secure the provision of food (Visser and Spoor, 2011).

In addition to socio-economic drivers such as food insecurity, financial crisis and increasing demand for bio-fuels, investment decisions have been heavily influenced by the geopolitical characteristics of emerging countries and geographical and cultural proximity to target/recipient states. For example, South Korea's largest investment projects are in Mongolia and Eastern Russia, whereas the oil-exporting Gulf States tend to invest in Muslim countries such as Sudan, Pakistan, Indonesia and Mali.

Private Sector Actors

The group of private investors consists of four sub-groups: foreign (international and regional) and domestic private investors on the one hand; and private companies engaged in production, and an array of financial corporations which are more active in speculative investments (particularly investment funds) on the other.

In some countries in sub-Saharan Africa such as Ethiopia, Mozambique, Kenya, Liberia, domestic private investors account for a much larger share of large-scale land acquisition (AGTER, 2010; Cotula et al., 2009; Deininger, et al., 2011). The same was true for Russia and Ukraine at the beginning of 2000 when the domestic oil and gas companies began to invest in land. However, recently this trend has shifted to partnerships between LFEs and foreign governments or foreign-only investments, particularly from China and South Korea (Visser and Spoor, 2011).

Overall, private companies from the US and the UK are among the key investors in CPLs with 4.3 and 3.8 million hectares respectively, with other prominent private investors originating from the Netherlands, Sweden and Italy as well as France and Germany (Anseeuw et al, 2012b).

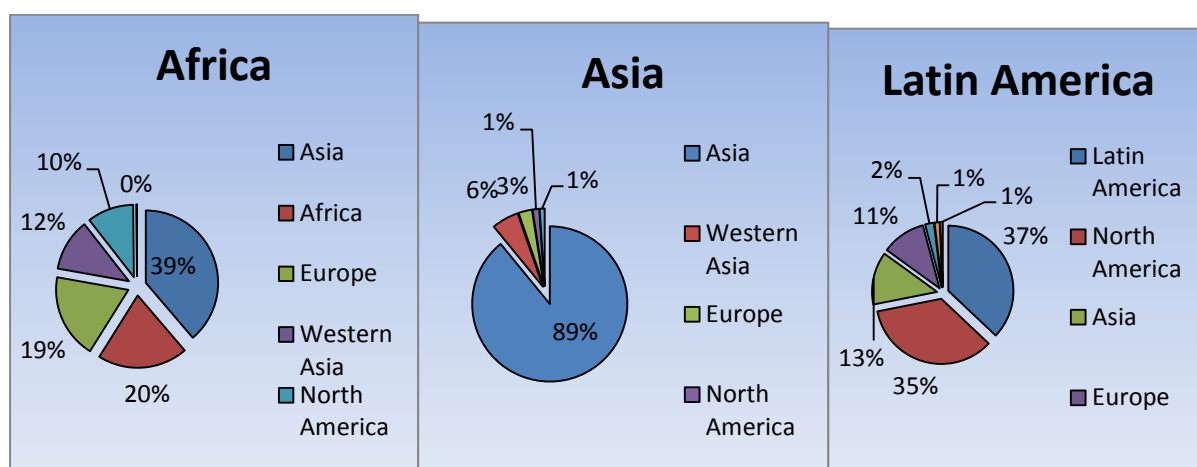
Land Matrix data confirm that the most active category of investors, accounting for 30.3 million hectares and 442 deals, is in fact made up of private companies, of which investment funds account for 32 deals and 3.3 million hectares (Anseeuw et al., 2012b) and include funds that manage workers' pensions, private equity funds, hedge funds and grain traders (GRAIN, 2008, 2011). Most of these entities find investing in land an attractive means of diversifying their risk and a potential buffer against inflation, motivated by expected financial returns due to land value appreciation. For instance, many European as well as Chinese and Middle Eastern banks have been linked to funds that are investing in oil palm plantations in Indonesia and Malaysia (Colchester, 2011).

On the whole, the Land Matrix database reveals that there is a higher implementation rate for large-scale land investments undertaken by private companies vis-à-vis those of state-owned ones, with the former having implemented 195 deals, out of which at least 154 are in the project start-up phase. Private sector actors are also more likely to form partnerships with domestic private actors, as opposed to state-owned companies which are in turn more likely to take up bilateral cooperation modalities (Anseeuw et al., 2012b).

The first pie-chart on the left in Figure 9, displays the number of hectares expressed in millions, affected by CPLs in Africa, categorized by the home regions of the investors. This shows that at least 12.3 million hectares of CPLs are being invested by public, private and hybrid parties originating from Asia. On the other hand, African-based entities are the second largest investors in land, consisting of

6.4 million hectares, a trend that highlights the significant role of domestic and regional investors in Africa's CPL processes.

Figure 9. Home regions of CPLs in Africa, Asia and Latin America



Source: Land Matrix quoted in Anseeuw et al (2012a)

In the case of regional players in the African continent, South Africa is most prominently featured in the literature (Hall, R, 2011a, b). In particular Agri SA, South Africa's main commercial farmers' association has been engaged in a coordinated effort to invest in the land of neighbouring countries including Congo Brazzaville where they have a 30 year-renewable lease for 172,000 hectares without any rental payments, nor tariffs for agricultural input imports. Agri SA has other similar arrangements in Malawi, Tanzania, Uganda, Mozambique, Ghana, Gabon and Guinea (Bush et al, 2011). South Africa is also among those investors that tend to enter into multiple partnerships, acting as "partner for other foreign investors aiming at producing food and flex²⁷ crops all over Africa" (Anseeuw et al, 2012b).

In the case of Asia's CPL landscape, as shown in the middle pie-chart in Figure 9 above, the largest portion of invested land, consisting of 25.3 million hectares, belongs to Asian investors. Laos is one of the most prominent examples of Asian countries where regional players are prominent investors from Vietnam, Malaysia, Japan, India, China and Thailand (Hirsch, 2011; Kenney-Lazar, 2011; MacKinnon, 2008). In India, where the role of SEZs²⁸ in propagating CPLs has been vital, domestic investors have had a leading role (AGTER, 2010), a trend that is also comparable to Ukraine, Russia and Kazakhstan, where domestic investors in the form of post-Soviet oligarchs have been prominent (Visser and Spoor 2011).

In the case of Latin America, the last pie-chart on the right in Figure 9, there is almost an even spread between investors originating from inside the region (1.7 million hectares), and North America (1.6 million hectares). Of particular interest in this case is a study conducted by Borrás et al (2011a) for the FAO on the CPLs in Latin America (including the Caribbean countries) which highlights four distinct features of the processes in the region.

²⁷ **Flex crops:** crops that are used both as food and agro-fuels.

²⁸ According to Levien (2011) the expansion of domestically driven SEZs can be viewed as a manifestation of the commodified rural land, whereby capital seizes control not just of agriculture, but of land itself, provoking gross dispossession and impoverishment effect on the rural populations.

The first of these is the relative significance of private lands transacted, as opposed to publicly owned 'commons'. A second notable feature is the bold role played by domestic elites as primary investors, and by the so called intra-regional '(Trans) Latina' companies, alongside traditional multinational ones. Moreover, CPLs in this region show a peripheral presence of investors from the Gulf States, China, India and South Korea – both public and private – which are more pronounced in sub-Saharan CPLs. In addition, CPLs in the Latin American and Caribbean region do not occur in the context of 'fragile' states with weak land governance structures (Borras et al, 2011a).

International Institutions

Apart from the main actors described above, the literature likewise indicates how the policies of donor and development agencies help facilitate the commoditization of land mainly for the export of agricultural (food and bio-fuel) products (Adnan, 2011; Cotula et al, 2009; OI, 2011a).

One particular example is that of USAID, which has been a pivotal actor supporting the push for land privatization in Mozambique, promoting foreign investment in the newly independent state of South Sudan, and assisting India's entry into African agriculture (OI, 2011a). In the case of Mozambique, the analysis provided by OI traces USAID's involvement in the privatization of land in the country since the late 1990s and early 2000s, and makes reference to the Millennium Challenge Corporation (MCC) which, according also to McMichael (2011a), disburses grants to countries that opt to privatize land, for supporting market-based solutions for food security.

Development organizations such as the World Bank, FAO and IFAD have also been advocating for large-scale land investments, as they consider them to represent a sustainable development opportunity if conducted according to certain principles for responsible investment.²⁹ In particular the role of IFC and the change towards investment friendly policy environments in developing countries have led to opening up of the land market and its subsequent commodification (Daniel and Mittal, 2009; Development, 2011). Similarly, the World Bank has shaped the economic, financial and legal environment to facilitate large-scale investments in land in Mali (Provost, 2011). Meanwhile, in Sierra Leone the Addax bio-fuel project has support from the Belgian Development Bank, the South Africa Industrial Development Corporation and the Netherlands Development Finance Company, among others (Bread for All, 2011).

In the case of regional bodies, it is important to note the role of the AU, in particular with respect to its 'Comprehensive African Agricultural Development Programme (CAADP) 2003', according to which member states have committed to invest 10% of their government expenditure on expanding their agriculture sector. However, as most countries have not been able to reach this set target, they are now actively seeking private capital flows in the form of increased CPLs, so as to close this investment gap (Toulmin et al., 2011).

Civil Society

A significant yet different role is being played by another group of civil society actors including the media, NGOs, academic institutions and faith-based bodies. In the case of the media and NGOs their

²⁹ More on this specific aspect in Section 10 on governance modalities applicable to CPLs.

role is largely defined in terms of the critique they provide on the growing trend of CPLs. Indeed, a considerable amount of the literature reviewed comes from this sector.

However, a specific case in Zambia (Milimo et al, 2011), highlights the role of a religious body proactively engaged with a company interested in leasing land for bio-fuel production and assesses the outcomes of the investment in terms of the largely negative socio-economic well-being of the affected population.³⁰

Moreover, universities such as Harvard, Vanderbilt and others, have been linked to financial speculation and investment in land in Africa, through their endowment and pension funds which are managed by financial intermediaries such as the UK based firm Emergent Asset Management (Vidal and Provost, 2011). This is yet another cross-linkage between actors and drivers, in this case financial incentive being the main driver behind speculative CPLs.

Small-holders and Other Groups

Small-holders and other groups, such as pastoralists, fisher-folks, and agricultural workers, are found throughout the literature as those most likely to be impacted by CPLs. Although these groups have lived on and cultivated their lands for generations, often their national governments do not take into account the legality of customary or use rights of land.

Although eviction and dispossession due to CPLs are widely documented, in some instances local smallholders have been able to keep their land and establish partnerships with large-scale investors in the production process. For instance, in Colombia eligibility criteria for subsidies that emphasize cooperation of large corporations with local smallholders has increased the number of these partnerships (Marin et al., 2011). In other countries – Ghana, Mozambique, and Tanzania – national laws require that all deals be approved by local communities that use the land (Cotula et al., 2009), at least in theory providing the opportunity for participation in the investment processes on a more formal level. The reality is quite different as evidenced by a number of case studies (Kaarhus, 2011).

As will be described in Section 7, overall local smallholders are only minimally included in negotiations of land deals, and even when they are, their participation is rather symbolic since they have no bargaining/negotiating leverage due to information and power asymmetries. There are however many instances in which these groups counteract commercial pressures on their land, also a point of further elaboration in Section 8.

In sum, the previous two sections on drivers and actors respectively have shed light on the complexity of interrelationships in a global system of interests which are at the heart of CPLs. This in turn indicates the need for cautious engagement with the CPL phenomenon, particularly from the governance perspective which will need to address the roles of each of the actors and drivers to maximize positive outcomes for the local population affected by CPLs.

The following section will turn to two of the primary narratives that illustrate the ideological landscape in the rapid proliferation of the CPL agenda.

³⁰ See Section 8 for more details on this and other cases.

6. NARRATIVE DISCOURSES PROMOTING CPLS

As reiterated by Odhiambo, “discussions about large-scale commercial land acquisition tend to be polarized between those who support and those who oppose the deals” (2011). This section will specifically focus on the two most prominent narrative discourses applied for supporting and justifying CPLs. The first one, known as the **‘win-win’ narrative**, is premised on the overarching driving force previously mentioned, namely, the role of FDI-led economic development policy as the most viable route out of poverty for developing countries.

The second discourse, also known as the **‘marginal’ land resources narrative** is used mainly by host states to indicate the availability of “extra” land suitable for investment, so that the first ‘win-win’ narrative can actually be attained. The marginality narrative is likewise used to silence debates on whether leasing the land can be in direct conflict with the livelihoods and well-being of existing settlers and/or direct beneficiaries of croplands and communal land resources.

