

act:onaid

RESIST, ENGAGE, CHANGE

Being displaced from their lands in Kenya, women and their communities denounce abuse and obtain compensation.

SEPTEMBER 2020

5 YEARS

ActionAid's Fair, Green
and Global programme:
highlights and lessons
learned from 8 countries

'WHY CORPORATE
ACCOUNTABILITY
MATTERS FOR HUMAN
RIGHTS AND WOMEN'S
LIVES EVERYWHERE'

Bangladesh • Cambodia • **Kenya** • Mozambique • Netherlands • Uganda • Zambia • Zimbabwe



actionaid
MAGAZINE

ActionAid Resist, Engage, Change

Published | September 2020

Design | Diewertje van Wering

TABLE OF CONTENTS

INTRODUCTION 04



KENYA 06

The Marereni Salt Belt 08

Timeline 12

Her story 13

in Dykes and contours of the Yala swamp 14

Timeline 17

Her story 18

Lessons Learned 19

INTRODUCTION

In the last decade there has been increased attention for the adverse impact of global trade and corporate conduct on the full realisation of human rights, gender equality and the Sustainable Development Goals.

For many people around the world, global trade and the influx of foreign interest and investment in their countries has meant displacement from their lands, pollution of water and air and human rights abuses. The imbalance of power between communities living in poverty and the multinational corporations taking their land and polluting their water is often stark. Governments oftentimes stand powerless against the might and riches of these corporations. A lack of international legislation to regulate increasingly complex supply chains means these human rights violations by corporations are met with absolute impunity, as they hide behind complex company structures to avoid the consequences for their actions.

The adverse economic and social consequences of the current global economic system are felt, first and foremost, by those who are most marginalised. In particular, they disproportionately affect women. When land is grabbed and families are displaced, for example to make room for a sugarcane plantation or mining activities as we will see in later chapters, it is women who bear the responsibility of sustaining their families and themselves. When tax revenue in developing countries is siphoned off by multinationals' aggressive tax planning and the lenient tax structures of tax havens, leaving less government income available for public services, it is women who take on invisible unpaid care and domestic work.

Governments around the world have made strong commitments to the 2030 Sustainable Development Goals agenda, and to upholding human rights and gender equality. International and national efforts have been made to better regulate corporate conduct and gain insights into corporates' complex and opaque value chains. These efforts have led to the unanimous adoption of standards such as the United Nation's Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, clarifying the role of governments to protect human rights and those of businesses to respect human rights.



FOR MILLIONS OF PEOPLE, HUMAN RIGHTS VIOLATIONS REMAIN EVERYDAY ISSUES THAT REQUIRE STRUCTURAL SOLUTIONS.

However, for millions of people around the world, corporate human rights violations remain tangible, everyday issues that require structural, long-term solutions. Therefore, the need of communities to be able to resist remains as urgent as ever. In order to realise the Sustainable Development Goals, a strong, international regulatory framework is needed to bridge the governance gap and grant those affected an instrument to finally hold corporations to account and demand justice from their governments.



BY STRENGTHENING COMMUNITIES' CAPACITY AND KNOWLEDGE ON THEIR SOCIO-ECONOMIC RIGHTS, THEY GAIN THE RESILIENCE TO DEMAND A BETTER PRESENT AND EVEN BETTER FUTURE.

ActionAid has seen, over the last 10 years of being part of the Fair, Green and Global Alliance, that when women and communities take matters into their own hands, they can make great gains towards improved corporate conduct and the protection of human rights. By strengthening communities' capacity and knowledge on their socio-economic rights, they gain the resilience to demand a better present and even better future. By supporting communities with obtaining the tools and backing they need to engage in lobby and advocacy strategies, affected communities can fight injustices by holding governments and corporations accountable. The support of the Dutch Ministry of Foreign Affairs to fund and partner on this essential work has been an important asset, to ActionAid and to the communities we serve.

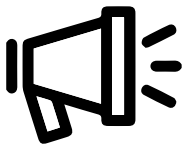
The following pages focus on Kenya, one of the eight countries in which ActionAid has implemented the Fair, Green and Global programme. The report delves into two case studies that portray the ways in which women and their communities, supported by ActionAid and its partner organisations, have addressed corporate human rights violations.

