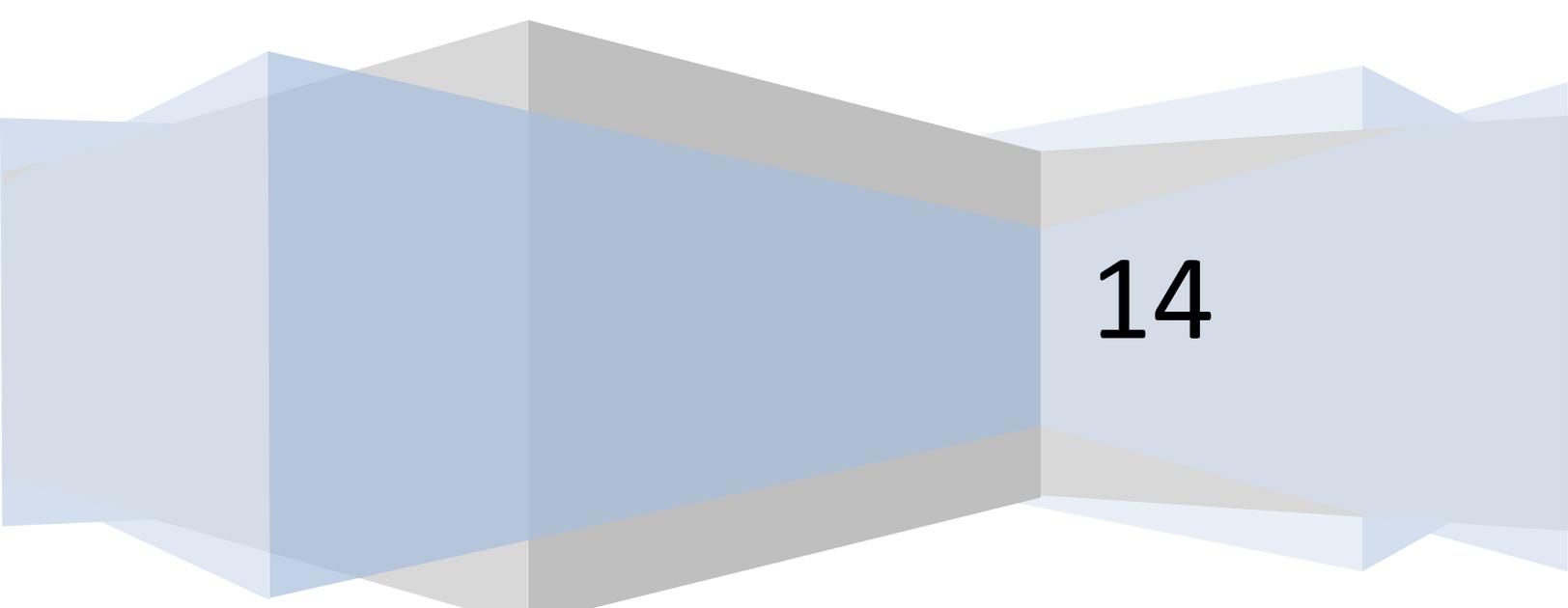


International Centre for Environmental Education and
Community Development (ICENECDEV)

Land Grabbing: the Case of Herakles Farms in Cameroon

Dr. Valentine Nde Fru, Esq.



14

Contents

- Land Grabbing: the Case of Herakles Farms in Cameroon 3
 - 1. The Notion of Land Grabbing..... 3
 - 2. The Global Trends in Land Grabbing..... 3
 - A. The Land Area Involved in Land Grabbing 3
 - B. The Amounts Invested by Foreign Investors on Land Grabbing 4
 - C. The Principal Destinations of Foreign Capital Invested in Land Grabbing..... 5
 - 3. Why Governments in the targeted Countries Encourage Land Grabbing 6
 - 4. The Challenges with Respect to Local Content Requirements in Land Grabbing..... 7
 - 5. Land Grabbing in Africa..... 7
 - 6. Herakles Farms Investment and Land Grabbing in Cameroon 8
 - A. The Land Grabbed by Herakles Farms 8
 - B. The Challenges faced by the Local People Concerning the Grabbed Land..... 9
 - C. Herakles Farms’ Violations of National Laws and Governmental Complaisance 9
 - 7. Combating and Regulating Land Grabs: the Extra-territorial Obligations of States 10
 - 8. Conclusion..... 11
- References 12

Land Grabbing: the Case of Herakles Farms in Cameroon

1. The Notion of Land Grabbing

The term land grabbing is itself a controversial issue. Borras¹ and others describe that the phrase global land grab has become a catch-all to describe and analyze the current trend towards large scale transnational commercial land transactions. Meanwhile, Ruth Hall of the Institute for Poverty, Land and Agrarian Studies² notes that the popular term land grabbing, while effective as an activist terminology, obscures vast differences in the legality, structure, and outcomes of commercial land deals and deflects attention from the roles of domestic elites and governments as partners, intermediaries, and beneficiaries.