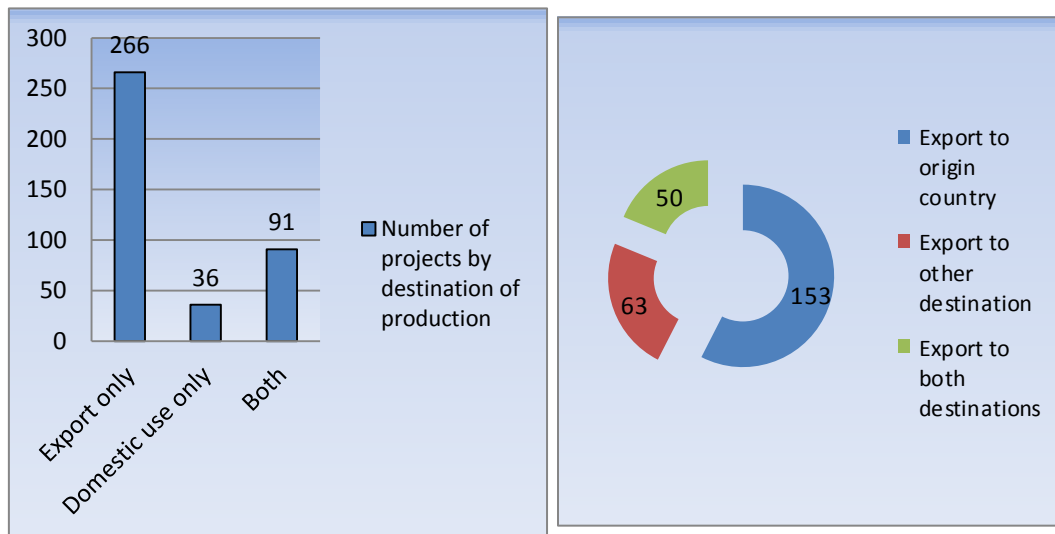
6.1. The ‘Win-Win’ Narrative

The ‘win-win’ narrative is premised on the assumption that all forms of investment – particularly in agriculture – are necessary for developing countries in order to spur their economic growth and improve their national standards of living. Lack of public investment in the primary sector (coupled with limited infrastructure development) since the onset of the SAPs in the 1980s and 1990s, has led to low land productivity. With limited financial and technological capacities to fill the existing investment gap, developing countries are now able to seize the opportunity of primarily private investment through CPLs in agriculture (and other key sectors).

This would in turn support their national economic development efforts and, in particular, expedite the attainment of the dual complementary goals of eradicating poverty and hunger (von Braun and Meinzen-Dick, 2009). In addition to addressing urgent environmental problems (through bio-fuel production and schemes such as REDD+), the existing patterns of economic production and consumption in the developed world could likewise be maintained (Borras et al, 2011c).

The export-led economic model at the core of the ‘win-win’ narrative is corroborated by the Land Matrix data. As shown in Figure 10, on the basis of available information concerning 393 deals and their destination of production, it is clear that the large majority (266) are directed at export markets only, whereas only 36 are for domestic consumption and 92 for both. Out of the 266 cases, 57% – or 153 deals – are intended specifically for export towards the country of origin (of invested capital), while 63 and 50 deals respectively are aimed for export to other destinations and for both (i.e. home and other destinations). This is indicative of the decisive importance of export over domestic consumption in the current trend of CPLs, which also corresponds to the primary typologies of land use change due to CPLs elaborated in Box 2.

Figure 10. Number of projects by destination of production, and number of projects by destination of project exporting production



Source: Anseeuw et al (2012b)

The literature on CPLs emphasizes that their positive impacts are expected particularly at macro level (Odhiambo, 2011), while the potential of such benefits would trickle down to the communities and households in affected areas and beyond. Some of the specific benefits that are at the heart of the 'win-win' narrative in the agricultural sector (i.e. food crops and bio-fuels) are elaborated below.

Ensuring Adequate National and Global Food Supply

As previously mentioned, some of the key drivers of ever-escalating large scale investments in agriculture include a combination of rocketing food prices, increasing food import bills, harsh climatic conditions, poor soils and scarce water resources, growth in demand for agro-fuels, as well as economic and demographic changes, including population growth. These driving forces have in turn led to not just individual, mainly food importing countries maximising agricultural production as a policy aim, but also to support for the practice from international institutions, such as the World Bank, FAO, IFAD (Daniel and Mittal, 2009). These organizations promote the case for putting available land into productive use so as to stabilize the global and national food supply bottlenecks, and ensure food security for all, with positive nutritional spill-overs particularly for the poor.

Increase in Agricultural Productivity

Through the adoption and use of modern technologies, as well as essential agricultural inputs, and through economies-of-scale attained by the investment of vast amounts of capital, it is argued that land in the 'Global South' can secure agricultural added value, as gains in productivity would be achieved. In turn this would make the economies of developing countries more prosperous since higher productivity implies on the one hand that their exportable goods will be competitive in the global food and bio-fuel markets, and on the other large foreign exchange accumulation can be accrued as a result (Deinenger et al., 2011; FAO, 2009).

Indeed, according to Anseeuw et al (2012b) Land Matrix data confirms that investors seek land where current yields are low compared to potential yields. In particular, 58% of all land deals, especially in East Africa, target suitable land with high yield gaps and the potential for increased

productivity and greater yield through the use of additional inputs such as water, fertilizer, seeds, infrastructure and technical know-how.

Development of Local Infrastructure

One of the key reasons for promoting investments in land is the potential for improving access to basic services in affected areas, particularly rural ones where a lack of local infrastructure may have hampered their availability. Investors that are leased large tracts of land are ostensibly required by governments as part of their contractual obligation, to provide social infrastructure in the localities where they operate. These include schools, health and leisure centres, as well as building roads and boreholes for water extraction. Similarly, the leasing governments are seen as key agents of social transformation for the local communities (and beyond), by providing such types of infrastructures through the royalty and taxation fees they receive from the investors (Arslan et al., 2011; Odhiambo, 2011).

Employment Creation

With increased access to local infrastructure, as well as the introduction of mechanized agriculture, it is said that land investments can spur the local job market for the rural dwellers who would lose access to land and/or other income-generating activities as a result of the CPLs. Furthermore, these employment opportunities are thought to facilitate transfer of knowledge and skills to the local working population. It is claimed that CPLs will result in backward and forward linkages, as well as multiplier effects through local sourcing of labour beyond the importation of essential inputs and processes of production (FAO, 2009). At the same time the ‘win-win’ approach stresses a positive potential for benefits from foreign investment to spill over into other domestic rural sectors in a “synergistic and catalytic relationship with existing smallholder production systems” (FAO, 2009) thus allowing the positive trickle-down effect to take place.

Despite the appeal of the core arguments underpinning the ‘win-win’ narrative, significant economic arguments have been waged against CPLs (Africa Progress Panel, 2012). For instance on the issue of land fees and other financial transfers that can potentially be accumulated by host governments and local affected populations, the study conducted by Cotula et al. (2009) finds that such rewards are relatively less important compared to the expected broader economic benefits that would result from employment creation and infrastructure development. This is due to the fact that although these contractual agreements and their stipulated terms vary from country to country, from one sub-national region to the other, if charged at all, land fees have very little value, ranging from between USD 3 in Sudan per 0.42 hectares, to USD 3 to 10 per hectare per year in Ethiopia, and USD 6 to 12 per hectare per year in Mali.

Moreover, in many such contracts, exemptions for a set period of time (e.g. five years in Benishangul Gumuz, Ethiopia) as well as lax requirements for upfront payments (e.g. in Mali) or even total exemption from rental fees (Madagascar as well as Mali, for example) are usually granted. Set against the context of rising land values in the international market, the financial loss borne by host countries and particularly the populations directly affected can therefore be quite high (Cotula et al, 2009).

Thus unless host countries adopt a firm position with respect to upfront payment and higher rental fees, they will remain in a position of disadvantage even as regards the amount of cash revenues they should be able to earn. This in turn has implications in terms of the host government's ability to raise funds for undertaking its own investment in social services essential for the children, families and communities affected by CPLs.

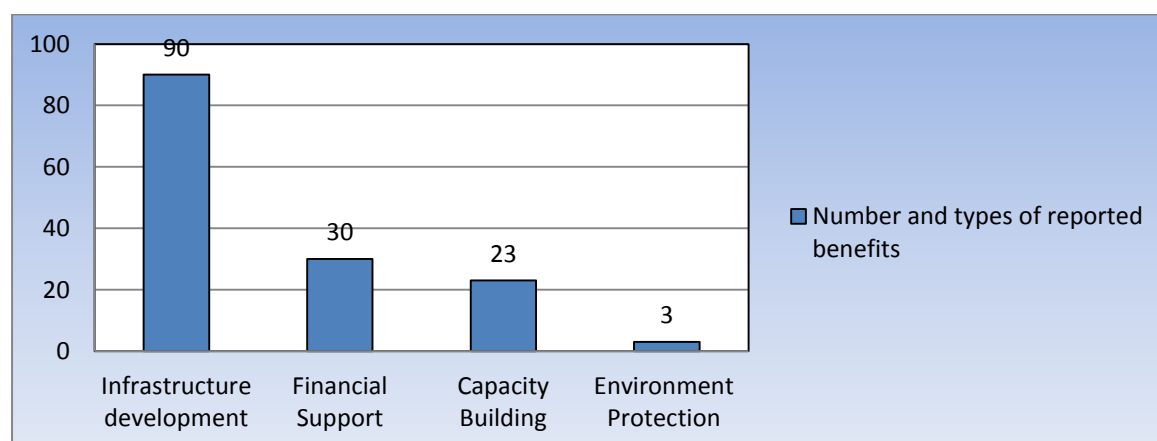
Taxation is another channel through which economic benefits can be transmitted to host governments and their communities. However, as in the case of land royalties, most host governments prefer to apply tax incentives in the form of reductions or outright exemptions, as a way of promoting CPLs into their agricultural sectors. In other words, potential public revenue due from taxation benefits is foregone (OI, 2011b).

In Sierra Leone, for example, the Addax Bioenergy firm has been given a 10-year tax holiday on agricultural investments in tree crops and rice; it has been issued an exemption from import duties; it has received 100% foreign ownership of land, full repatriation on profit, and there are no bans on the possibility of hiring expatriate employees. Similarly in Mozambique, the EmVest Limpopo company has received exemption from tax duties on capital inputs as well as from VAT and income tax for five years from the start of operations; a reduced profit tax; and the possibility to repatriate profit for a period of 25 years (OI, 2011b).

On the other hand, based on 117 cases where information is available, the Land Matrix provides some insight on the extent to which CPLs deliver on some of the benefits they promise. For example, 90 cases (see Figure 11 below) report on infrastructure development, which includes health and education facilities as well as better access to markets and infrastructures such as roads, built for the purposes of the project but constituting positive externalities for the local populations (Anseeuw et al, 2012b).

Financial support and capacity building are two other significant benefits, accounting for 30 and 23 deals respectively, whereas only 3 deals have reported on environmental protection benefits. The Land Matrix data also indicates that 56% of such benefits are reported by Asian investors, mostly operating in their immediate region, representing a potential explanation of their interest in contributing towards local development (Anseeuw et al, 2012b).

Figure 11. Reported number of projects by types of benefits



Source: Anseeuw et al. (2012b)

The existence of data confirming reported benefits is an important basis upon which additional empirical studies can be conducted, which could link the community level benefits to households and children in particular. Further work would also be needed not only to ascertain these benefits, but also to identify the conditions (of structure and agency) under which they are achieved.

Moreover, as will be shown later, this is particularly important in light of the fact that many of the case studies featured within the available literature do not highlight the positive role of CPLs in providing adequate social infrastructure, financial support or transfer of knowledge, as a form of compensation or contractual obligation to affected rural communities. Hence, empirical evidence highlighting the observable measure of the realization of these and other reported benefits in the Land Matrix, and comparing them with reported or potential negative outcomes, is critical – particularly for children.

6.2. The ‘Marginal’ Land Resources Narrative

The **‘marginal’ land resources narrative** is currently being employed in support of the ‘win-win’ construct, as an equally important device for providing legitimacy for and promoting the practice of CPLs.

Two dimensions need to be unpacked in order to fully understand the significance of this particular narrative. The first is the use of marginal or available land narrative in relation to already cultivated cropland, and the second refers to the marginality concept applied particularly to pieces of land collectively known as ‘commons’. These public commons are essentially open access, multifaceted resources belonging to rural communities of which primary examples include grasslands, forests, marshlands, woodlands, pastures, rangelands, lakes and streams.

In most cases states are recognized as the official legal rights-holders of the commons as well as ordinary farmlands, thus undermining the notion of collective assets, although the latter is recognized by local customary tenure systems. In this context, leasing the commons is justified on the basis of the assumption that they are usually unsettled, uncultivated, and unused (i.e. marginal, idle), and it is more easily enforced due to the relative weakness of customary tenure systems vis-à-vis formal legal ownership of land.

However, as reiterated by a number of reports, concepts such as ‘marginal’, ‘idle’, ‘available’, ‘waste’ resources should not be taken at face value, due to not only the complexities inherent in the clear assessment of actual available land, but also because they may overshadow the presence of pre-existing settlers and/or users (Cotula et al, 2009; Kachika, 2011; Makki and Geisler, 2011; Zagem, 2011).