BOX 1: THE FAIR, GREEN AND GLOBAL ALLIANCE: DIALOGUE AND DISSENT PARTNERSHIP WITH THE DUTCH MINISTRY OF FOREIGN AFFAIRS

Since 2010, ActionAid has been one of six member organisations of the Fair, Green and Global Alliance. ActionAid works together with more than 300 CSOs all over the world to build socially just, inclusive and environmentally sustainable societies. Women's rights are central to all our work. In January 2016, ActionAid began its second five-year programme under the 'Dialogue and Dissent' framework, a strategic partnership with the Dutch Ministry of Foreign Affairs. Within this framework, ActionAid and the other members have worked relentlessly to increase the voice of civil society and strengthen the resilience of communities, their organisations and movements. When addressing poverty and inequality, the Fair, Green and Global Alliance focuses on three interlinked areas of work: **1.** Improved corporate conduct **2.** Improved trade and investment and **3.** Improved tax and financial systems. Corporate accountability plays a pivotal role at the core of these three areas of work.

KENYA

Almost 65% of Kenyan land is customarily owned by communities as trust land, recognised by the Kenyan constitution, while 20% is publicly owned and about 6% privately owned.¹⁸ Land remains a fundamental resource for most people, who rely on it for survival. In recent years, however, economic expansion has made community land more susceptible to grabbing by corporates, politically connected individuals and government. While women traditionally rely on the land for their care and domestic work, they officially own only 1% of the total registered land, making the brunt of forced evictions disproportionately hard on them.¹⁹



**YALA SWAMP:
LOBBY & ADVOCACY TOWARDS
LOCAL, NATIONAL AND INTERNATIONAL
POLICY MAKERS, CAMPAIGNING**



**CAPITAL:
NAIROBI**



**MARERENI SALT BELT:
LOBBY & ADVOCACY TOWARDS
LOCAL, NATIONAL AND
INTERNATIONAL POLICY MAKERS**



Kenya's development discourse has been partly based on free trade and investment and industrialised agriculture growth. This has resulted in an intensified scramble for land between national and international investors. While a progressive Community Land Law – requiring extensive consultation with communities prior to its adoption – was passed in 2016, implementation started last year with a few counties as pilots. It was expected that community land would be protected after this regulation passed but implementation is lacking. Private interests, in for example agriculture, are continually prioritised over much-needed public investment. Corporate violations of rights remain pervasive all over the country, aided by unsecured land rights and political corruption in land administration.

Under the Fair, Green and Global programme, ActionAid in Kenya has identified community and women's land rights and corporate accountability as two key issues. To achieve local development that is fair and green, ActionAid has been working on strategies that strengthen civil society to uphold people's socio-economic rights, such as the right to land, water, food and a clean, healthy environment. As such, over the course of the last five years, ActionAid has highlighted critical violations conducted by corporates and their effects on local communities, and on women, while successfully supporting people in their struggle for justice.



WHILE WOMEN TRADITIONALLY RELY ON THE LAND FOR THEIR CARE AND DOMESTIC WORK, THEY OFFICIALLY OWN ONLY 1% OF THE TOTAL REGISTERED LAND, MAKING THE BRUNT OF FORCED EVICTIONS DISPROPORTIONALLY HARD ON THEM.



THE MARERENI SALT BELT

Communities in Marereni are forced from their land and suffer environmental destruction. They successfully lobby the Kenyan government to hold salt mining companies to account

FACTS & FIGURES

- **Number affected:** 4,500+ families
- **Impact:** loss of land, livestock and livelihoods, forced evictions, environmental degradation, increased women's care and domestic work
- **Type of company/sector:** salt harvesting, agro-industrial sector
- **Strategy applied:** community capacity-strengthening, engagement with local and national policymakers, public petitions, collaboration with government agencies, public litigation case
- **Current status:** ongoing

WHAT HAPPENED AND WHY?

Salt mining companies started acquiring land in Marereni in the 1980s, with the lion's share of activities starting in the 1990s. The result was in a large increase in businesses that harvest and produce salt, used locally for domestic, farm and industrial use. Six companies are currently operating in what has become known as the Marereni Salt Belt, an area of nearly 10,412 hectares sitting in Kilifi county. Here, the impacts of large-scale salt mining have affected more than 4,500 households.

After numerous advocacy campaigns by the community, in 2006 a public inquiry conducted by the Kenya National Commission on Human Rights noted that the post-colonial administration committed a grave injustice towards the community when it decided to give the land to salt manufacturers without due process.²⁰ The lease, they reported, had left local people with no arable land, the main resource needed for sustenance. The inquiry found that the administration at the time failed to fairly compensate affected communities. The lease was unlawful because it failed to acknowledge the local community's de facto ownership over the land they had been using for several generations and ignored customary land rights.



The area in question used to be extremely fertile. A publication by the Kenyan CSO *Muungano wa Wanavijiji* reports that the area was under the rule of a wealthy kingdom during the 15th century. The local economy was driven by agriculture and trade. People could rely on a range of diverse agricultural produce (both fruits and vegetables) and cattle. Importantly, just before the 1980s, communities' livelihoods were still relying on this fertile land. Agriculture, fishing, livestock keeping, and the timber trade were critical activities that allowed communities to flourish.