Land grabbing is the contentious issue of large scale land acquisitions, that is the buying or leasing of large pieces of land in developing countries, by domestic and transnational companies, governments, and individuals. While used broadly throughout history, land grabbing as used today primarily refers to large scale land acquisitions following especially the 2007 to 2008 world food price upsurge. Obtaining water resources is usually critical to land acquisitions, so it has also led to an associated trend of water grabbing. By prompting food security fears within the developed world, new found economic opportunities for agricultural investors are created, and this was radically promoted by the food price upsurge, which caused a dramatic spike in large scale agricultural investments, primarily foreign, in the Global South for the purposes of food and biofuels production. Although hailed by investors, economists, and some developing countries as a new pathway towards agricultural development, investment in land has recently been criticized by some NGOs³ and commentators who argue that it has had negative impacts on local communities. International law is implicated when attempting to regulate these transactions.

2. The Global Trends in Land Grabbing

The trends in land grabbing can be effectively examined from three main perspectives. That is the total land mass involved in land grabbing measured in hectares, the amounts invested by foreign investors on land grabbing and finally the countries receiving foreign investment capital invested in land grabbing.

A. The Land Area Involved in Land Grabbing

Research managed by the Overseas Development Institute in January 2013⁴ found that the scale of global land trade may have been exaggerated, with limited data available, and that the existing data is associated with NGOs having an interest in generating media attention around the issue.

¹ Sartunino Borras, From Threat to Opportunity? Problems with the Idea of a Code of Conduct on Land Grabbing, Transnational Institute Amsterdam, 2008.

² Ruth Hall is associate Professor at the Institute for Poverty, Land and Agrarian Studies. Additional information on her work on land grabbing and poverty can be accessed at (<http://www.plaas.org.za/staff-member/hall>) (October 2014).

³ Green Peace of the United Kingdom has been very active in criticizing the inclinations to grab land in Africa from western foreign investors for large scale agricultural projects.

⁴ Joachim von Braun and Ruth Meinzen-Dick, Land Grabbing by Foreign Investors in Developing Countries: Risk and Opportunities, IFPRI Policy Brief 2009.

They found that the figures below provide a variety of estimates, all in the tens of millions of hectares.

- The International Food Policy Research Institute (IFPRI) estimated in 2009 that between 15 and 20 million hectares of farmland in developing countries had changed hands since 2006.
- The Land Portal's Land Matrix data as accessed in January 2013 now totals 49 million hectares of deals globally, although only 26 million hectares of these are transnational.
- A World Bank report reported 57 million hectares worldwide,
- Friis & Reenberg in 2012 reported between 51 and 63 million hectares in Africa alone.
- The GRAIN database published in January 2012, quantified 35 million hectares, although when stripping out more developed economies such as Australia, New Zealand, Poland, Russia, Ukraine and Romania, the amount in the GRAIN database reduces to 25 million hectares.

Most seem to arrive at a ballpark of 20 to 60 million hectares. Given that the total global farmland takes up just over 4 billion hectares, these acquisitions could equate to around 1 per cent of global farmland. However, in practice, land acquired may not have previously been used as farmland, it may be covered by forests, which also equate to about 4 billion hectares worldwide, so transnational land acquisitions may have a significant role in the ongoing deforestation.

The researchers of the Overseas Development Institute (ODI) thought that a sizeable number of the deals remain questionable in terms of size and whether they have been finalized and implemented. The land database often relies on one or two media sources and may not track whether the investments take place, or whether the full quantity reported takes place. For example, a number of deals in the GRAIN database appear to have stalled including:

- 1 million hectares taken between US firms Jarch Capital and Nile Trading and Development Inc in South Sudan,
- A 400,000 hectare deal between China and Colombia that seems to have stalled,
- The 325,000 hectare investment by Agrisol in Tanzania,
- A 324,000 hectare purchase of land by the UAE in Pakistan, and
- A suspended 320,000 hectare purchase by Chinese investors in Argentina.