The research by Wily (2011a) deals specifically with the involuntary loss of millions of hectares of land, considered to be public ‘commons’ or ‘commonage’, as a result of CPLs (also in AGTER, 2010; Development, 2011; Odendaal, 2011). The loss of communal lands due to external investment impacts pastoralists, communities practising shifting cultivation, hunter gatherers, livestock-keepers, fishers, and all those who extract some form of income from forestry products (especially women), such as wood (also essential for meeting fuel needs) and non-wood resources (White, 2010).

Moreover, since these land allocations have in most cases renewable medium-term leases of up to 99 years, the loss incurred by the local populations in terms of lack of meaningful access, use and livelihood benefits is likely to last for at least one generation, if not more (Wily, 2011a).

Losses of communal lands under the marginality narrative are documented in a number of countries including: Indonesia (Colchester, 2011), Philippines (Borras et al, 2011b), Bangladesh (Adnan, 2011), Tanzania (Kabiri, 2011), Ghana (Tsikata and Yaro, 2011), and Ethiopia (Fisseha, 2011; Palmer, 2011), Congo Brazzaville, DRC, Kenya, Madagascar, Mali, Mozambique, Liberia, Sudan, Zambia, Rwanda, Peru, Pakistan, India, Cambodia, Laos (Wily, 2011b).

As described in Wily (2011b), these communal lands are legally alienated when they are leased by governments to investing parties, leading to a number of documented negative impacts (in all of the above country case studies). The primary effects are enclosures and evictions without prior consent and adequate compensation, and the consequent loss of access to natural capital essential for sustainable livelihoods and the cultural practices of poor rural communities (particularly indigenous groups and women), resulting from the lack of concrete alternative employment and use benefits.

In view of both narratives and the ensuing CPL practices, the basic rights of children belonging to social groups that utilize ordinary croplands and 'commons', are therefore likely to be directly affected (negatively and/or positively). This issue forms the basis of the discussion in the following two sections.

7. APPLYING THE HUMAN RIGHTS FRAMEWORK TO CPLS

This section will make an analytical link between (actual and potential) impacts arising out of CPLs, and the **human rights framework** focusing on the rights of children, as well as other groups such as women, indigenous peoples and youth. The analysis focuses on potential and documented negative impacts because the existing literature refers predominantly to these, as opposed to observable positive outcomes, although the latter are not excluded from the analysis.

The importance of using a human rights framework to analyse the impacts of CPLs on rural children and other vulnerable groups is related firstly to the magnitude of the potential human rights violations associated with the fast-proliferating CPLs. As has been mentioned, these deals take place on the one hand with very little transparency, and on the other, in social settings where inequities may already abound. Furthermore, as indicated in the report released by AGTER “the commodification of land does not merely have economic repercussions, but can also have significant indirect impacts on human rights” (2010). Furthermore, as reiterated by Abramovich et al., “the essential idea underlying the adoption of a human rights approach is that policies should be based explicitly on international legal standards and that capacities of right holders and duty-bearers must be developed in order to improve their faculty to claim their rights and fulfil their obligations” (2011).

This calls for the application of a minimum level of human rights standards and principles which could guide the processes of:

- a) Assessing and addressing the documented human rights violations that are occurring or are likely to occur as a result of CPLs; and
- b) Advancing an understanding of best practices in CPLs that benefit children by sustaining the realization of their rights.

Through the human rights lens in fact, it would be possible to advance the design, implementation and monitoring of policy prescriptions and programmes that promote the protection of the civil, cultural, economic, political and social rights of the most at-risk groups by holding to account the public and private actors that establish the programmatic agenda and subsequent materialization of specific business practices (Ruggie, 2011), in this case CPLs.

Box 4. Relevant instruments for addressing human rights violations resulting from CPLs

In almost all cases of CPLs, at least one party (state) has ratified one of the existing international human rights instruments, which legally binds it to abide by its commitments during the processes of negotiation as well as implementation of land deals.

It may be argued that international human rights law, also known as 'soft law' with respect to the economic, social and cultural rights that are particularly relevant to CPLs, is not enforceable and merely aids the processes of 'naming and shaming' human rights violators. Increasingly, however, economic and social rights are being litigated in national jurisdictions on the basis of human rights instruments and principles that are recognized to be international, hence the importance of taking them into consideration (Farha, 2011).

Accordingly, some of the main human rights instruments which can be relevant for the protection of the rights of children and their families in the context of CPLs include:

- Universal Declaration of Human Rights (UHDR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights (ICCPR)
- United Nations Convention on the Rights of the Child (UNCRC)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- ILO Convention on the Worst Forms of Child Labour (No. 182)
- ILO Convention Concerning Indigenous and Tribal Peoples (No. 169)
- The UN Declaration on the Rights of Indigenous Peoples
- Convention on the Elimination of All Form of Racial Discrimination (CERD)

Other relevant applicable guiding human rights principles include:

- Children's Rights and Business Principles (UNICEF, UN Global Compact, Save the Children)
- The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (Committee on World Food Security).
- The Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework
- UN Principles on Housing and Property Restitution for Refugees and Displaced Persons
- The Basic Principles and Guidelines on Development-Based Evictions and Displacement.

Mapping out the specific rights that are expected to be, and/or are already being violated as a result of CPLs, shapes the discussion on the impact assessment as well as any relevant mechanisms for redress. For instance, if it is expected/known that CPLs can have a negative effect in terms of heightening the level of homelessness for children and vulnerable households as a result of forced evictions, then the process of analysis would identify the international standards applicable to the right to housing, as well as guidelines in the context of forced evictions, in order to address the issue by holding the relevant actors accountable (See Box 4 above). By reverting to the relevant international human rights instruments, the response measures necessary to mitigate the documented negative consequences of CPLs can be clarified.

Moreover, while it is possible to identify common underlying rights (such as the right to food) that may be or are already being violated irrespective of certain characteristics such as geographical location, it is also important to differentiate between these and specific rights that apply only to certain at-risk social groups, (such as indigenous children and their families, or women, adolescent

girls, or youth) and which may not be relevant to all areas affected by land deals. This sort of ‘disaggregation of rights’ according to contextual characteristics, can refine better the analysis that underpins social impact assessments, case studies and surveys on CPLs.

The Right to Food

The right to food is the normative concept which demands that the needs of the malnourished and underprivileged be respected and addressed (Lappé, 2011). It is enshrined in the ICESCR’s Art 11, the UDHR’s Art 25 (Langford and Halim, 2008) as well as the CRC Art 27, which addresses the right of every child to have an adequate standard of living, making access to food a key pillar.

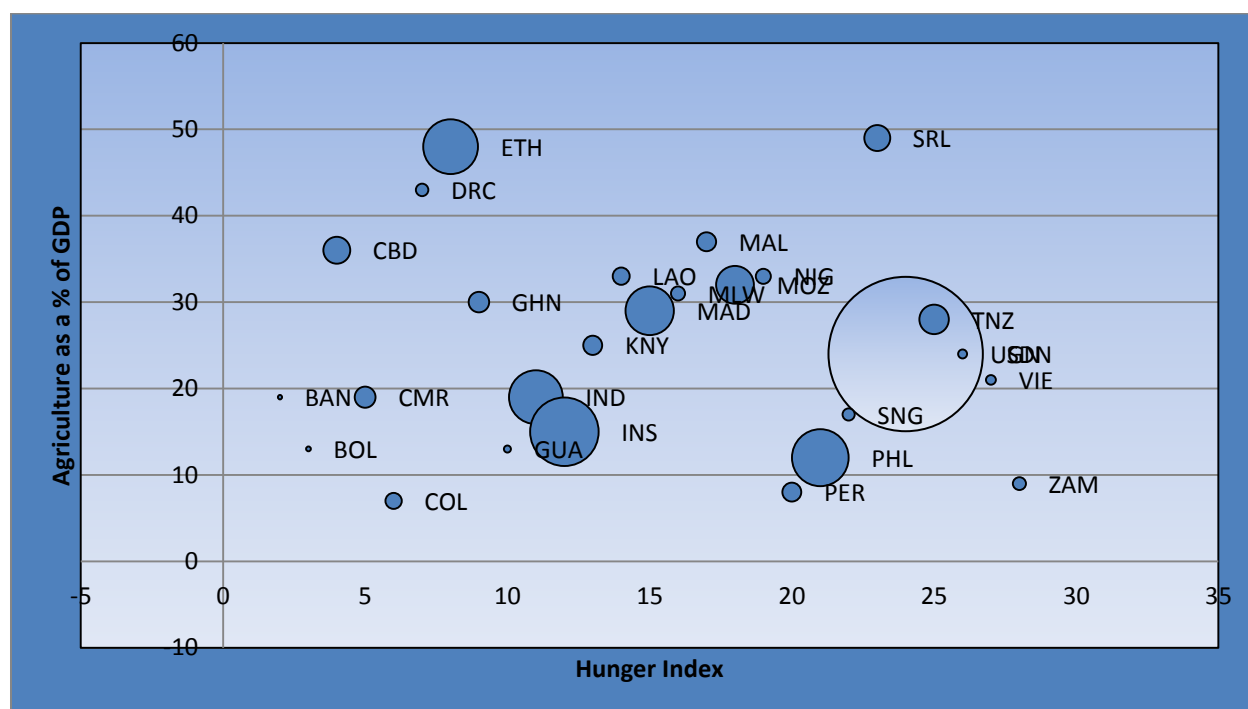
The ICESCR highlights that the right to food is more than the right to a certain package of calories and nutrients and is only realized when “every man, woman and child alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement” (FIAN, 2010). This in turn underscores the importance of accessing arable land and other natural resources that enable rural households and communities, including children, to meet their basic food needs.

While it is the state’s responsibility to ensure that its people are able to feed themselves adequately (Knaup et al, 2011), Rahmato (2011) argues that large numbers of publicly available contracts involving CPLs do not necessarily feature either formal or informal obligations on the part of investors to contribute to the food sovereignty³¹ of the host countries (see also Figure 10 on the destination of products which indicates the marginal importance of local/domestic consumption, including for food-related investments).

Indeed, in sharp contrast to the concept of food sovereignty, CPLs aimed at food crop production, are said to cause a new ‘security mercantilism’ so that the food produced is directed at consumers with greater purchasing power, at the expense of local food-insecure communities (McMichael, 2011b). As described by De La Cruz (2011) the outsourcing of land is in fact led by an outsourcing of the problem of food insecurity, which augments the burden of survival on already impoverished and rural populations. Therefore, both are likely to be caused by CPLs since not only does local food availability shrink as a result of prevalently export-led production, but croplands are converted for bio-fuel production.

³¹ Food sovereignty encompasses the complementary **rights to food, to land and to produce**. It goes beyond food security, which concerns mostly quantity, neither origin nor quality, of food. Food sovereignty is also closely aligned to adequate and stable prices for agricultural commodities, which in turn support the realization of a decent standard of living as well as the ability of nations to be fully self-sufficient with respect to their populations’ basic food needs (Rosset, 2011).

Figure 12: Size of total deals for most targeted countries by their Global Hunger Index rank and agriculture as a % of their GDP



Source: Adapted from Anseeuw et al. (2012b)

Furthermore, as indicated in Figure 12 above, the countries most targeted for and hosting large-scale land investments (see list on Figure 8) are affected by hunger, as measured by the Global Hunger Index, whilst also featuring high agricultural shares of GDP. In fact, about 66% of the reported land deals belong to a group of countries which have above average hunger prevalence, as well as an above average agricultural share of GDP (Anseeuw et al. 2012b).

In this context, and particularly among this group of countries, children are disproportionately affected by violations of food sovereignty and the right to food particularly because malnutrition is a critical cause for stunting and low cognitive development, and has both short-term impacts on survival and long-term implications for health, development and productivity. This means that the direct link between the right to food, health and education is of even greater importance as far as children are concerned.³²

Moreover, the violation of this basic right would exacerbate existing – or create new – dependencies on food aid, another critical vulnerability and ethical dilemma which needs to be addressed prior to and during the negotiation processes leading up to actual leases of land and start-up projects.

As affirmed by the UN Special Rapporteur on the Right to Food, states would be acting in violation of this right if, by leasing land to investors, irrespective of their domestic or foreign origin, rural populations are consequently deprived from accessing the necessary productive resources needed to secure their own food sovereignty (De Schutter, 2009). Furthermore, the absence of appropriate viable alternatives for attaining long-term food security – including social protection measures – is of

³² See also Section 2 for the multidimensionality of child well-being.

critical importance and adds to the negative repercussions of state negligence in fulfilling their duty-bearing roles (Brown, 2011; CHR&GJ, 2010).

The (Emerging) Right to Land

Land rights are highly complex and are not specifically defined in the international legal context (Huggins, 2011a). At the same time, understanding the issue of land access requires a deep and contextualized analysis of the land tenure system within each of the countries affected by CPLs.

One of the core issues to take into consideration is the potential threat of investors exploiting weak land tenure systems. As argued in Section 6, in the absence of any formal recognition of customary land rights, which in many cases co-exist with formal property rights, this threat becomes a real danger. Furthermore, pre-existing land use and tenure systems are important determinants of the extent to which local communities are able to secure their continued right to use land resources once they are contested in the wake of CPLs.