When the company Malindi Salt established itself in the region in 1982, the community, mostly farmers, timber sellers and fishers, saw a chance for further employment and therefore welcomed the arrival of the investors. Moreover, the salt companies promised they would limit their activity to a swampy, unused area, which was perceived as a relief for communities intermittently suffering from diseases associated with this stagnant water. These promises, however, were not met.

IMPACT ON THE COMMUNITY

Bahadzana – life was better off yesterday than today – is a Giriama term often used by local people to describe their day-to-day lives. It underlines that, even linguistically, local communities have long lamented the struggle caused by the salt mining operations on their land.

Mining activities expanded quickly beyond the unused swamp land the companies initially promised to use. Companies forced people to leave under the pretence that the land belonged to others, not the communities. Kensalt, for instance, which started operations in 1995, evicted the surrounding communities in less than three months, offering little compensation and causing widespread suffering. Those who opposed and resisted forced evictions were met with the destruction of their houses.

- As mangrove trees were cut down, water polluted and public roads to the beach closed, the establishment of the salt mining companies dramatically decreased communities' ability to make use of the land, either to graze or farm on it.
- Over the years communities have faced evictions, environment-related illnesses and work exploitation. Community crops and water were rendered unusable due to the high amount of salt water in the ground.



- Women are disproportionately affected by salt pollution in the water. Fetching water, which is often done by women, has been made more difficult by the amount of salt present in previously uncontaminated wells. Women are either forced to walk longer distances or buy water at exorbitant prices. As a result, they have less time available to fulfil other responsibilities such as unpaid care work, let alone to pursue economic activities, which has left them unable to improve on their socio-

economic situation.

- The situation has been equally dire for children, as poverty in the area worsened due to the violations by the salt companies. In the late 1990s and mid 2000s, local schools slowly became ghost buildings since children were forced to drop out and look for casual employment in the salt business, in a bid to support their families' shrinking income.

STRATEGY AND RESULTS

Despite the worryingly shrinking civic space, ActionAid has been working closely with affected communities to create greater consciousness on their socio-economic rights. Mutual capacity development, in a bid to enable people to secure and defend their rights, has been the lead strategy.

The community approached ActionAid for support in defending their rights against the land grab and other adverse socio-environmental impacts by the salt companies. ActionAid Kenya facilitated training and land-related lobby and advocacy strategies, as well as the mobilisation of other affected networks. This led to the creation of valuable, bottom-up advocacy plans, sensitive to the communities' needs, which are still being used today by community activists.

More and more community members organised and joined the mobilisation. People came together and organised themselves in various community-based organisations, such as the KAKIMUU Farmers' Association and women-led initiative MMUKADO. All these different movements and groups formed the grassroots movement 'Malindi Rights' Forum', ActionAid Kenya's local partner.

The Forum, supported by ActionAid, implemented advocacy strategies and embarked on several campaigns to highlight the human rights abuses suffered by the community. For instance, the Kenya National Commission on Human Rights' intervention in 2006 was the result of both ActionAid and the Forum's political pressure. Part of the advocacy strategy relies on official engagement with local and national authorities to address the rights violations happening in Marereni. In 2013, for example, ActionAid facilitated a dialogue between local and



county authorities and the communities. A committee was formed to investigate boundary verifications of the land. The committee found that the salt companies had illegally encroached on land that belonged to the communities, rivers had been diverted or blocked and several public roads blocked. As a result, the committee recommended that all land extensions be converted back to the community, land ownership in the area be re-established, all land leased to the salt companies and not in use reverted back to the community for agricultural use, and public roads re-opened.

In 2016, ActionAid drafted a petition to the county government that resulted in the government addressing some of the issues caused by the salt mining companies. The County Assembly allocated KES\$1.5million (€12,890) to the National Land Commission to undertake an audit to review if the grants and disposal of the leases offered by the government were abused by the salt companies. This resulted in the reopening of certain roads, and acres of land still not developed by the salt companies were returned to the communities. A great success was that further expansion of salt mining activities was halted.

Strong collaboration with independent government agencies was also key. In 2017, for instance, ActionAid asked the Malindi Water and Sewerage Company to conduct water testing in 10 different wells. It found that eight of them were deemed unfit for human use as they had chemical levels above WHO standards. These findings have been used by the community to forward an official complaint to the County Executive Committee Member for Water and Environment in Kilifi county. This, in turn, forced the salt companies to provide much-needed alternative sources of water.

In 2018, ActionAid involved the National Environment Management Authority and asked them to introduce an exclusive liability principle in investment agreements, to hold corporates fully responsible for any pollution or damage arising from their operations. This resulted in the suspension of operations, together with a fine, for one salt company that had cut down mangroves. The company was forced to comply in restoring the environment before operations could resume.

