

## The “Greenwashing” of Land Grabs

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### **Executive Summary**

*Land grabbing is a widespread phenomenon affecting a vast number of people worldwide, the majority of whom are vulnerable people in developing countries. Whilst it is widely understood that land grabbing works contrary to human rights and involves a myriad of complex issues, there is an increasing understanding that certain corporate frameworks enable companies to “greenwash” land grabbing and investment processes. Two examples of this are the emergence of Corporate Social Responsibility (CSR) and the increasing tendency of companies to acquire land for “environmental conservation” purposes. This policy brief examines the current debates surrounding the differences between land grabbing and land acquisition and highlights discussions held at the Global Land Forum 2018 surrounding the need for a standardised set of regulations, along with robust transparency and accountability on a*

*higher level, in order to address the greenwashing of land grab.*

### **Background**

There is a growing global trend of land being sought by transnational investors for reasons such as food and energy production and environmental conservation, often to the sum of hundreds of thousands of hectares. Land investments tend to focus on long-term leasehold contracts of up to 99 years and are large-scale in nature, often involving land of more than [500,000 hectares in size](#). In [Indonesia alone](#), land deals cover 16% of the total arable area of the country with the majority of deals involving contract sizes of between 10,001 and 50,000 hectares. Although this trend of increasing land grabbing is, in many ways, reflective of [colonial practices](#), new drivers such as [renewable energy policies in Europe](#), speculative increases in the price of agricultural land and food shortages mean that land grabbing has accelerated significantly in recent decades.

Whilst some argue that foreign land investments provide better access to capital (eg through the transfer of technology and employment generation), opponents argue that large-scale acquisition is nothing more than [neo-colonial theft](#) of poor people's livelihoods. Weak land governance and the lack of adequate protection of rights means that vulnerable people often lose their land and become landless. Such practices can, hence, be considered as a form of land grabbing. While land grabbing is being problematised and addressed in different land and development agendas, for instance the Sustainable Development Goals and the ILC's Commitment 9, effective action against land grabbing and questions surrounding the harmful motives of private corporations need to be addressed.

Globally, several standards, certifications and labelling systems have been established in an effort to manage the social and environmental economic viability of private financial investors, essentially in order to control the sustainability of such actions. Not only is land grabbing the subject of media attention due to its harmful impacts on identity, livelihood and food security, but it has also brought about debates surrounding the potential use of Corporate Social Responsibility (CSR) by companies to ensure the economic,

environmental and social sustainability of land investment. CSR is a process whereby companies are encouraged to integrate social and environmental concerns into their business operations and into their engagement with key stakeholders, with the main idea being that sustainable practices are in their long-term interest.

Whilst CSR is regarded as being a pivotal and necessary instrument in enforcing and encouraging sustainable activity in corporate organisations, there is an increasing concern that with greater pressure on companies to endorse high standards of CSR, many are failing to deliver and are resorting to practices of ["greenwashing"](#). "Greenwashing", a term coined by environmentalist Jay Westerveld, refers to the corporate practice of making sustainability claims to cover questionable social and environmental activities. Along with this debate is the question of whether these processes should be opposed entirely due to their negative social and environmental impacts, or if they should continue – in a more controlled and regulated manner – because they are essential to economic development. It is argued by [some](#) that investing in land for agricultural purposes helps to resolve food insecurity, offering employment to surrounding communities and bringing needed

capital into developing countries. This argument continues to state that this type of investment can be undertaken alongside stringent protocols and standardised regulations that control the activities of companies, avoiding harmful impacts on the people and on the environment.

A prime example of this can be seen where companies invest in land, presented as being secondary and degraded, whilst also claiming to have engaged in community consultation prior to purchase. Actions are often “greenwashed” through claims of improving food security and humanitarian situations, reflecting the ways in which companies, through supposed accordance with CSR, continue to take land in inequitable ways with severe social and environmental implications.