The researchers of ODI claim these are only those that have been checked, and already amount to nearly 10 per cent of the GRAIN database transnational land acquisitions. Deals are reported that use the estimate of the full extent of land that the firm expects to utilize. For example:

- Indian investment in Tanzania is reported at 300,000 hectares, currently operating on just 1,000 hectares,
- Olam International's investment in Gabon reported at 300,000 hectares, currently operating on just 50,000, and
- Three investments amounting to 600,000 hectares in Liberia, with Equatorial Palm Oil's deal reported at 169,000 hectares, despite their plans to reach just 50,000 by 2020.

B. The Amounts Invested by Foreign Investors on Land Grabbing

The researchers of ODI found that in terms of value of transnational land acquisitions, it is even harder to come across figures. Media reports usually just give information on the area and not on the value of the land transaction. The media usually prefer to give the investment estimates, rather than the actual price of purchase.

Thus ODI found that a number of reports in land databases do not reflect acquisitions but are instead indicative of long term leases, where a fee is paid or a certain proportion of the produce goes to domestic markets. For example:

- An Indian investment in Ethiopia, where the price per hectare ranged from \$1.20 to \$8 per hectare per year on 311,000 hectares,
- Indian investors paid \$4 per hectare per year on 100,000 hectares,
- Prince Bandar Ben of Saudi Arabia was reported to be paying \$125,000 per year for 105,000 hectares in South Sudan, less than \$1 per year on a 25-year lease, and
- A South Korean investor in Peru was reported to be paying \$0.80 per hectare.

Despite some of these difficulties, one estimate of the value has been made by IFPRI⁵ in its 2009 estimate of 15 to 20 million hectares of farmland in developing countries, which it calculated at being worth between \$20 billion to \$30 billion.

The Overseas Development Institute further discovered that global investment funds are reported to have sizeable funds available for transnational land investments. An estimate from ODI suggests an amount of about 100 billion dollars waiting to be invested by 120 investment groups, with Saudi Arabia already having spent about 800 million dollars on overseas farms. In 2011, a farm consultancy High-Quest told Reuters Private capital investment in farming that it expected to more than double its investment to between 5 to 7 billion dollars in the next couple of years, compared to an estimated 2.5 to 3 billion dollars invested in the last couple of years.

There is significant uncertainty around the value of transnational land acquisitions, particularly given the leasing arrangements. Given the quantity of land and the size of the investment funds operating in the area, it is likely that the value will be in the tens of billions of dollars.

C. The Principal Destinations of Foreign Capital Invested in Land Grabbing

From the research that has been carried out based on the available data, a mixed picture is given in terms of the origins of the investors. According to the Land Portal⁶, the United Kingdom is the biggest country of origin of foreign capital for land investments followed by the United States, India, the UAE, South Africa, Canada and Malaysia, with China a much smaller player. The GRAIN⁷ database states that the;

- United States, the UAE and China all constitute around 12 per cent of the deals,
- India with 8 per cent,
- Egypt and the UK with 6 per cent,
- South Korea with 5 per cent and
- South Africa, Saudi Arabia, Singapore and Malaysia all with 4 per cent.

Both the Land Portal and the GRAIN databases show that the UK and the USA are major players in transnational land acquisitions. This relates principally to agribusiness firms, as well as investment funds, investing mostly in sugar cane, *jatropha* or palm oil. This trend has clearly been driven by the biofuels targets in the European Union and the USA, and the greater vertical integration in agribusiness in general.

⁵ IFPRI is International Food Policy Research Institute based in France. Its official web address providing additional information on the research it has already conducted is (www.ifpri.org/fr) (October 2014).

⁶ Land Portal is a leading online resource centre for information dealing on land issues and can be accessed freely at (www.landportal.info) (October 2014).

⁷ The GRAIN is also a resource centre that collects and analyzes data on global land grabbing by foreign investors, the data which are available at (www.grain.org) (October 2014).

The smaller trend is the picture of the Middle Eastern investors and or the State-backed Chinese investments. While the United Arab Emirates has done some significant deals by size, some of which are driven by food deals with Saudi Arabia, this is not the dominant trend. While this aspect of land trade has gathered lots of media attention, it is not by any means a comprehensive story.