Throughout 2019, the Malindi Rights' Forum has been working on a public interest litigation case in collaboration with the legal advice centre Kituo Cha Sheria, ActionAid Kenya, American Jewish World Services and Urgent Action Fund. Preliminary actions have been completed including scientific investigation of human rights violations in partnership with Kenyatta University, with a petition to the court due this year.

TIMELINE

Pre-1980s
The area now known as the 'Salt Belt' is fertile land providing sustenance to all surrounding communities.

1975-1984
Kensalt, Mallindi Salt and Krystalline arrive in the area.

2013
With the support from ActionAid, the community's demands reach the Speaker at the County Assembly. A committee is formed, and **89 acres of land** are subsequently returned.

2017
Independent water-testing suggests that eight out of 10 wells are unfit for human use due to chemical levels exceeding WHO recommendations.

2018
A scientific study on **human rights and environmental violations** is carried out by ActionAid and partners, led by researchers from Kenyatta University.

1980s
Salt mining starts to attract investors. Six different **salt harvesting companies** are allocated land to operate in the area.

2006
The **Kenya National Commission on Human Rights** states that local communities' ownership over the land had been usurped without fair compensation.

2016
A **petition** is sent to the county government. Afterwards closed roads are reopened, undeveloped land returned to the communities and further expansion of salt mining is put on hold.

2018
ActionAid and the community petitioned the National Environment Management Authority, one company is **suspended and fined**. Operations later resume after the company repairs the environmental damage.

2019
ActionAid Kenya and partners start working on a **public interest litigation** case.



HER STORY



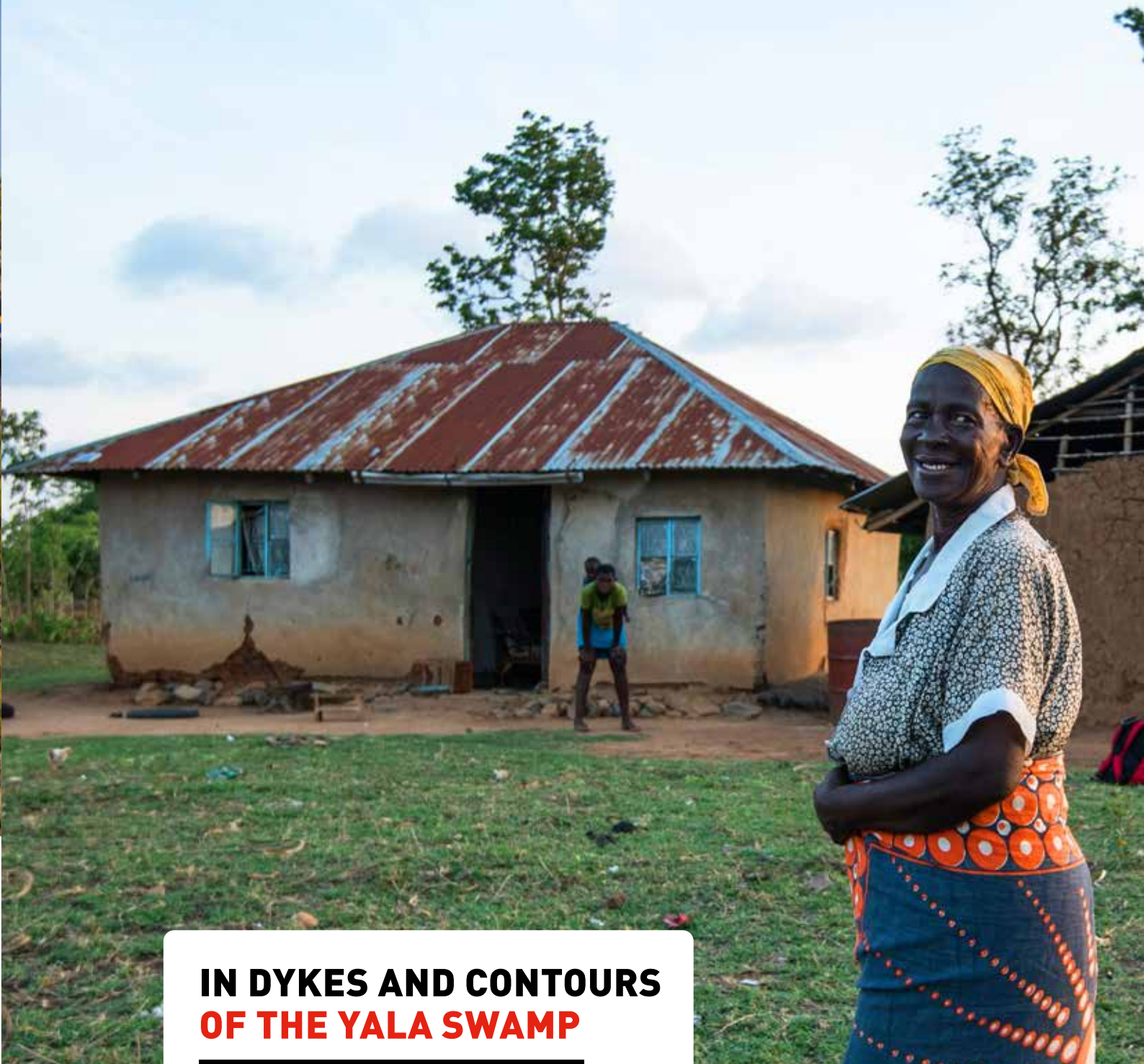
Margaret Luganje, 45, lived with her husband in Bunda Saga village in the Marereni Salt Belt. At the time, the village was thriving with farming activities, which sustained the entire community.