***The ILC network: current focuses and efforts surrounding land grabbing and “greenwashing”***

In recent years, the ILC, as a member network of over 200 international NGOs, civil-society and inter-governmental organisations, has placed land rights at the centre of their agenda. Whilst the majority of countries have legal practices and procedures in place to protect local land rights, it is important to note,

however, that since these are often traditional practices for managing and controlling land, they are often not recognised or acknowledged by large global investors. This presents a significant opening into the global land market for corporate companies, where they are enabled to bypass safeguards and regulations which protect local rights. It is in light of frameworks such as CSR and the positive connotations associated with environmental conservation, that companies are then able to “greenwash” their activities. In recognition of this and of other land related issues facing marginalised people, the ILC developed 10 Commitments in priority areas of action. These are based around securing tenure rights, equal land rights for women, territorial land rights for Indigenous Peoples, achieving inclusive decision making and working towards effective actions against land grabbing. The ILC’s network of organisations is ultimately directed by these 10 Commitments, with Commitment 9 specifically focused towards preventing and remedying land grabbing. [Commitment 9](#) works to ensure that large-scale initiatives comply with human rights and environmental obligations through the use of Free, Prior and Informed Consent of existing land users.

Within this framing, regional initiatives have been taking place by ILC member organisations

to prevent harmful, unlawful and discriminatory land grabbing in the future. A prominent focus of these initiatives surround the focus on developing common regional standards on safeguards in regulating investments in an effort to safeguard the interests of people being affected. It is hoped that this would enforce the use of proper and robust guidelines when investing in land, particularly guidelines such as the Voluntary Guidelines on Governance of Land, Fisheries and Forests. In this way, the development of common or standardised frameworks that are recognised by different stakeholders is an effort to force out companies that do not comply with processes such as FPIC, thus attempting to reduce the number of land grabbing situations that are harmful and unsustainable in nature and preventing companies from “greenwashing” their activities.

### **The GLF 2018, land grabbing and corporate investment**

One of the main themes of discussion about land grabbing that emerged at the GLF surrounded the need to hold companies and people more accountable. During a break-out session about land grabbing, Gillian Caldwell, CEO of Global Witness stated that “CSOs must

continuously hold and challenge governments and companies to do business with respect to human and environmental rights”. Encouraging a global environment in which transparency and accountability are core pillars, it is hoped, would discourage companies from engaging in practices which “greenwash” land acquisition practices which, ultimately, are socially and environmentally damaging.

Whilst there were seemingly few conversations at the GLF about the internal frameworks of companies and businesses that allow a blind-eye to be turned towards land investment processes, one prominent theme surrounded the power and potential of data. Ward Anseeuw, of the ILC Secretariat explained that the creation of data ecosystems is crucial for providing robust evidence bases which can be used to influence policy and effect change on a national level. Actors involved in land development increasingly recognise and acknowledge knowledge held by local and Indigenous People and understand the importance of community inclusion in data collection processes. Ward continued to explain that enabling local and Indigenous People to be acknowledged stewards of their lands through engaging in monitoring and data collection processes can give them a more

prominent voice, thus working towards empowerment. A number of discussions at the GLF highlighted the significance of this when giving local people the power and potential to stand up against large companies when faced with land grabbing situations.

A session held on the governance of domestic investment in land highlighted the importance of considering the role played by local-level, domestic investors. There is a need for standardised, regulated principles to monitor both domestic and global companies and ensuring that their activities are in line with structures such as the Voluntary Guidelines on Governance of Land, Fisheries and Forests (VGGTs). This kind of monitoring and evaluation is necessary in holding people and companies accountable, discouraging the corporate use of “greenwashing” when engaging in harmful and damaging activities.

### **Policy Recommendations**

Discussions held at the Global Land Forum, 2018 placed a huge focus on land grabbing, implications and potential solutions. There was not, however, much talk about the ongoing institutional frameworks which continue to allow companies to acquire land, under the

guise of being “sustainable” and equitable to all stakeholders involved. From the debates and discussions throughout the GLF however, it was evident that a form of more regulated and standardised protocols are needed, to which companies are forced to comply. With this in mind, more advanced monitoring and evaluation is needed to ensure that investors are working in line with international principles and guidelines and not “greenwashing” their activities.

Leveraging the data ecosystems that are being developed in the land and development agendas and connecting local people with better access to information and data, in an effort to empower, is important. Whilst standards and guidelines are vital, it is also necessary to help support those on the ground, dealing with the brunt of land acquisition processes. As a global community we should work to empower these people and make sure they have the information, tools and support to collaborate, mobilise and fight back.

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