With respect to the destinations of foreign capital invested, researchers who made extensive use of the Land Portal's Land Matrix, utilizing a database of 49 billion hectares of land deals, shows that Asia is a big centre of activity with Indonesia and Malaysia counting for a quarter of international deals by hectares. India contributes a further 10 per cent of land deals. The majority of investment is in the production of palm oil and other biofuels.⁸

They determined that the Land Portal also reports investments made by investors within their home country and after stripping out these found only 26 million hectares of transnational land acquisitions which strips out a lot of the Asian investments. The largest destination countries include:

- Brazil with 11 per cent by land area
- Sudan with 10 per cent
- Madagascar, the Philippines and Ethiopia with 8 per cent each
- Mozambique with 7 per cent, and
- Indonesia with 6 per cent.

They found the story seems to be biofuels expansion with exceptions in Sudan and Ethiopia, which sees a trend towards growth of food from Middle Eastern and Indian investors. Represented in the media as the norm they seem to be more the exception.⁹

3. Why Governments in the targeted Countries Encourage Land Grabbing

One common thread among governments has been the theme of development, thus the targeted governments look to the benefits of agricultural development, job creation, cash crop production, and infrastructure provision provided by incoming foreign investment on land as drivers towards economic development and eventually modernization. Many companies have promised to build irrigation, roads, and in some cases hospitals and schools to carry out their investment projects. For example, in return for a below market rate of 10 dollars per hectare for a cumulative annual payment for land, Saudi Star promised to bring clinics, schools, better roads and electricity supplies to Gambela in western Ethiopia. Governments also count new job creation as a significant feature of land acquisitions.

The issue of agricultural development is a significant driving factor, within the larger umbrella of development, which affect governments' agreement to investment by outsiders. The Ethiopian government's acceptance of cash crop-based land acquisitions reflects its belief that switching to cash crop production would be even more beneficial for food security than having local farmers produce crops by themselves. Implicit in the characterization of African agriculture as underdeveloped is the rejection of local communities' traditional methods of harvesting as an inadequate form of food production.

On a smaller scale, some deals can be traced to a personal stake in the project or possibly due to corruption or rent-seeking. Given the ad hoc, decentralized and unorganized approval

⁸ Nadia Cuffaro and David Hallam, Land Grabbing in Developing Countries: Foreign Investors, Regulations and Codes of Conduct, International Conference on Land Grabbing, April 2011.

⁹ See the Footnote above for additional information.

processes across countries for such transactions, the potential for lapses in governance and openings for corruption are extremely high. In many countries, the World Bank has noted that investors are often better off learning how to navigate the bureaucracies and potentially pay off corrupt officers of governments rather than developing viable, sustainable business plans.

4. The Challenges with Respect to Local Content Requirements in Land Grabbing

While commonly required by law in many host countries, the consultation process between investors and local populations have been criticized for not adequately informing communities of their rights, negotiating powers, and entitlements within land transactions.

Consultations have been found to be extremely problematic due to the fact that they oftentimes reach just village chiefs but neglect common villagers and disenfranchised groups. The World Bank noted that a key finding from the case studies conducted is that communities were rarely aware of their rights and, even in cases where they were, lacked the ability to interact with investors or to explore ways to use their land more productively. When consultations were even conducted, they often did not produce written agreements and were found to be superficial, glossing over environmental and social issues. In Ghana and elsewhere, chiefs often negotiated directly with investors without the input from other villagers, taking it upon themselves to sell community or village land on their own. Moreover, investors often had obtained approval for their projects before beginning consultations, and lacked any contractual obligation to carry out promises made to villagers.

There is a knowledge gap between the investors and the local populations regarding the land acquisition process, the legal enforceability of promises made by investors, and other issues. The inability of villagers to see and study the laws and regulations around land sales severely deteriorates communities' agency in consultations. When consultations do occur with communities, some take place in spans of only two to three months, casting doubt on whether such short time frames can be considered as adequate consultation for such large, wide-reaching, and impactful projects. An additional concern with the consultations is that women and underrepresented populations are often left outside during the process. Large scale projects in Mozambique for example, rarely included women in consultations and never presented official reports and documents for authorization by women. This holds true when women are the primary workers on the land that is to be leased out to companies. Meanwhile, pastoralists and internally displaced people were oftentimes intentionally excluded from negotiations, as investors tried to delegitimize their claims on land. This led to a lack of awareness on the part of these vulnerable groups until lease agreements have already been signed to transfer land. This oversight in consultations further disenfranchises previously overlooked communities and worsens power inequities in local villages.¹⁰