MARGARET WAS ONE OF THE MANY WOMEN THAT, BECAME A LOCAL ACTIVIST. AFTER TRAINING FROM ACTIONAID, MARGARET SOON BECAME ABLE TO MOBILISE WOMEN WITHOUT FEAR.

Margaret recalled how, in 1995, the local chief announced that a company owned by Kenyans of Indian origin was claiming back part of the land and the villagers would soon have to move. She also recalls the collective trauma lived by the entire community. Elderly women and children were most affected, as everyone was left with little compensation and no resources or accommodation.

Margaret was one of the many women that, became a local activist. After training from ActionAid, Margaret soon became able to mobilise women without fear. With other community members, she founded the women led MMUKADO, a community self-help group that aimed to verify land ownership and apply for title deeds. When the National Environment Management Authority came to conduct an environmental and social impact assessment for the expansion of Kurawa Salt company, Margaret took charge of the assignment in her area together with other women. She says proudly: "The final Environment Authority report had our footprints". Key amongst the resolutions was no expansion before resettlement and adequate compensation.



IN DYKES AND CONTOURS OF THE YALA SWAMP

Communities successfully stand up against human rights violations by an American rice company and force its disengagement to safeguard the Yala swamp, a valuable eco-system.

FACTS & FIGURES

- **Number affected:** 1000 people
- **Impact:** loss of land, livestock and livelihoods, forced evictions, environmental degradation, increased women's care and domestic work
- **Type of company/sector:** rice company, agro-industrial sector
- **Strategy applied:** community capacity strengthening, media engagement, using international platforms, engagement with company management and political figures, public petitions, public litigation case, community exchange
- **Current status:** ongoing, land to be registered as community land



WHAT HAPPENED AND WHY?

In western Kenya lies the Yala swamp, a wetland region of over 200km² covering the northeast shore of Lake Victoria. Its unique eco-system sustains both the surrounding environment²¹ and the wider community, whose livelihoods depend on it.

Given its highly fertile soil, the British colonial government had already tried to invest in Yala swamp during the 1950s, but environmentalist campaigners managed to halt the operation. The swamp continued to be the main source for fish, grazing and animal water sources and farmlands for many communities until 2004. In 2003, an American-owned rice company, Dominion Farms, was granted a 45-year lease for 2,833 hectares of land, to grow rice and sugarcane on a large scale. Communities were not consulted and did not give their consent for the deal to go ahead.

However, at first communities had good expectations of the arrival Dominion Farms; besides creating more jobs locally, it was believed that the investment would have a ripple effect and stimulate the growth of the local economy.

IMPACT ON THE COMMUNITY

That optimism would not last long.

Over the years Dominion Farms extended its operations, fencing off more land than it leased. An additional 3,200 hectares used by the community were illegally occupied by the company. The land around Yala swamp, previously considered community land, soon became private, with no access for local people.²²

- Physical barriers prevented people accessing the water, farmland, grazing and fishing zones that they used to sustain themselves before the arrival of the company. The fencing, illegally installed by Dominion Farms, also restrained local movement and interaction between communities was cut off.
- The company installed a weir that caused several instances of flooding. As a result, substantial acres of land were rendered unusable, severely affecting communities' food security and causing malnutrition. Women were severely affected, as they were the ones cultivating the land and thus lost their income and livelihoods.
- Women were also disproportionately affected by floods sweeping away Aduwa market, a pivotal trading centre, primarily used by local women. By losing the market, they lost their ability to trade, which left them without income. Some women who plaited mats from reeds could no longer access the raw materials they needed, as the water level became too high to wade into.
- Some children were forced to drop out of school, as families could no longer afford their school fees.
- Communities experienced detrimental effects to their health from water-borne diseases after the floods and other



activities by the company, such as the large-scale use of farming chemicals. Livestock was affected as they grazed pastures surrounding the swamp, unwittingly ingesting chemical-heavy grass.