Focusing on data from 82 cases, Anseeuw et al (2012b) show that while the majority of the land users (56 cases) are smallholders, in terms of legal land ownership, the state exceeds (51 cases) all others including smallholders, community and private companies. It is therefore clear that in countries where customary land user rights are not respected, smallholders as well as other groups are at risk of losing out as a result of CPLs, because final say in ownership and transfer of land use rests with the national and sub-national governments.

Moreover, it is also suggested that CPLs are coming into direct conflict with land reform efforts in many developing countries (Daniel and Mittal, 2009). Indeed, one of the key criticisms of CPLs is that they have the effect of side-lining the land reform debate and processes in most of the countries particularly affected by these deals, including Philippines, Cambodia, Kenya, Pakistan, Tanzania and Zimbabwe.

Regarding this aspect De Schutter, a key proponent of 'an emerging human right to land' (2010) in international human rights law, asserts that "land rights are the first building block on the road to achieving food security, and without international consensus on how land should be governed, the interests of vulnerable land users will continue to be swept aside" (2011). He then proposes that the right to land should be established as self-standing and linked to: the right to property; the rights of indigenous people to their lands, territories and resources; or as part of the right to food.

Accordingly, he calls for agrarian reforms based on the explicit recognition of the right to land, given that an equitable distribution of land resources among rural populations, particularly in the context of rising world population, is a pre-condition for fighting poverty and achieving a decent quality of life (2010).

The need for agrarian reform processes which place the right to land at the centre is further justified by the importance of the right to earn an income. Both rural dwellers and those who work on farmlands as wage labourers must be assured this right since their chances of working in industry and services are often quite limited.

Furthermore, the emerging right to land as proposed by De Schutter, questions the current paradigm of growth ('win-win' narrative), which values productivity gains ensuing from industrialized

agriculture (Fortin, 2011), as opposed to redistributive agrarian reforms based on small-holder farming. He argues in fact that mechanized farming methods are more congruent with accelerated economic growth rates and offer a greater yield per unit than is obtained through small-scale biological farming.³³ Likewise there is a positive correlation between smallholder farming, which is labour intensive, and human development indicators as evidenced by a number of studies including those undertaken by the World Bank's World Development Report (McMichael, 2011a,b; Rosset, 2011; Taylor and Bending, 2009; World Bank, 2008).

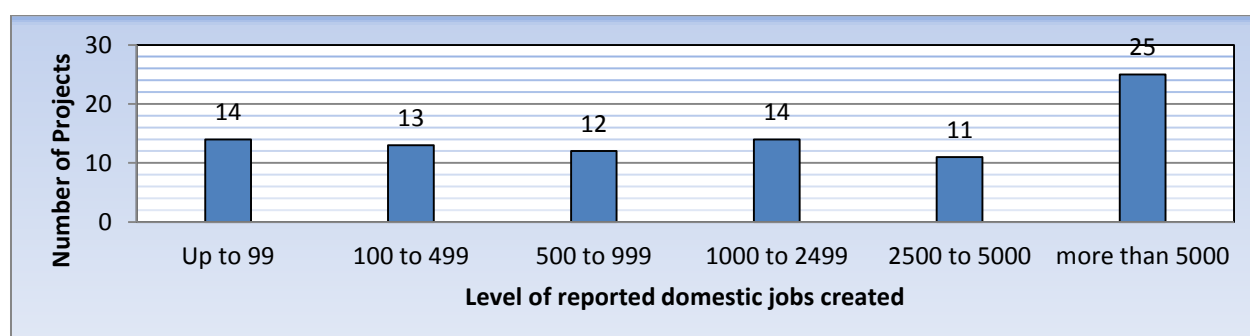
Thus, it is arguable that recognizing the right to land in international human rights law, especially given the rising socio-economic and political significance of CPLs, is likely to increasingly become an imperative for preserving and securing the right to food and livelihoods that are sustainable for all populations adversely affected, including children.

The Right to Work/Sources of Income

As already mentioned, income is a key determinant of child well-being, and shocks that impact household income can affect child well-being outcomes: hence, the need to look at the impact of CPLs on the right to work/sources of income. The right to work is subsumed in the rights protecting access to resources. The ICESCR emphasizes the right to gain a living. Given that the majority of the rural population in developing countries is dependent on agricultural and communal lands for sources of income, any potential threat to access to land will endanger their primary source of livelihood/income (FIAN, 2010).

However, based on 89 cases available in the Land Matrix, Anseeuw et al (2012b) show that there are in fact numerous cases where CPLs have reportedly led to domestic job creation, which is an important element of the 'win-win' strategy (See Figure 13).

Figure 13. Number of projects with reported job creation



Source: Anseeuw et al. (2012b)

As there are numerous cases showing the negative impacts on livelihoods and sources of income for affected households, more empirical evidence illustrating the conditions which lead to both overall reported benefits (Figure 11) – and job creation in particular – is needed, as well as understanding whether and how they actually translate into child well-being.

For instance, while Tsikata and Yaro argue that “Incomes from newly created jobs are important for food security, but are imbued with high levels of insecurity due to the global connectedness of these

³³ This is also known as the inverse relationship between farm size and production output (Rosset, 2011).

companies” involved in CPLs (2011) research is showing that the promise of economic development through the creation of jobs can be overstated (Anseeuw et al., 2012; OI, 2011b; Toulmin et al., 2011).

One criticism is provided by Cochet and Merlet (2011) for example; they argue that labour compensation resulting from CPLs in Eastern Europe and Latin America is disproportionately low compared to the rates of production. Meanwhile, high capital returns facilitated by low taxation and land prices do not address this gap in an economically viable way. Instead they prioritize financial efficiency vis-à-vis the right of rural populations to a decent income and standards of living.

Furthermore, as investment in land for production of food and bio-fuels entails highly capital intensive systems, the local populations in most cases lack the necessary skills, and they are therefore tasked with low skilled jobs and manual labour, while foreign workers are usually brought in to perform more highly earning, skilled jobs. In addition, numerous case studies show that those who find work in plantations usually have neither employment security, nor benefits outside their daily wages (Bravo, 2011; Cotula, 2011b; Rahmato, 2011; Rowden, 2011).

For example, as documented by Kenny-Lazar (2011), a Vietnamese based corporation, Hoang Anh Gia Lai Joint Stock Company (HAGL) has invested in land under a joint agreement with the Government of Laos, for the purposes of mineral exploration, and construction of processing plants, as well as for developing real estate complexes on a total surface area of 10,000 hectares. As a result of this investment in land, nearly 8000 people have been affected. The loss of communal land, especially access to forest resources, has led to decreased income opportunities from selling forest products.

Similarly, the loss of grazing land for livestock has had negative impacts on livelihoods and is a critical consequence of commercial investment. According to a government survey of four of the affected villages, at least 115 families have lost land completely, thus negatively impacting their ability to feed themselves through agricultural production and other income generating activities (Kenny-Lazar, 2011). The transition to agricultural labour on the part of small-holders and other groups has also lead to precarious working conditions, namely low wages in relation to the amount of work undertaken, long working hours (11-12 hours with a one-hour break for lunch), potential corruption within the payment process, and ill-treatment of workers by supervisors. This state of affairs is corroborated by findings from other case studies in Ethiopia and Rwanda (Odhiambo, 2011).

Box 5. Is there a role for social protection in mitigating and protecting at-risk groups against the adverse impacts of CPLs?

According to Rosset (2011), CPLs represent the manifestation of multiple long-term and medium-term crises in global capitalism, whereby the long-term crisis consists of a diminishing access to land by food producing rural populations, leading to the incremental erosion of their rights to land and livelihoods. He contends that these trends are resulting in parallel crises of **social protection** and **civil rights realization**.

Along the same line of argument, Li's research (2011) posits the idea that social protection systems are likely to be the only remedy to the direct socio-economic consequences of CPLs on access to the essential natural resources necessary for sustaining the livelihoods of rural communities. She asserts that unless vast numbers of jobs are created, in order to absorb the **surplus labour** ensuing from CPLs, a global '**basic income grant**' form of social protection would need to be established in order to redistribute the wealth generated in highly productive, but labour-displacing ventures such as CPLs.

In this case, social protection is important at least as a mitigating strategy. From a child rights and well-being perspective, the argument for a basic social protection remedy is based on the requirement that governments must take all necessary measures to guarantee fulfilment of this right (CRC Art. 26). It follows that they must ensure sufficient fiscal space to allow children to benefit from social security – including social insurance. Political will is required however, as well as sustainable financial commitments for such social protection schemes to materialize.

On the other hand, Li's research (2011) looks at the broader tendency of contracts to exacerbate the existing challenge of 'jobless growth' across developing countries. She argues that the prospect of thousands of rural farming families losing land because its use is claimed to be inefficient ('win-win' narrative), will lead to their further social marginalization as they are pushed to abandon agriculture on the least advantageous terms. The same line of argument can be extended to pastoralists, hunter-gatherers and all those who generate income from accessing land resources that are not specifically farmland, especially women, female-headed households and indigenous groups.

Li's argument is particularly relevant in the context of the tendency of CPLs to be long-term, varying from 30-99 years, thus leaving families and their children and youth effectively locked out from accessing meaningful sources of income for generations. This would in turn imply that their rights to work/income, food and livelihoods are transgressed (see also *Principle of Intergenerational Justice* below).

The Right to Adequate Housing and Water

States are required to protect and promote their populations' right to adequate housing,³⁴ meaning their right to live in a location which is secure, peaceful and dignified. Moreover, the "obligation to guarantee security on land tenure and to abstain from undertaking or promoting practices of forced evictions and arbitrary displacement is a corollary of the obligation to respect the right to adequate housing" (FIAN, 12, 2010). The CRC Art 27 on adequate standard of living refers to the responsibility of states to provide not only support programmes for nutrition and clothing, but also for housing to

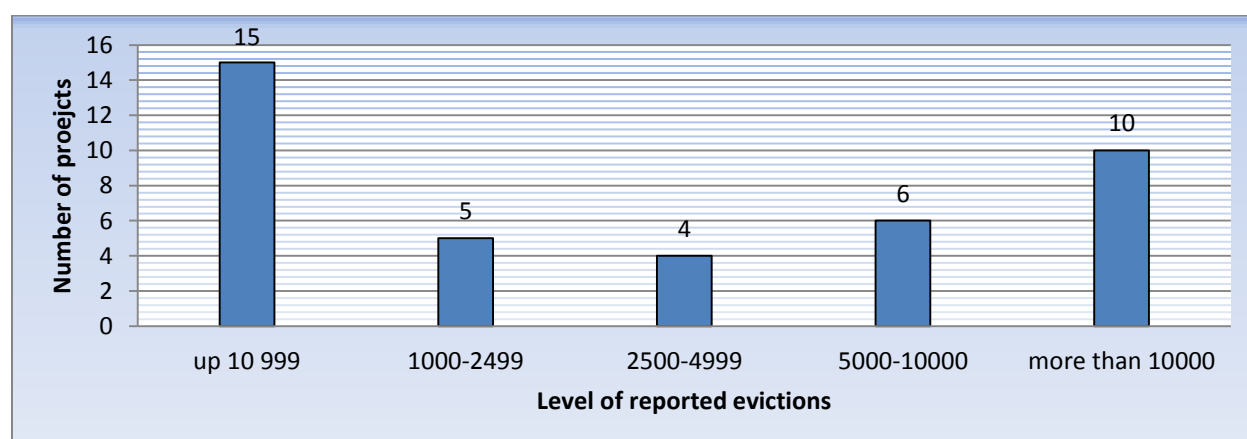
³⁴ Housing adequacy is related to legal security of tenure, availability of services, material, facilities and infrastructure, affordability, habitability, accessibility, location and cultural appropriateness (Huggins, 2011b).

vulnerable children and families. Moreover, the right to property, which is protected by the UDHR albeit broadly, is also important in the context of the right to adequate housing and in addressing violations to such rights through evictions.

In particular, with respect to forced displacements/evictions, it is important to consider the rights to adequate notice of eviction, informed consent on possible evictions, timely and adequate compensation, and proper consultation on resettlement options (Huggins, 2011b). The literature on CPLs however reveals that for the most part these important rights are not respected and, in cases where compensation has been provided, it is usually insufficient compared to the loss of land, housing and livelihood.

Numerous case studies elaborate on the forceful evictions of local populations as a result of CPLs. Some will be addressed in the next section, but as a brief insight into the extent of this particular issue and the potential human rights violations that evictions can cause, data from the Land Matrix on just 40 cases is presented in Figure 14 below. The findings are in fact clearly indicative of the threats which confront children and their families affected by CPLs that lead to their displacement. Empirical studies are however needed to verify which regions are particularly vulnerable and under which specific local conditions forced displacement occurs, particularly from the perspective of the effects of such displacements on children.

Figure 14. Number of projects with reported evictions affecting local populations



Source: Anseeuw et al. (2012b)

The right to food and water is also likely to be severely affected when the right to housing is violated, especially in the context of forced evictions as families lose access to their home-base, as well as their source of livelihood. In turn this places especially vulnerable groups such as children at particular risk by threatening their ability to lead a healthy life and causing disruption to their schooling and family structures.