5. Land Grabbing in Africa

Since 2000, foreign investors in agriculture have reportedly bought or leased over 56 million hectares of Africa, an area almost the size of Kenya. Some are governments, particularly from the Middle East and China, while others are corporations, including plantation companies and speculators that view land as a good investment in a time of rising crop prices. A recent analysis

¹⁰ Joachim von Braun and Ruth Meinzen-Dick, Land Grabbing by Foreign Investors in Developing Countries: Risk and Opportunities, IFPRI Policy Brief 2009.

of land grabs found that reported land deals in Africa concern an area equivalent to 4.8% of Africa's total agricultural area. This represents a serious threat to the livelihoods of small farmers and to food sovereignty in the often very poor countries where control of large areas of fertile land is being handed to foreign interests. Reports suggest the majority of land acquired by foreign investors will not be used to meet local needs or improve food security but to grow crops for export falling within the category of both food and biofuel feedstock. Land grabs also threaten Africa's forests, which contain rare habitats and huge quantities of stored carbon. If left unabated, land grabbing for commercial agriculture represents a massive new threat to biodiversity and an increase in greenhouse gas emissions.

In the Congo Basin, the logging companies operating there already control some 44 million hectares of forest, while another several hundred thousand hectares are threatened by new palm oil ventures. Palm oil is considered as a major driver of new land acquisitions. The oil palm is native to west and central Africa and is widely cultivated in the region, but currently most oil palm production comes from Malaysia and Indonesia. Rapidly increasing demand for palm oil for food use and biofuels is leading to a new wave of industrial scale planting in Africa. Research conducted by Greenpeace International in 2012 found that 27 palm oil projects were reported in Central and West Africa covering around 2.6 million hectares of forest. Many of these are in the early stages of development. This huge area is likely to be cleared if the plantations are not stopped.¹¹

6. Herakles Farms Investment and Land Grabbing in Cameroon

The United States owned Herakles Farms' palm oil project in the Southwest Region of Cameroon exemplifies the threat posed by ill-conceived expansion of oil palm plantations. It covers approximately 73,086 hectares (180,599 acres), an area more than ten times the size of Manhattan. Herakles Farms, through its subsidiary SG Sustainable Oils Cameroon (SGSOC), plans to plant around 60,000 hectares (148,200 acres) of oil palms. The Cameroonian Minister of the Economy signed the establishment convention for the project in 2009 and the plantation is currently at the early planting stage. The project as a whole presents major social, environmental and legal issues.¹²

A. The Land Grabbed by Herakles Farms

The allocated land is home to at least 14,000 people, according to the company, and lies on or near the borders of five protected areas, including Korup National Park. The Korup National Park is an ecologically vital area, one of the largest surviving tracts of lowland forest in the Gulf of Guinea, according to a group of leading scientists. A 2012 study by Greenpeace International shows that the forest in the project area contains a high carbon stock, meaning the project threatens to produce millions of tons of greenhouse gas emissions when the forest is cleared to make way for the oil palm trees. The area includes 62,433 hectares (154,209 acres) of dense natural forest as well as farmland and agroforestry smallholdings.

There is extensive local opposition to the project, which residents fear will deprive them of their land and access to forest products, especially as many farmers in Africa lack formal title to their land. A Greenpeace team documented that the setting up of one of the project's nurseries at

¹¹ The Report of Green Peace International on the activities of Herakles Farms in the South West Region of Cameroon, available online at (<http://www.greenpeace.org/usa/global/usa/planet3/pdfs/forests/heraklescrimefile.pdf>) (October 2014).

¹² For further information, consult the report of Green Peace International available in the above Footnote.

Fabe deprived people of access to a valuable collecting area for forest products, and that cocoa farms have been taken without farmers' consent. Locals were not properly consulted before the establishment convention was signed. The convention gives Herakles Farms the exclusive right to farm in the area and includes no provisions for compensation of residents. The company claims a huge outpouring of support from communities, and says its project will not displace people, yet simultaneously communities have consistently objected to the plans by complaining to the government, signing petitions and organizing peaceful demonstrations.