- A small compensation of KES\$45,000 (€387) per hectare was offered by the company to a few inhabitants whose land and homes became submerged by the floods. As communities at the time were not aware of their legal and land rights, many accepted the inadequate compensation and were unable to seek further legal action against the company. Those who did not accept the compensation at the time have to this day not seen any fairer offer, despite their livelihoods being destroyed.

STRATEGY AND RESULTS

Community leaders approached ActionAid to support their fight. In doing so ActionAid Kenya was the first non-state actor to boldly challenge the company. The advocacy strategy was to raise public awareness about the extent of the injustice happening in Yala swamp. Using the media, the issues were uncovered in the public domain through radio talk shows, interviews and printed articles. This was also needed to counter the narrative spread by Dominion Farms. This, in turn, led to a greater engagement of other social justice actors in the area.

- Together with local partners, ActionAid invested in strengthening the capacity of the communities to understand their rights under Kenyan law and to voice their concerns about the rights violations on various platforms. Given the specific and differentiated impacts women had encountered, women took a forefront role.
- One of the most successful platforms was the Mount Kilimanjaro Rural Women mobilisation, where rural women from all over Africa climbed the Kilimanjaro claiming land rights and ownership, as well as demanding participation in public decision-making and accountability from national and international policymakers. Here, the community saw a chance to demand corporate accountability and responsible investment from Dominion Farms.
- Other platforms included petitioning political leaders, joint meetings with Dominion Farms' management, use of the courts through public interest litigations, and peer-to-peer learning with other communities and demonstrations.
- This pressure contributed to Dominion Farms stopping its operations entirely. When leaving, they mentioned 'unfavourable conditions to invest in the area'.²³
- The Gazette Notice of 1 March 2019 reported that the governmental Committee on Historical Land Injustices had granted the community its claim over the Yala swamp. Effectively, this means people can register their land under the 2016 Community Land Act. ActionAid in Kenya continues to support the local community in the registration process.

TIMELINE

1954
Colonial government of Kenya assigns **Alexander Gibb** and partners to investigate the potential of reclaiming the Yala swamp wetlands.

1965-1970
The request is granted. The **UN special fund** and the FAO implement reclamation of 2,300 hectares.

1979-1982
Mehta Group International carries out a **feasibility study** for Area 2.

2016
The Kilimanjaro Rural Women's mass assembly takes place.

2019
March
The **Committee on Historical Land Injustices** grants the community claim over the Yala swamp.

1963
Government requests UN assistance to **execute the recommendations** of the Commission Report to reclaim Yala swamp.

1972
Ministry of Agriculture commissions **ILACO** (Dutch Consulting Firm) to investigate **possible development options** of the Yala swamp.

2003
Dominion Farms is granted 2,833 hectares of central land in the Yala swamp.

2018
Dominion Farms exits the area.



HER STORY



Gladys Adhiambo Oking, 43, is one of the women who took part in the Kilimanjaro campaign. When Gladys saw herself and her fellow women lose the source of their livelihoods due to Dominion Farms' expansion, she decided to become a women's rights champion.



GLADYS IS THE CHAMPION OF THE RURAL WOMEN LAND RIGHTS CHARTER AND TAKES LEAD TO SEE THAT WOMEN AND WIDOWS ARE NOT DISINHERITED.

At first, she tried to engage with the company's director asking for a dyke, but this, she recalls, was not fruitful. As she started to actively speak out, the community around her lent their support. With ActionAid and its partner SCODA's support, Gladys has become a community facilitator on women's rights, land rights and public participation. She is the champion of the rural women land rights charter and takes lead to see that women and widows are not disinherited. Currently, she is leading community campaigns towards registering the swamp as community land.

LESSONS LEARNED

Our work with people affected by corporate abuse, such as those in Marereni and Yala, constantly shows us the importance of women and their communities standing up for their rights. When women obtain the necessary tools, they can achieve incredible results for themselves and their communities. As women remain the group most affected by corporate abuse, ActionAid believes justice can only be achieved together with respect for women's rights and the full realisation of gender equality.

In Kenya, within the community, the role of paralegals is also paramount to successful lobby and advocacy strategies, as their local and national judicial knowledge makes them valuable social justice actors.

The two cases highlighted above show the importance of linking testing and scientific research to advocacy work. In this sense, women's advocacy was corroborated by scientific tests made on local water resources. These results proved that most were highly contaminated, which showed the extent to which corporate abuse was taking place. In turn, this was essential to making our voices more convincing and our rights defence strategy more grounded.

Moreover, ActionAid in Kenya realised that fighting corporate abuse requires constant follow-ups and consistency. In this regard, our partner Malindi Rights' Forum has been highly supportive, especially in cases where the intersection between land and women's rights has been central.