Moreover, large-scale land investments can have a direct impact with respect to the right to water outlined in General Comment 15 of the ICESCR's Art 11 and 12. States, as duty-bearers, are called to respect, protect and fulfill this right, by refraining from unfairly interfering with citizens' access to water, including for the purpose of agricultural or livestock production (Huggins, 2011b). They should also protect against undue interference with access to water resulting from the activities of

external parties, including corporations, and should take all necessary measures to realize this human right by investing the resources available.

However, although access to water plays a central role in CPLs, it remains fairly under-researched in the current literature (Bues, 2011; Taylor and Bending, 2009). A few of the available case studies nonetheless shed light on the prominent role played by investors' need for water as part of their CPL ventures, often putting local populations at risk of losing their secure access to sources of water for drinking, as well as other purposes, connected with sustaining their livelihoods. Children remain particularly vulnerable to infringements of rights related to adequate water supply, as they impinge on their survival, growth and development.

Box 6. Pre-eviction, mid-eviction and post-eviction guidelines relevant for assessing forced evictions due to CPLs

According to the Basic Principles and Guidelines on Development-Based Evictions and Displacement, some of the core elements in the three main phases in the eviction process are:

Pre-Eviction: appropriate notice to all affected populations, (although no specific mention of children as particularly vulnerable social groups, which can be seen as a drawback of the guidelines); reasonable time frame for consultation and for views to be heard, including holding a public hearing if needed; states likewise should always explore all alternatives as eviction should only be a last resort.

Mid-Eviction: Methods and behaviour that violate the dignity and human rights of life and the security of those affected should be prohibited by governmental authorities, including the use of force, and enforcing evictions during inappropriate weather conditions, any cultural festivities or prior to school examinations.

Post-Eviction: States and other parties involved in the forced eviction should be able to provide adequate compensation, which will depend on the specific circumstances; similarly, provisions should also be made for restitution and return, as well as resettlement and rehabilitation of the affected communities.

The Rights to Education and Health

The right to education is enshrined in international human rights law, within the context of CRC's Art 28 and the ICESCR's Art 21, as being achievable progressively on the basis of equal opportunity. The CRC calls for all governments to specifically provide universal and compulsory primary education, while encouraging other forms of secondary education. Similarly, the right to health is another pillar for the survival and development of children, and is enshrined in CRC Art 24.

The rights to education and health hold special importance for children in so far as they shape not only their survival, but also the potential for developing their human capital and future ability to make a decent living in an increasingly competitive labour market. It is therefore crucial that the rights to education and health are not jeopardized by the displacing and dispossessing effects of CPLs.

Special consideration should be given to the lack of access to education and health services (as well as the possibility of increased exposure to food, housing and water insecurity, mentioned earlier) resulting from diminished income opportunities and the loss of land assets and forced evictions.

Children affected by such circumstances are more likely to enter the child labour market, be forced into migration and – in the specific case of adolescent girls – early marriage, to support themselves and their families.

The Right to Participation

The CRC stipulates the right to participation for every child in Art 12, whereby states are required to “assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child” (UNICEF, 2007).

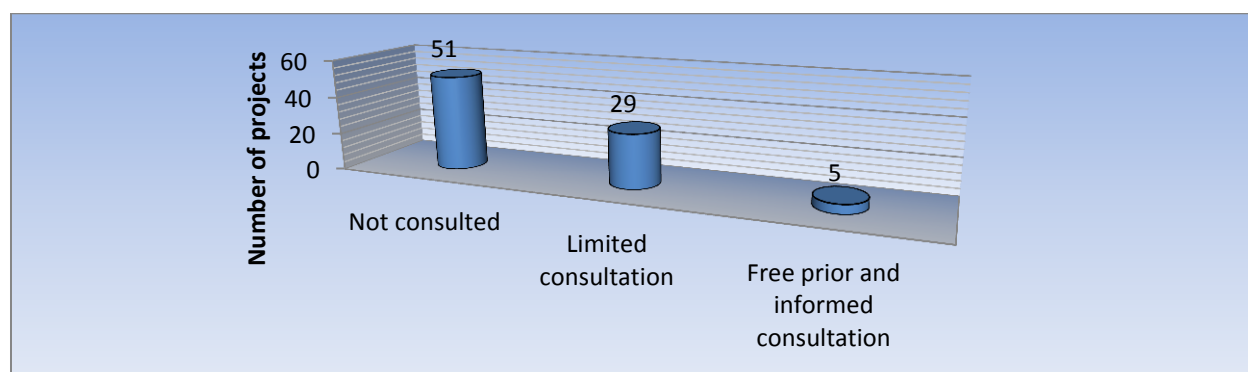
Furthermore, with regards to potential violations of the right to participation, the principle of free, prior and informed consent (FPIC) is particularly relevant (Brown, 2011; Deng et al., 2011) since – in most of the case studies found throughout the literature – open and transparent consultations and informed consent procedures enabling the voices of the affected populations to be heard, including those of children and youth, are practically non-existent or very superficially obtained.

Involvement of local community members including women, children and youth in the process would have at least two other advantages. First and foremost it would provide a platform to exercise their fundamental right to participate in decisions that affect their lives. Secondly, it would allow them to understand their position in relation to these investments, weigh the benefits and risks to their lives and project their unique perspectives ensuring that they secure maximum benefits out of the investment initiatives, while minimizing the social and economic costs.

As displayed in Figure 15 below, the Land Matrix provides information on community consultation in only 86 cases, with more than half of these (51 cases) lacking any such consultation. Limited consultation took place for a total of 29 deals, and only 5 respected the principle of FPIC.

This state of affairs corroborates Galaty’s (2011) point on the apparent dichotomy between the ‘win-win’ narrative, which he labels as the ‘development banner’ of CPLs on the one hand, and the covert nature of the process by which the investments are negotiated and enforced on the other. He argues that if indeed the case for the ‘win-win’ narrative is legitimate, a proper democratic process whereby the voices of the affected populations are included would be easily facilitated, rendering the process transparent.

Figure 15. Cases of community involvement in the negotiation and implementation of CPLs



Source: Anseeuw et al. (2012b)

No data is available regarding consultations with children, although their right to express their views on CPLs is particularly important in view of the immediate impacts related to dispossessions and displacements, as well as the long-term consequences on their cognitive, physical and emotional well-being, which stem from concrete vulnerabilities caused by the long time periods covered by most land investment contracts.

Box 7. A 'citizenship' approach to assessing CPLs

Wisborg (2011) presents the case for analysing CPLs (referred to as Transnational Land Deals) taking place in Africa through a '**citizenship approach**'. He argues that in the context of proliferating TLDs, rural women, men (and children) are seen by their governments and investors (domestic as well as foreign) as subjects rather than citizens. In his analysis he provides a link between colonial, post-colonial and current challenges that 'commoners' face in terms of their land security, and their broader 'subjectification to capital'. In so far as citizenship can be defined as a set of rights to land tenure security, gender equality, informed participation, democratic mobilization, and economic agency, TLDs are – according to Wisborg – undermining the effective realization of the affected populations' citizenry. Similarly, Rahmato (2011) labels this process as '**civic marginalization**', namely the lack of the ability to proactively apply individual agency in matters that directly affect one's life outcomes.

Women's Rights

One of the most visible forms of differentiation in rural societies with respect to the right to access, own and use land and other natural resources, is **gender**. Thus, the impact of CPLs on rural women is an important factor that the literature is increasingly documenting.

Indeed more gender-focused analyses are needed because women are likely to be affected by CPLs in different ways to men, due to four types of vulnerabilities:

- Structural constraints and systemic discrimination against women in relation to their legal rights to access to, and ownership of land;
- Systemic discrimination of a socio-cultural and political nature that women face as decision-makers, as well as their freedom of expression and choice in decisions that affect their livelihoods;
- Income poverty vis-à-vis men and
- Physical vulnerability vis-à-vis men, manifested in their higher exposure to different forms of violence, including sexual violence (Daley, 2011).

Furthermore, underlying the need for gender perspectives on the impact of CPLs is the fact that while rural women in sub-Saharan Africa make up 60% to 80% of the labour force in the production of food for household consumption and sale, in Asia 90% of labour in rice cultivation is managed by women, whereas in Latin America data indicate that 68% to 90% of rural women participate in agricultural and livestock production (Daley, 2011).

In addition, focusing on rural women is important not only because women's rights should be upheld per se, but also because gender sensitive analyses can also be important indicators for highlighting some of the most prevalent vulnerabilities of rural children in relation to gender specific concerns (See Box 9).

Box 8. Impacts of CPLs on women's rights and the consequences on child rights and well-being

Gendered impacts of CPLs have specific implications for children (Marcus et al., 2011), which can be transmitted in terms of:

- The time spent on/away from care of young children as well as the implications for children's own workload;
- Increased poverty among women due to dispossession and loss of income both have an impact on children due to the fact that women often allocate a greater proportion of resources for child related investments;
- Lack of maternal health services due to displacements and lack of income can also disproportionately affect the health and survival capacity of young children under 5 years of age; and
- Gender-based violence within households can produce a psycho-social impact on children, in turn potentially perpetuating cycles of violence.

In particular, in the face of increasing CPLs, women's informal customary rights (where they are already sanctioned) are likely to be further side-lined with respect to their access to both farm and communal lands (Chu, 2011; White and White, 2011). Both women and adolescent girls may face increased workloads as a result of restricted access to nearby water, fuel wood resources, and diminished opportunities of generating non-farm income.

Moreover, increased domestic violence linked to higher stress levels within households and between communities, resulting from increased poverty, lack of income sources, limited access to scarce natural resources, and evictions are likely to disproportionately affect women and girls (Anseeuw et. al, 2012a; Langford and Halim, 2008).

Women's prevalently subordinate role in rural societies may thus work against realization of the right to access resources, including land, as well as the right to participate in negotiation processes for land transfers directly affecting them (Daley and Park, 2011). Yet states are required by human rights conventions such as CEDAW to ensure women's equality of access, control, and use of land and other natural resources, as part of their economic and social empowerment. By doing so, states would also contribute to the minimal negative child impacts arising out of gender-adverse dimensions of CPLs as described in Box 9. At the same time, the trickle-down effect of benefits would reinforce women's rights and contribute to their empowerment regarding land and economic rights

The Rights of Indigenous Peoples

Indigenous peoples amount to 5% of world population (with 70% living in Asia), yet they represent 15% of the world's poor, and face deeply-rooted discrimination, social exclusion and associated violations of their basic rights (IFAD, 2011).

Special attention must therefore be afforded to the rights of indigenous peoples in the context of CPLs, due to intense dependence on their surrounding natural resource base for their sustained economic livelihoods, as well as their social and cultural identities. The UN Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention 169 concerning the rights of indigenous and tribal peoples, provide the frameworks for their full protection through effective mechanisms for presenting and redressing any action that entails dispossession of their lands, territories and resources upon which not only their livelihoods, but also their entire cultures depend (FIAN, 2010; HRW, 2012).

Art 30 of the CRC likewise makes specific reference to children in indigenous communities, emphasizing the need for states to protect their rights in relation to their cultural, linguistic and religious practices (UNICEF Innocenti Digest, 2003). In addition, the principle of non-discrimination enshrined in CRC Art 2 is particularly important in terms of addressing the adverse impacts of CPLs on indigenous communities and their children (as well as those in non-indigenous minority groups).

In cases of forced evictions and/or dispossession, the elements of FPIC and compensation are also especially relevant, as in most cases indigenous groups and their children represent those most disadvantaged and ostracised from the social, economic and political life of their respective countries, greatly facilitating further alienation.

The Principle of Intergenerational Justice

An analysis of the impact of CPLs on the rights and well-being of children and youth can, as in the case of climate change, be seen from the perspective of the principle of 'intergenerational justice' (Goodman et al, 2008) or 'generational non-discrimination', which is a normative principle that advocates against jeopardizing the livelihoods of future generations through current socio-economic activities (FIAN, 2010).

At the heart of this principle and the CPL discourse is the fact that dispossession and landlessness do not only have short-term impacts on the human security of the affected rural poor, but also impinge on the long-term viability of their livelihoods, as well as those of their future generations. Intergenerational justice is thus implicit in the debate about CPLs and their social consequences, since they result in dispossession of land which otherwise would probably have been passed on to future generations. It thus brings to light the need to ensure that CPLs do not adversely affect the relationships and material outcomes between children, youth, adults and future generations.

White (2010) highlights that CPLs are ultimately shaping the future of rural societies and the associated fate of rural populations, including farming families, pastoralists, hunter-gatherers, and fishers. He points out that recent and future generations of farmers will be increasingly confronted with fewer options as far as secure land access is concerned, a process which is being exacerbated by CPLs. This in turn calls for a rigorous analysis of the implications for intergenerational transfer/dispossession of land rights in the context of increasing CPLs (IFAD, 2011; Quan, 2007; White, 2010).

