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CHRGJ Report Calls for Rights Protections in Global Land Rush

Urges Transparency and Regulation to Protect Rights, Prevent Further Food Insecurity

New York, October 28, 2010—Companies and states investing in large-scale land deals must be held to standards of transparency and accountability to ensure that these deals do not threaten human rights and food security, said the Center for Human Rights and Global Justice (CHRGJ) at NYU School of Law in a report released at a public launch today.

The 118-page Report, [*Foreign Land Deals and Human Rights: Case Studies on Agricultural and Biofuel Investment*](#), examines both the immediate and anticipated impacts of large-scale land deals on the fulfillment of human rights in host communities. Based on a year-long study, the Report includes four case studies that evaluate, in unprecedented detail, investments in biofuels, food crops, timber, and carbon credits in Tanzania, Sudan, Mali, and Pakistan—countries that suffer from acute poverty, food insecurity, and in some cases, are still in fragile, post-crisis transitions. According to the Report, these factors heighten the risk of serious human rights consequences for the host communities of these investments, which makes the call for transparency and regulation all the more urgent.

“Although investments in agriculture are sorely needed in the Global South, they should not occur at the expense of the human rights of local populations,” stated Olivier De Schutter, the current United Nations Special Rapporteur on the right to food, who contributed a foreword to the report. “The large-scale industrial farming model being pushed by powerful economic actors is already responsible for one-third of man-made greenhouse gas emissions today and further marginalizes small-scale, family farmers.”

According to the World Bank, foreign investors targeted more than 42 million acres of agricultural land from October 2008 through August 2009, representing nearly 10 percent of all non-cultivated arable land worldwide. As CHRGJ’s case studies show, these deals often lack transparency and take place in environments that lack oversight and regulation, with potentially grave consequences on food security and human rights, including the right to food; the right to water; the right to non-discrimination; and the right to be free from forced evictions.

Among other issues, the report features how:

- In Tanzania, investments by Swedish companies in sugarcane-ethanol production may threaten local water supplies and have, to date, proceeded without clear community consent.
- In Southern Sudan, at a time of acute political fragility in the region, a Norwegian company has secured a 99-year lease to approximately 179,000 hectares (250 square miles) of land for tree plantations and carbon credits. Despite the substantial scale of this project, the investment agreement is strikingly vague in defining commitments to host communities.
- In Pakistan, thousands of villages in Punjab province alone may be displaced as a result of Gulf State investors acquiring some of the country’s most fertile land for export-oriented agriculture.

By way of contrast, the report also features a project set in Mali, where a firm financed by the Dutch government has worked with local farming cooperatives to produce biodiesel in a manner that meets the

host community's energy needs without reducing local production of food crops, and also gives those farming the land some stake in the company.

“Collectively, the case studies reveal that large-scale land investments are a growing trend characterized by a lack of transparency and regulation, with the potential to deeply affect human rights,” said CHRGJ Faculty Director and one of the Report's co-authors, Smita Narula. “Serious limits need to be placed on these investments until the proper legal and regulatory frameworks are in place to ensure the rights of host populations.”

The report offers concrete recommendations for how companies and states alike can live up to their responsibilities to respect and protect human rights in the context of foreign land deals.

For more about CHRGJ, see: www.chrgj.org

About the Center

The Center for Human Rights and Global Justice (CHRGJ) at New York University School of Law was established in 2002 to bring together the law school's teaching, research, clinical, internship, and publishing activities around issues of international human rights law. Through its litigation, advocacy, and research work, CHRGJ plays a critical role in identifying, denouncing, and fighting human rights abuses in several key areas of focus, including: Business and Human Rights; Economic, Social and Cultural Rights; Caste Discrimination; Human Rights and Counter-Terrorism; Extrajudicial Executions; and Transitional Justice. Philip Alston and Ryan Goodman are the Center's Faculty Chairs; Smita Narula and Margaret Satterthwaite are Faculty Directors; Jayne Huckerby is Research Director; and Veerle Opgenhaffen is Senior Program Director.