In the future, should talks with investors and government prove futile, ActionAid in Kenya will seek judicial action as an option from the very start. ActionAid will make sure the agreements stipulated between corporates and local officials remain accessible, transparent and, if necessary, contestable. Furthermore, in the case of agri-businesses, ActionAid will compel them to share ahead their plans in terms of chemical usage. This will assure third-party checks whenever dangerous chemicals might be used.

ActionAid in Kenya continues to lobby so that all the women in our land have equal access to land ownership.

SOURCES

- 1** World Bank (2020) Bangladesh: Overview, www.worldbank.org/en/country/bangladesh/overview#1
- 2** Start Fund Bangladesh (2018) Briefing Note 9 July, www.reliefweb.int/sites/reliefweb.int/files/resources/180709%20Start%20Fund%20Bangladesh%20Flood-ing%20Maheshkhali%20%28Matarbari%29.pdf
- 3** Greenpeace (2019) Double Standard: How Japan's Financing of Highly Polluting Overseas Coal Plants Endangers Public Health, www.greenpeace.org/southeastasia/publication/2887/double-standard-how-japans-financing-of-highly-polluting-overseas-coal-plants-endangers-public-health/
- 4** CCHR (2015) Economic and other land concessions, www.cambodia.ohchr.org/en/economic-social-rights/economic-and-other-land-concessions
- 5** LICADHO (2020) Cambodia's Land Concessions, www.licadho-cambodia.org/land_concessions
- 6** SITHI (2020) Reported Land Conflict, www.sithi.org/temp.php?url=land_case/land_case_new.php&lg
- 7** CCHR (2016) Cambodia's Women in Land Conflict, www.cchrcambodia.org/admin/media/report/report/english/2016_09_27_cchr_report_Cam_Women_in_Land_Conflict_ENG.pdf
- 8** The Phnom Penh Post (2019) Ethnic group 'disappointed' to be denied French visas to attend court, www.phnompenhpost.com/national/ethnic-group-disappointed-be-denied-french-visas-attend-court
- 9** Since 2015, Socfin-KCD has been solely owned by Socfinasia, an investor managing a portfolio of companies running 55,000 hectares of palm oil and rubber plantations across southeast Asia.
- 10** The Independent Mediation Organization is a Cambodian NGO working on land conflict resolution through mediation.
- 11** CCHR (2019) Briefing Note on Business and Human Rights: Preventing, Mitigating and Remediating Land-Related Rights Violations in the Kingdom of Cambodia: Seven Areas for Improvement, www.cchrcambodia.org/admin/media/analysis/analysis/english/20181219%20BHR%20Briefing%20Note%20ENG-Final.pdf; See also: Ruling of the Nanterre's Tribunal, 10 February 2017 p. 5.
- 12** Ministry of Agriculture, Forestry and Fisheries (2011) Economic land concessions profile: Koh Kong Plantation Company Limited, www.data.opendevelopmentmekong.net/dataset/bc13a206-e31b-4f5d-b28d-4ed556688181/resource/760e3aab-821a-4cac-a0ba-b2e166ee7c18/download/kohkongplantationcompany21.06.2011.pdf
- 13** Contract for plantation of sugar cane, and processing factory of sugar cane between the Ministry of Agriculture, Forestry and Fisheries and Koh Kong Sugar Industry Company Limited (2006) www.data.opendevelopmentmekong.net/vi/dataset/agreement-for-plantation-of-sugar-cane-and-processing-factory-of-sugar-cane-between-the-ministry-of-resource/93ef6db3-1cd6-41ad-8c04-2bf785299f71
- 14** The Everything But Arms scheme grants duty free and quota free access to the EU Single Market for all products from the least developed countries, but arms and armaments.
- 15** The Phnom Penh Post (2018) Koh Kong land dispute solved, ministry says, www.phnompenhpost.com/national/koh-kong-land-dispute-solved-ministry-says-0
- 16** Cambodian Center for Human Rights, Activist Profile: Phav Nhieng, www.cchrcambodia.org/project_page/land_profile/pdf/17-Koh-Kong_Chi-Khor-Krom-Pav-Nheung-en.pdf
- 17** National Human Rights Commission of Thailand (2015) Allegation that Khon Kaen Sugar Industry Public Company Limited, recipient of a land concession to grow sugarcane and establish a sugar factory in Cambodia, has caused human rights violations against Cambodian citizens, www.earthrights.org/wp-content/uploads/unofficial_english_translation_-_tnhrc_report_on_findings_-_koh_kong_land_concession_cambodia_0.pdf; See also: Equitable Cambodia (2013) Bittersweet Harvest www.inclusivedevelopment.net/wp-content/uploads/2013/10/Bittersweet_Harvest_web-version.pdf