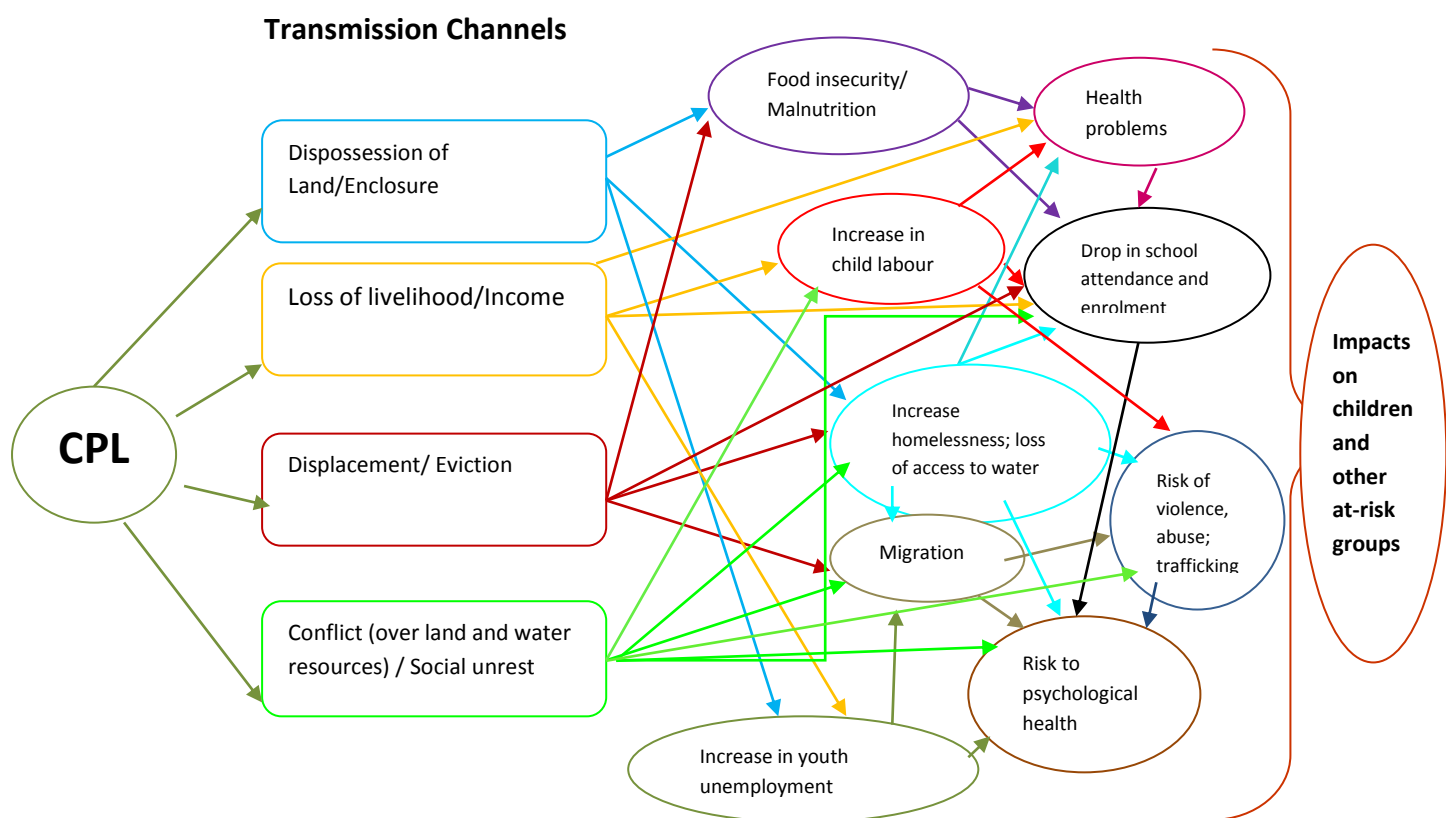
8. CHILD IMPACT TRANSMISSION CHANNELS OF CPLS

As argued by Harper and Jones (2011), developing a firm understanding of the links between shocks that originate at a macro-level and outcomes that affect children directly and indirectly at the micro and meso levels is a complex task which requires disentangling diverse channels of impact that are often non-linear, operate at multiple levels and interact with each other.

Figure 16 below, is an attempt to depict the channels of transmission which are thought to be relevant for determining the impacts of CPLs on children's rights and well-being. These channels of transmission, which result from social and economic changes related to access to land for secure livelihoods, are closely linked to the relevant child (as well as women and indigenous groups') rights described in the previous section.

This depiction highlights the linkages within and between transmission channels and types of impacts respectively and clearly reflects the complexity mentioned by Harper and Jones (2011). The chart may also be indicative of the fact that the underlying human rights associated with the transmission channels and dimensions of well-being, and the final impacts on well-being outcomes, are indivisible and interdependent. It should also be pointed out that the chart highlights the negative impacts of CPLs, reflecting the literature's emphasis on these. However, as previously mentioned, the reported (usually aggregate level) benefits for the local communities due to CPLs can equally be used to see the positive channels of impact on children.

Figure 16. Transmission channels and impacts of CPLs on child rights and well-being



Source: Figure partially adapted from Goodman et al. (2008)

The transmission channels and associated mechanisms of impact on children (and other at-risk groups) are not exhaustive, and would need to be locally contextualized depending on the specific nature of the investment, the role of the various actors and driving processes under investigation, and other relevant factors. However, this form of depiction helps to highlight important commonalities between different processes of CPLs across different parameters and geographic locations.

As previously mentioned there is a visible lack of systematic analyses of how CPLs are impacting children and youth in rural communities. Some of the documents reviewed mention the potential, and in some cases already documented, impacts on children's rights and well-being. Using documents such as HRW, 2012; Wolford, 2011; Zagema, 2011 to name a few, supported by others which do not necessarily make direct reference to children, the following section will elaborate on actual and potential impacts on the basis of the transmission channels depicted in the chart above and according to four broad categories:

- (a) Impact on child survival;
- (b) Impact on child development;
- (c) Impact on child protection; and
- (d) Impacts on specific at-risk groups: indigenous peoples, youth and women.

Impact on Child Survival (Nutrition, Health, Water and Housing)

The impact of CPLs on child survival can be transmitted through dispossession of land/enclosures, loss of livelihoods/income, displacements/evictions, and exposure to conflict/social tension. As reiterated in the previous section the adverse impacts on nutrition, health, water and housing access are all inter-related and can have long-lasting consequences on children.

For example, malnutrition has been cited as a critical concern in Sierra Leone, which imports rice and is not self-sufficient in food production (Bread for All, 2011). Similarly, Ethiopia is also still not yet food self-sufficient as 4.5 million of its people are in constant need of food aid (Economist 2009; Hedmann, 2011). Yet the HRW (2012) report has shed light on forced displacements in Ethiopia's Gambella region, an area that has grown to be a key location for large scale land investment deals for both domestic and foreign investors.

These forced displacements began in 2010 and have been justified through the use of the 'villagization banner', i.e. bringing far-spread villages together to build infrastructure and services around them and modernize their ways of life. So far 70,000 people, mainly indigenous groups, have been impacted with plans of resettling up to 1.5 million people in 4 regions across Ethiopia. The evictions, among other negative impacts, have deteriorated food security to the extent that aid has been provided by the WFP to the new village settlers (HRW, 2012).

The rise in the number of oil palm plantations in countries such as Cambodia, has also led to the conversion of land ordinarily used for rice production, thus producing an indirect effect on food security among the local population (Anseeuw et al., 2012a). Likewise, Zagema (2011) has reported that in Uganda there has been less food available in terms of both quantity and quality (less variety of food and over-reliance on maize) for evictees due to land investments by the New Forests

Company (NFC). In turn this is expected to have an adverse health impact, especially for children, due to the compounded exposure to malnutrition and disease.

Evictions are also responsible for lack of access to housing for children and their families. Apart from the examples cited above, forced evictions have taken place in the Kenya Delta where a project between TARDA and the Muma Sugar Company would lead to the eviction of 30 villages consisting of up to 25,000 people, raising questions of alternative shelter for the evictees (Nunow, 2011).

Similarly in Zambia the Macha Mission and Macha Works project has led to an eviction of 222 families from their home-base (Milimo et al, 2011). Although a restaurant was opened as a result of the land investment, it was unaffordable for the average villager as well as the evictees, who had lost their land and livelihoods and were prey to food insecurity (Milimo et al, 2011).

The work of Oxfam in Uganda has highlighted another case of forced eviction as a result of large scale land investment by the New Forests Company, which led to an estimated 22,591 evictees without providing resettlement or compensation. Other evictions have been documented by Zagema (2011) in Indonesia, Guatemala, Honduras and South Sudan (see also Figure 14 for aggregate level reported evictions according to the Land Matrix).

In Cambodia 27 forced evictions in 2009 affected 23,000 people whereas in the preceding year, 50,000 people had been living under threat of eviction. Yet, while 15.2% of the population remains landless, the government awarded 124,000 hectares of land to 19 companies in 2009 alone. The case study by Schneider (2011) indicates the active resistance by rural poor to large scale land deals in the country, but it also highlights the struggle to achieve appropriate resettlement and compensation to avoid the risks of landlessness and limited access to shelter.

The Polaris Institute together with the Oakland Institute has recently published a report (OI 2011c) focusing on the **'thirst effect'** of CPLs in the context of land leases for cultivation of agro-fuels such as sugarcane, corn, and jatropha. One example is the impact that a large agro-fuels project in Tanzania – led by the Swedish company EcoEnergy – is having on the Wami River which numerous Tanzanians used for their food and water needs. Another investment in Tanzania by British firm Sun Biofuels has likewise resulted in restricted access to water resources by local communities.

Similarly, the Niger River, which is an important water source for millions of people whose livelihoods depend on farming, cattle and fishing, will be affected through irrigation projects related to several on-going land concessions recently undertaken by the Malian government, with potential depletion of access to water for the local populations. Similar situations are reported for the Nile and Omo rivers in Ethiopia (OI, 2011c). In the case of Mozambique, Bravo (2011) and Borrás et al (2011c) have documented adverse impacts on water use as plantations leave rural families without a supply.

Another example of infringements of access to water is provided by the report on Sierra Leone prepared by Bread for All (2011) and Da Vià (2011) which focuses on the Addax Bio-energy project. The project has destroyed the traditional water collection points and also polluted the ground water due to the use of chemicals such as nitrates and phosphates. Furthermore, excess usage of the nearby river has diminished access for downstream users during the dry season.

All of the cases of displacement, loss of livelihoods and restricted access to water resources mentioned above have a direct impact on child survival. Although none of the cases are specifically

centred on children per se, it is clear that rural children, though invisible in the literature, are being disproportionately affected compared to adults (both qualitatively and quantitatively), by the unfolding processes of CPLs.

Impact on Child Development (Education and Child Labour)

The impact of CPLs on child development relates particularly to access to education and exposure to child labour, which in turn bear on their health status and capacity for long-term survival and productivity (Dorman, 2008). Dispossession and displacement lead to school drop-out and potentially aggravate child labour trends thus reducing the time and energy available to children for effective learning and cognitive, physical and emotional development. Child labour can also interact with trends in trafficking as at-risk children are more exposed to forced labour.

The HRW (2012) report on Ethiopia's resettlement programme revealed that promised schools have not been built leaving many children without access to education. Those children who continue to attend their previous school often have to walk long distances, which increases their exposure to trafficking, abduction, abuse and general safety concerns, particularly as the region has seen an increase in military presence. Some have even been forced into labour cutting grass where the new homes are to be built on the resettlement camps.

In Kenya concerns have been reported regarding drop-out rates for local children resulting from CPL-induced evictions (Nunow, 2011). In Zambia, there is a similar concern in Gambella, Ethiopia, where children are obliged to walk longer distances to arrive at school and health facilities as a result of resettlements caused by CPLs (Horne, 2011a).

Another example is provided by Uganda where the eviction of communities by New Forests Company has caused children to interrupt their school attendance (Graineger and Geary, 2011). In Zambia, although the Macha Works project in the Choma district resulted in the building of a private school, it was not accessible to the children of the village due to high school fees (Milimo et al, 2011).

Child labour has also been indicated as a real concern due to CPLs in Kenya's Tana Delta region and in Zambia, where children accompanying their mothers to the mining fields may work for little or no pay (Nunow, 2011). In the Gambella region of Ethiopia, another study by Rowden (2011) on the activities of the Indian firm Karaturi has revealed the presence of part-time child labourers along with women. The cash income supplemented the income of the children's family, but they still were deprived of the basic regular food intake (Hedmann, 2011).

These are some examples which are indicative of the direct link between CPLs and their impact on child development. More detailed empirical studies are needed however to further supplement these anecdotal findings and recommend appropriate contextualized policy responses.

Impact on Child Protection (from Violence, Sexual Exploitation, and Trafficking)

Child protection issues are also an important dimension to take into account when considering the impact on child rights and well-being arising out of increasing CPLs. The relevant child protection concerns include violence due to conflicts; trafficking in connection with child labour including forced labour; migration; breakdown of households; loss of income and subsequent exposure to

intra-household tensions. Of particular importance is the risk of being used as child soldiers in the context of conflicts over natural resources and CPLs in general.