- 18** FAO, Gender and Land Rights Database: Kenya, www.fao.org/gender-landrights-database/country-profiles/countries-list/land-tenure-and-related-institutions/en/?country_iso3=KEN
- 19** IGAD (2018) Toward the Realisation of Land Rights for Women in Kenya, www.land.igad.int/index.php/documents-1/countries/kenya/gender-3/616-toward-the-realisation-of-land-rights-for-women-in-kenya/file
- 20** Kenya National Commission on Human Rights (2006) The Malindi Public Inquiry Audit Report, www.knchr.org/Portals/0/Malindi%20Public%20Inquiry_Audit%20Report.pdf
- 21** Harbours Lake Kanyaboli, Lake Sare and Lake Namboyo freshwater lakes, endangered fish species, the critically endangered Sitatunga antelope, Ramogi Hill (a sacred site for the Luo people), offers sanctuary for almost 60 species of birds, acts a natural filter for a variety of biocides and other agricultural pollutants from the surrounding catchment, and effectively filters silt before the water enters Lake Victoria.
- 22** A community land is a kind of land defined in the Kenyan Constitution.
- 23** Daily Nation (2020) Rai billionaires snap up distressed Dominion Farms after vicious fight, www.nation.co.ke/news/Rai-billionaires-snap-up-distressed-Dominion-Farms-1056-5431844-eu0g78z/index.html
- 24** FAO, Mozambique at a glance, www.fao.org/mozambique/fao-in-mozambique/mozambique-at-a-glance/en
- 25** Ministério do Género, Criança e Acção Social (2016) Perfil de Género de Moçambique, www.mgcas.gov.mz/st/FileControl/Site/Doc/4021perfil_de_genero_de_mo-cambique.pdf
- 26** As stated by Mozambique Land Law (Lei 19/97)
- 27** CBS (2020) Monitor Brede Welvaart & de Sustainable Development Goals 2020, www.cbs.nl/-/media/_pdf/2020/21/cbs-mbw-2020.pdf
- 28** Transparantiebenchmark (2019) www.transparantiebenchmark.nl/scores#/survey/10
- 29** MVO Platform (2020) Betrokkenheid van Nederlandse bedrijven bij mensenrechtenschendingen en milieuschade komt nog altijd veel voor, www.mvoplatform.nl/betrokkenheid-van-nederlandse-bedrijven-bij-mensenrechtenschendingen-en-milieuschade-komt-nog-altijd-veel-voor/
- 30** CBS (2020) Monitor Brede Welvaart & de Sustainable Development Goals 2020, www.cbs.nl/-/media/_pdf/2020/21/cbs-mbw-2020.pdf
- 31** An independent, legally binding agreement first redacted in 2013 and signed by brands and trade unions of the garment and textile industry to work towards a safe and healthy industry. The Accord was independently overseen by, among others, our alliance partner Clean Clothes Campaign. See: www.bangladeshaccord.org
- 32** This is when a business establishes its domicile in a country with a favourable tax regime with just a mailing address, while in reality its operations are conducted in other countries. The purpose of a letterbox company is to avoid higher taxation.
- 33** Soft Power (2019) 18 Years Later: Mubende Coffee Plantation Evictees Demand Shs140Bn In Compensation, www.softpower.ug/18-years-later-mubende-coffee-plantation-evictees-demand-shs-140bn-in-compensation
- 34** Witness Radio (2019) Ugandan Government Finally Accepts to Compensate Kaweeri Coffee Illegal Land Eviction Victims, www.witnessradio.org/ugandan-government-finally-accepts-to-compensate-kaweeri-coffee-illegal-land-eviction-victims
- 35** Real names have been hidden due to sensitivity issues.
- 36** CNBC (2018) Zimbabwe is 'open for business,' new president Emmerson Mnangagwa tells Davos, www.cnbc.com/2018/01/24/zimbabwe-is-open-for-business-new-president-emmerston-mnangagwa-tells-davos.html
- 37** EJAAtlas, Another resource curse? Black Granite from Mutoko, Zimbabwe, www.ejatlas.org/print/black-granite-mutoko-zimbabwe
- 38** Mining Zimbabwe (2018) Zimbabwe Economic Minerals, www.miningzimbabwe.com/minerals-of-zimbabwe
- 39** The Insider (2017) Zimbabwe Consolidated Diamond Company ordered to stop mining, www.insiderzim.com/zimbabwe-consolidated-diamond-company-ordered-to-stop-mining/; Zimbabwe Independent (2017) ZCDC suffers major setback, www.theindependent.co.zw/2017/08/08/zcdc-suffers-major-setback

act!onaid

www.actionaid.org