All the potentially negative aspects associated with CPLs and child protection issues in turn give rise to a set of negative consequences on the physical, psychological and emotional well-being and development of those children who are particularly at risk.

Trends in the criminalization of social protest, militarization of rural areas and the subsequent encroachment on the civil liberties of the affected population are being linked with the rise of CPLs (Rosset, 2011). Several reports for example, have referred to instances of social unrest in countries such as Kenya, Nigeria, Cambodia, Madagascar, Senegal, Mozambique, Mali, Philippines, Tanzania, Russia, Indonesia (Anseeuw et al, 2012a; Ariyo and Moritmore, 2011; Behrman et al., 2011; Brown, 2011; Cotula et al.2009; Huggins, 2011a; Perrine et al, 2011; Ravanera and Gorra, 2011; Rosset, 2011; Schneider, 2011).

Pressure to dispose of natural assets and an associated criminalization of local protest in response to these pressures has been documented in Guatemala. Concentration of land is in fact leading to social consequences on the 'campesino' population, who are experiencing deterioration in their existing living conditions due to loss of livelihoods and asset depletion, which are not compensated by new labour opportunities. Instead, in the face of increasing CPLs they are confronted with a shrinking demand for their labour which in turn aggravates the nature of social relations among communities and families as conflict among them is on the rise (Zander and Durr, 2011).

Moreover, HRW (2012) reports human rights abuses including suppression of dissent with regard to forced displacements in Ethiopia, via intimidation, arrests, beating and sexual violence against girls.

In the case of fragile and post-conflict regions such as South Sudan (Deng, 2011a, b) and sub-regions like Northern Uganda (Mabikke, 2011) where growing numbers of CPLs are being documented, existing conflict dynamics are likely to become intertwined with land claims. This implies that in such politicized contexts land investments feed into the on-going conflicts, worsening the already precarious conditions of child protection.

Tribal alienation has been triggered in India by SEZs and mining activities leading to conflict, evictions and displacements (Ravanera and Gorra, 2011). In the case of Vietnam, full-fledged conflicts are on the rise in Bach Ma, where national parks are being expanded for biodiversity conservation and carbon sequestration, leading to the disruption of local farmers' shifting cultivation.

In the case of Peru social unrest, making up 75.5% of the country's conflicts, has been on the rise over the last decade as a result of the asymmetrical relationship between extractive companies and communities, lack of prior consultation with communities, and the state openly favouring the presence of the companies (Bravo, 2011). A similar trend is discernable in Guatemala, where mineral extraction for nickel, gold, silver and copper has increased along with the number of conflicts resulting from of land ownership disputes, especially affecting indigenous communities.

In these violent contexts, not only should child protection issues be a foremost consideration, but also the child survival and development impacts of the politicized environment in which CPLs take

place. This once again highlights the inter-relatedness of the transmission channels and associated impacts as depicted in Figure 16 above.

Impact on Indigenous Peoples, Women and Youth

According to Bravo (2011) the land problem essentially concerns indigenous peoples and consequently children in indigenous communities are at greater risk of being negatively impacted by CPLs. Many case studies in the literature in fact emphasize the importance of paying particular attention to the impacts on indigenous groups.

In the case of Cambodia for instance, economic land concessions have been part of government sponsored policies which have forced indigenous communities to live in circumstances of constrained livelihood options, higher food insecurity and, in general, heightened dependence on external forces for their stability (Anseeuw et al., 2012a). Maughan (2011) analyses the plight of indigenous communities in Colombia, who have been subjected to CPLs specifically aimed at the cultivation of palm oil. The study looks at the food sovereignty and environmental impacts of the expansion of oil palm plantations onto land that was normally inhabited and used by indigenous groups according to customary land rights (also in Marin et al., 2011).

In Malaysia and Indonesia impacts on indigenous communities have been documented by Colchester (2011). In the context of particularly weak governance structures the rights of indigenous peoples are being abused despite the enforcement incentives of international and customary laws to protect them; this in turn leads to the social marginalization of women as their land is taken away from them without their consent. In particular, palm oil plantations in Kalimantan Indonesia affect 5 million indigenous peoples. Conflicts between new settlers and the traditional occupants (transmigration) of the land have been reported.

Similarly, a study on Guatemala conducted by Alonso-Fradejas (2011) has shown how the expansion of oil palm plantations has increased the human and social vulnerabilities of indigenous peasant populations, such as the Q'eqchi' peoples. Most of the observed community members have been made landless after selling their land and have lost access to forest and wood products, which they used for a wide range of needs including as energy sources, building materials, as well as non-wood items for medicinal, hunting and food gathering purposes.

In this case too, problems in accessing water and increased health concerns due to overcrowding and enclosed spaces have developed. For the people who have been hired to work on the plantations living conditions have either not improved or have worsened at both household and village levels.

In addition, the presence of bio-fuel production companies in the Peruvian forest have affected Amazonian indigenous populations whose vulnerability stems from lack of ownership titles for uncultivated land although they are part of their customary territories. Moreover, the specific case of pastoral communities facing erosion of their livelihoods and cultural existence is presented by Galaty (2011) and Nunow (2011) whose research focuses on Kenya where, as a result of mounting CPLs, indigenous pastoralist groups are increasingly squeezed into smaller territories while their way of life and cultural heritage are being undermined.

Similarly, in Laos, construction of a power plant has affected indigenous peoples in the Nakai plateau region which has led to the displacement of 6,200 people, causing constraints in accessing water and agricultural resources for farming as well as fishing, with a cumulative impact on the livelihoods of an estimated 100,000 people.

Apart from the impacts on indigenous communities, rural women are increasingly being documented as key at-risk groups with the rise of CPLs; they are, moreover, likely to be disproportionately affected due to customary norms as well as state-led judicial discriminatory practices that affect their access to and use of land (Mutopo, 2011). Converting woodland into monoculture plantations, for example, directly impacts access to resources such as water, fuel-wood and other products that generate additional income generally used by women (Toulmin et al., 2011). Such economic impacts on women have immediate consequences on the food security and livelihoods of their children.

An example is Ghana where, through its subsidiary in Africa, a Norwegian agro-fuel company, Biofuel Norway, has ignored traditional systems of communal land use, aided by local government officials. This led to 38,000 hectares of land being signed away and the subsequent clearance of forests. An immediate loss of 2,300 hectares ensued, while the continuing projected clearance was stopped. Nonetheless, income was reduced especially for women who survived on sheanut trees for supporting their families.

According to the research conducted by Andrade et al (2009), the increasing expansion of bio-fuels has led to the displacement of women as essential crop producers for household and commercial purposes in local markets. Similarly, one case study presented by Guillozet and Bliss (2011) on the socio-economic impact of CPLs geared toward natural forests in Ethiopia highlights some critical negative consequences related to the loss of current and future livelihood opportunities based on the use of forest products, such as sale of firewood which accounts for 42% of average household cash increases. Female-headed households and women in particular rely on fuel wood collection as a source of primary family income.

In addition, increased migration due to displacements and dispossession is likely to change the structure of rural households (Development, 2011), with a potential increase in the number of female-headed households, as the men would travel to urban areas or neighbouring countries to look for a job. This shift has a negative impact on children's ability to complete schooling, as they are more likely to be needed to attend to home duties as well as working in the fields (Bertini, 2011). Furthermore, women's rights to participation and compensation are likely to be violated as a result of CPLs and existing discriminatory practices, as evidenced in the case of Mali and Sierra Leone (Baxter, 2011a, b).

These documented gendered impacts hinge directly on children's well-being as argued in the previous section on women's rights in terms of the time spent on/away from care of young children as well as the implications for children's own workload; increased poverty among women due to dispossession and loss of income including changes in the proportion of resources for child related investments; lack of maternal health services due to displacement and lack of income which can also disproportionately affect the health and survival capabilities of young children under 5 years of age. Moreover, gender-based violence within households can have a psycho-social impact on children which may perpetuate cycles of violence in the long run.

Finally, the rural youth population is also likely to be directly impacted by CPLs, particularly in term of intergenerational justice, loss of land and income generation possibilities, and migration concerns. Further research on the particular ways in which youth are being impacted by the rise in CPLs needs to be undertaken in order to disentangle the multiple channels of impact and the nature of their effect on young people's development and ability to lead decent productive lives.

9. THE EQUITY DIMENSION OF CPLS

It is evident from the discussions in the previous sections on the rights and transmission channels that impact children and other at-risk groups, that UNICEF's concern with CPLs from a child rights and well-being perspective will also incorporate an equity dimension.

As reiterated by UNICEF's renewed agenda on equity, those "social, political, and economic forces that systematically deny the rights of specific groups – such as girls, children of minority groups, or children with disabilities – are cause for grave concern from an equity perspective" (UNICEF, 2011b).

This literature review identifies CPLs as an example of social, political and economic forces that are leading to the denial of the rights of children and youth in rural areas, including those of indigenous groups and women.

To clarify, one of the causes of inequity identified by Jones (2009) is the **power imbalance** in relation to access to and interactions with key institutions (both material and ideological). The literature on CPLs is indicative of the existence of political, economic as well as socio-cultural drivers at the heart of such power imbalances, between the populations affected by CPLs (including children and youth) on the one hand, and the key actors involved in promoting them, such as public and private interests, on the other.

In this context, one of the political forces,³⁵ which can lead to inequities or exacerbate existing inequities in the context of CPLs, is the legal recognition of customary rights to land (including commons) ownership. Such rights are not always fully secure, even in cases of countries like Mozambique where – in principle – secure land rights are enshrined legally, but enforcement entails political negotiation, which is characterised by unequal access to economic resources (Kaarhus, 2011).

In this regard, the literature indicates that the processes by which CPLs are negotiated and implemented favour the political and economic power of governments and investors' vis-à-vis the local communities who lose out due to structural inequities embedded in the political power imbalance. In such cases, local governance based on rule of law, accountability and institutional processes that foster participation among all affected communities, including children and other at-risk groups, can correct power imbalances and structural inequities (IFAD, 2011).

However, as decision-making in the allotment of land for leasing and acquisition is frequently done in secret, without the prior consent of communities affected, and without public disclosure of all contracts, the latter's ability to hold governments or commercial investors accountable is often limited, thus exacerbating inequitable distribution of power, and sustaining the existing lack of transparency. This is in turn defined by the communities' inability to exercise their right to access information, their right to participate in the decision-making processes that directly affect them, and the right to challenge such decisions (ILC, 2012).

Another example is provided by Bues (2011) who asserts that water plays a central role in CPLs and sees water rights as an important factor to take into consideration when any impact of CPLs is

³⁵ In this case, political forces are inclusive of "formal and informal political structures and institutions, including parliaments, public sector institutions, electoral processes, legal systems, legislation and policies" (Jones, 2009).

assessed. His research documents how floricultural and horticultural farms are favoured by the institutional management of blue (liquid) and green (contained in soil) water rights in Ethiopia. The magnitude of the negative impact on the local communities is heightened by the fact that the level of dependence on water resources is much greater for local farming families whose access to blue water is the basis of their livelihoods (drinking water, livestock, irrigation, subsistence agricultural production, consumption and sale in local markets). Unlike the investors who can utilize machinery to access underground water in addition to the easier and less economically risky availability of blue water, the community relies entirely on access to the latter, and is driven into an unequal competition for their primary resource. The bias of government support – favouring the investors as opposed to the local communities – is also a key factor in this case and arises from positional and network power.

Similarly the drivers of socio-cultural inequity are evident in the literature, particularly those relating to the violations of the rights of women and indigenous groups. Lacking information and political influence, the ability of most of the affected rural population to exercise their agency and give weight to their own perspective in the debate is severely diminished. In the face of mounting CPLs, this form of socio-cultural inequity already facilitates the erosion of their rights (and that of their current and future generations) to rightfully access land, own and make use of other natural resources for sustaining their livelihoods (Nunow, 2011).

Equally important are the two cross-cutting processes of structural inequities: **‘social exclusion’** and **‘adverse incorporation’** both of which, according to Jones (2009), are crucial factors to be taken into consideration when addressing questions related to causes of inequity.

In the case of **‘social exclusion’**, the literature review indicates that CPLs are part of the broader development agenda promoting notions of ‘modernity’ through industrialization (in agriculture and other sectors), although this tends to bring about the progressive social marginalization of indigenous communities, small-holder farming families, pastoralists, and all of those who depend on land and other natural resources for their social, economic and cultural lives (Rahmato, 2011).

Furthermore, this survey has revealed how the existence of a structural power imbalance between the main actors behind CPLs on the one hand, and local communities on the other, whose scope of agency is limited by this imbalance, leads to the **‘adverse incorporation’** of the affected communities into constraining economic, social and political relations. Loss of localised livelihood strategies, as well as corrupt practices by state and non-state actors (Jones, 2009) who carry out CPLs are paramount examples of such constraining socio-political relations.

A further consequence of persistent inequity resulting from CPLs is the **‘intergenerational transmission of disadvantage’**. The discussion on the intergenerational principle in **Section 7** has in fact pointed at how inequities of access to land and other natural resources are allowed to be sustained over time through processes of dispossession such as those imposed on local communities by CPLs.

In so far as children’s lives are affected by displacement, disruption of income generating activities, depletion of their assets – all of which plunge them and their families into chronic poverty (Jones, 2009) – dispossession of assets, dislocation of livelihoods and displacements induced by CPLs are critical channels of transmission for intergenerational disadvantage, leading to entrenched cycles of

chronic poverty and deprivation. This also extends to the rural youth affected. In sum, the prevailing 'win-win' construct that enables the rapid and continuing proliferation of CPLs seems to be in line with the orthodox growth narrative of development, which in turn presupposes inequality (Makki and Greisler, 2011; Vandermoortele, 2012). However, the critical analysis conveyed by the literature review on CPLs asserts the importance of adopting an equity-mediated view of their impacts on the fulfilment of rights and well-being of rural children as well as other vulnerable groups while also recognizing the **mutually reinforcing** tendency of the various elements of inequity. However, CPLs that do not exacerbate existing inequities, nor create new ones, as well as those that help communities to escape from situations of inequity, should also be highlighted as best practices.

10. GOVERNING CPLS

Land policies have significant impacts on child rights, while business practices are among core governance elements that have direct implications on the realization of child rights (UNICEF IRC, 2011). On the basis of this premise, and building upon the reference made to a human rights approach for analysing the impacts of CPLs on children, emphasis is put on the vital role of states in protecting their rights. Accountability of the state, as well as of the bodies investing, is one of the basic features of social contracts (IFAD, 2011).

However, as highlighted by the literature review, the fact that states can assert their hegemonic authority over land in the interest of propagating CPLs to satisfy FDI-led economic development is in contrast to their obligation to respect, protect and remedy the violations of the rights of affected populations caused by CPLs (Rahmato, 2011; Zwart, 2011).

Lack of accountability coupled with high levels of corruption, characterized by misuse of public power and resources, are central features of current CPLs. Weak land governance within the most targeted host states has in fact been dubbed the major local enabler for CPLs, particularly in sub-Saharan Africa (Win, 2011). This state of affairs – also labelled the **‘race to the regulatory bottom’** – has been fuelled by a surge in demand for land, and a simultaneous lack of proper oversight from the supply side, including hasty approvals, little space, time and will for conducting consultations with the affected communities, and little scope for negotiating ‘good’ terms for adequate compensation (Economist, 2011; Palmer, 2011).

In light of the mounting concerns about the potential negative impacts that CPLs produce on the most at-risk groups, an attempt is being made to institutionalise a corporate social responsibility agenda for CPLs, at the global level, by calling for a Code of Conduct³⁶ that can support the ‘win-win’ development outcomes of these investments (FAO, 2009).

The idea of promoting some kind of regulatory mechanism is a good one in principle, especially as the interventions reflect some of the critical concerns already discussed; but practical results are questionable as a Code of Conduct would be based on voluntary adherence against the back-drop of local weak land governance systems, particularly not favourable to the recognition of customary land rights (von Braun and Meinzen-Dick, 2009). Moreover, the adoption of this type of mechanism does not oppose the idea of disempowering rural dwellers and their children as a result of landlessness, loss of food sovereignty, lack of income and all the material well-being that depends on access to productive land and other natural resources (Borras and Franco 2010a, 2010b; Wisborg, 2011).

The Principles of Responsible Agricultural Investment (PRI) represent the first Code of Conduct applicable to CPLs, and have been promoted primarily by FAO, UNCTAD, IFAD and the World Bank. It focuses on overarching principles including respect of rights, livelihoods and resources,

³⁶ Already, existing relevant voluntary codes of conduct in relation to business practices include global initiatives such the OECD Guidelines on Multinational Enterprises (1976), the ILO Tripartite Declaration of Principles (1977), the UN Global Compact, and sector/industry specific initiatives such as the Extractive Industry Transparency Initiative (EITI, 2002) for preventing and monitoring corruption practices in the oil, gas and mineral extraction industries, covering 31 countries; the Kimberly Process (2000) aimed at controlling the sale of conflict diamonds through a certification process (with a total of 75 participating countries); and the Athens Ethical Principles in relation to ending human trafficking (2006).

accountability, consultation and participation, as well as environmental, social and economic viability and sustainability.

However, these rules for land investment have been criticised in content, process, their ideological basis, and the implications of their widening acceptance as an official Code of Conduct applicable to the governance of CPLs. Specific criticisms include those provided by Huggins (2011b) who maintains that the governance process must promote the human rights aspect to counter-balance the prevalent tendency of states to favour instead investment interests. Moreover, because CPL products – most notably crops and bio-fuels – are usually shipped directly for consumption, consumers or governments cannot easily ensure that PRI are adhered to. The fact that CPLs are occurring rapidly and simultaneously across dispersed geographical regions further contributes to the logistical challenge of monitoring their process against agreed standards (Huggins, 2011b).

Box 9. Extra-territorial obligations (ETOs) in the context of CPLs

In the debate about the governance of CPLs, one specific aspect to consider is the role of Extra-territorial obligations (ETOs), for which states are accountable in relation to their action or inaction that can potentially undermine the protection of human rights of the people in other countries. The legal foundations for ETOs are elaborated in Articles 1, 55, 56 of the UN Charter, as well as Articles 2, 11, and 15 of the Convention of Economic, Social and Cultural Rights. In the context of increasing CPLs, the primary obligation to protect human rights lies with the state which is leasing out its land; however, the essence of ETOs is that they “place an obligation on the investor state to ensure that its investment does not undermine the realization of human rights in the host country. If the investor is a company, the home state of that company has an obligation to regulate the latter’s action” (3DThree, 2009).

On the other hand, De Schutter (2009) has proposed the ‘Six Principles of Minimum Human Rights’ applicable to large scale land acquisitions or leases, which include the following:

- a) Negotiations should be transparent and offer a platform for participation by local people
- b) Shifts in land use and evictions should take place only with free, prior, informed consent of local communities
- c) Protective legislation should be adopted by states ensuring that the rights of local communities are upheld
- d) The local population should benefit from revenues generated by an investment agreement
- e) Farming systems promoted by investment should be contributory to employment creation (i.e. labour intensive) and decent living wages
- f) Host states should ensure agricultural production respects the environment.

Although the principles proposed by De Schutter are considered by many as departing from the more pro-CPL agenda of the PRI, some scholars, such as Daley (2011) have criticised them on the basis of the visible lack of a gender perspective. This criticism can be further extended to include the child rights perspective.

Another key governance initiative is the FAO-CFS led ‘**Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests**’ which establishes general guidelines on governance of land and other resources, such as fisheries and forests, framed in the language of human rights and aimed at preventing a ‘race to the bottom’ in land governance including CPL

practices. These guidelines are however similar to the PRI in terms of their voluntary nature, although it is widely argued that reporting by states under these guidelines should be binding (De Schutter, 2011).

Moreover, while the PRIs have been criticized for their exclusive process of negotiation, the voluntary guidelines have been aimed at correcting such flaws and have been characterized by an extended and inclusive process of consultation with public and private sectors, academia, international institutions and civil society.

The language³⁷ adopted within the guidelines is also more ‘human rights’ oriented and is aimed at guiding the policy, legislation and programme development processes in relation to equitable land governance, with the ultimate objective of supporting poverty reduction and socio-economic development. In addition, the Voluntary Guidelines recognize both statutory and customary property tenure systems and therefore address existing as well as potentially proliferating imbalances of power caused by CPLs for especially vulnerable groups such as women and indigenous peoples (Win, 2011).

Box 10. The case for redefining investment law in the light of developing CPLs

Gehne (2011) argues that international investment governance structures should not only protect the interests of investors, but should accord equal importance to environmental and social protection. She calls for the artificial separation between investment law and international human rights and environmental laws to be removed, since it gives rise to an asymmetry of protection, in favour of the investment community.

Focusing her arguments only on agriculture-based CPLs, she argues that it is now essential to remove such a distinction, especially in light of current calls for responsible investment in land. Accordingly she states: “while there is a widespread consensus that investment in agriculture is vital for global food security and poverty reduction, these need to take into account land rights of people, food security, participatory processes, and social and distributional impacts, to ensure that not only the economic interests of investors, but also peoples’ interests in livelihoods are met” (Gehne, 2011).

However, like the other forms of CPL governance instruments, the Voluntary Guidelines also lack a specific child-focus. The exception to this is the recently launched **Child Rights and Business Principles (CRBP)**, a joint initiative of UNICEF, Save the Children and The Global Compact (UNICEF, 2012b), which has been launched with the specific aim of helping address the governance gap of business practices and their child impacts. It is a much needed instrument for addressing human rights violations by corporations on children although, like other similar initiatives, not legally enforceable.

This multi-stakeholder initiative is based on an inclusive and consultative process to draw up the principles also accommodating children's' own views and participation. The CRBP can therefore be considered as a building block and not an end in itself.

³⁷ Gender equality, emancipation, rule of law, universality, interdependence of human rights, accountability, transparency, non-discrimination, and human dignity.

Principle 7 in particular, affirming the obligation to "respect and support children's rights in relation to the environment and to land acquisition and use" (UNICEF, 2012b), is entirely relevant for CPLs and child impacts. However, the term 'acquisition' can be somewhat limiting, in that many of the land investments currently taking place do not necessarily involve acquisitions per se, as they also feature lease contracts. The lack of nuance in these principles can therefore create some confusion which may lead to the companies involved not acquiring land in order to absolve themselves in case of child rights violations.

Moreover, within the same principle, there could also be a more concrete reference as to how corporations should commit to support states as well as international institutions, such as UNICEF or other relevant civil society actors through financing and/or other modalities of cooperation. These could include social protection schemes along with initiatives in infrastructure development, specifically for the populations including children directly affected by large-scale land investments.

The on-going debates on the governance of CPLs and the associated weak governance of land tenure systems in targeted countries should factor in all of the most recent evidence-base on the impacts of these processes on rural communities. Strong governance measures, both at the local and global levels, are the most essential means to address the negative consequences currently highlighted in the literature, as well as to promote the potential benefits that accrue from such investments. Clearly adding children's rights and well-being as key dimensions of effective governance of CPLs is of paramount importance for ensuring particularly their participation rights, but also all other pertinent rights, are upheld.

11. CONCLUSION

The literature review has focused on CPLs in developing countries, particularly in rural sub-Saharan Africa, Asia and Latin America. It has aimed at providing a comprehensive picture of what the literature is exposing in relation to CPLs by elaborating on the context behind CPLs, the driving processes and actors, as well as the key narratives used to promote the practice of CPLs. In line with UNICEF's mandate to approaching development from a human rights perspective the review has also included an analysis of the basic child rights that are relevant in the discussion on the impact of CPLs on children.

In view of the fact that there is a current knowledge gap of how children are being impacted by CPLs, the review has also attempted to provide a basic map of impact transmission channels associated with the discussion on the human rights framework to CPLs. Data from the Land Matrix confirms that there are some significant reported benefits, particularly in terms of job creation, social infrastructure development and local capacity building resulting out of CPLs. This is however only an important basis upon which additional empirical studies can be conducted, which could link the community level benefits to households and children in particular. Further work would also be needed not only to ascertain these benefits, but also to identify the conditions (of structure and agency) under which they are achieved.

The large majority of the literature however, including data from the Land Matrix, has revealed that specific vulnerabilities associated with growing CPLs include the immediate (as well as the risk of future) displacement and dispossession of a large number of affected rural communities across different parts of sub-Saharan Africa, Asia, Latin America and Eurasia. These twin processes of displacement and dispossession are in turn associated with a number of transmission channels that impact the rights and well-being of children (and other at-risk groups).

These channels of impact include: loss of access to land, loss of livelihoods and sources of income, forced eviction, and lack of voice, which in turn result in increased levels of food insecurity, malnutrition, and subsequent risk of stunted growth, ill-health, higher school drop-out rates and increased likelihood of engaging in child labour. Forced displacements likewise lead to loss of housing and access to water, which add to the depth of deprivation to which rural children are already subjected. Increased exposure to conflicts, as well as social tensions between and within communities and households, leads to physical and emotional problems, as well as a higher risk of violence and abuse, especially for women and girls.

Children from indigenous groups (as well as women and youth) are particularly vulnerable to all of these risks. Particularly in the case of young people, the possibility of an inter-generational disadvantage in terms of lack of access to productive resources in the absence of alternative livelihood strategies and/or mitigating social protection systems is especially important for current and future youth employment trends in rural areas.

The summation of these analyses has led to a brief elaboration of the equity dimensions relevant to CPLs which are seen to reinforce each other and consist of these elements: power imbalances, social exclusion, adverse incorporation and intergenerational transmission of disadvantage. Finally, the global governance agenda of CPLs has also been identified as a key dimension which is beginning to unfold, but with relatively little child focus.

Overall, the literature indicates that negative impacts are more prevalent. However, in light of this, further empirical and theoretical child focused research into the impact of CPLs is now timely and necessary in order to verify such assessments, as well as to identify the positive outcomes which may accrue from CPLs in support of policies that promote children's rights and well-being.

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