Cameroonian and international NGOs and scientists have also opposed the project citing illegality, a lack of respect for people's rights, damage to local livelihoods and environmental destruction. Two local NGOs, the Centre for Environment and Development (CED) and Réseau de lutte contre la faim (Relufa) have laid out how the establishment convention violates both national and international laws. They have also shown that, although the agreement gives the company exclusive use of the land, the area includes zones that have already been officially designated for a mining exploration permit, a logging concession that is pending, and two small scale logging permits. Such an overlap in intended land usage could cause legal conflicts between Herakles Farms and other future permit holders. More importantly, they illustrate the confusion and damage unplanned land allocation is causing. Greenpeace supports the call from CED and Relufa for a moratorium on the granting of new concessions until Cameroon sets up comprehensive land use planning and clarifies the processes for land allocation.¹³

B. The Challenges faced by the Local People Concerning the Grabbed Land

SGSOC's¹⁴ Environmental and Social Impact Assessment states that the project area is home to more than 14,000 people. Greenpeace France and the Cameroonian NGO the Citizens' Association for the Defense of Collective Interests (ACDIC) have conducted research into farming systems in the districts covering the Herakles Farms project area. Most of the inhabitants are small farmers, growing cassava, palm oil, bananas and other crops for subsistence and to supply local markets. Some areas produce cocoa as a cash crop. Palm oil is mostly processed on an artisanal basis to supply unrefined red oil for local sale. Gathering forest products such as bush mango (*Irvingia gabonensis*), monkey cola (*Cola lepidota*) and bush pepper is also important, particularly for women, since forest products provide around 30% of the women's cash income in the region. Herakles Farms' promise of plantation jobs may be of little help to local farmers, as experts estimate that an average cocoa grower in the area currently earns around twice as much a year as an agricultural laborer at the Cameroonian company Pamol's nearby oil palm plantation in Ndian. Farmers face an array of problems, ranging from a lack of formal land rights to exploitation by cocoa traders. Losing farmland and forest to the Herakles' plantation would only exacerbate these difficulties.

C. Herakles Farms' Violations of National Laws and Governmental Compliance

Herakles Farms began clearing land for its plantation in 2010, despite overwhelming evidence of the forest's global, regional and local importance. The project has from the beginning, been conducted in violation of national laws. At the time of initiating its activities, the company has not received a presidential decree authorizing the concession, which is required under Cameroonian law. In 2010, Herakles began creating nurseries for oil palms, without

¹³ The Centre for Environment and Development (CED) is based in Yaoundé, Cameroon and additional information on its activities and reports can be accessed at (www.cedcameroun.org) (October 2014).

¹⁴ SG Sustainable Oils Cameroon is the investment vehicle of Herakles Farms in Cameroon.

authorization for forest conversion and before being issued a Certificate of Environmental Conformity by the Ministry of Environment, Nature Protection and Sustainable Development. In April 2012, the ministry investigators monitoring the activities of the company confirmed the illegal felling of trees and land clearance at the Talangaye site. They therefore seized equipment and issued SGSOC with a summons to which Herakles Farms has reportedly failed to respond. A month later, a visit by the ministry officials and Cameroon's European Union financed Independent Forest Observer confirmed that illegal acts had taken place. In early November, a flight over the area, organized by Greenpeace International, documented ongoing clearing.¹⁵

Residents of the villages of Toko and Fabe organized a protest against the plantation during a visit of the regional governor in June 2012 and they were met with intimidation and arrests. In November 2012 activists from the Cameroonian environmental group called Struggle to Economize our Future Environment (SEFE), who have been organizing non violent protest against Herakles Farms, were arrested and held for several days, without charges, as part of a pattern of harassment against the organization.¹⁶ In September 2012, the Herakles Farms CEO Bruce Wrobel published an open letter denying illegality in relation to the project. The letter was issued in response to a report by the Oakland Institute in collaboration with Greenpeace International. The letter repeats Herakles Farms' claim that the project will create tremendous economic, social and environmental benefits. Wrobel claims that the forests in the project area have been logged and farmed repeatedly and are of little value, yet on the same page claims that Herakles Farms will harvest timber so that the government can sell it for many millions of dollars.

7. Combating and Regulating Land Grabs: the Extra-territorial Obligations of States

Reports by Global Witness, the Oakland Institute and the International Land Coalition, identifies four key entry points for improving transparency in large-scale land acquisition and these relate to transparent land and natural resource planning, free, prior and informed consent, public disclosure of all contractual documentation, multi-stakeholder initiatives, independent oversight and grievance mechanisms a range of additional entry points for future policy work and campaigning, which includes addressing the extra-territorial obligations of states over overseas business enterprises.

The report stresses that further analysis is needed to identify the benefits and opportunities of each entry point, as well as potential limitations, challenges, and risks around future campaigns which would need to be addressed from the start and notes that as of early 2013 there is a gap between the extent to which individual states fulfil their obligations to regulate businesses overseas, and the extent to which such regulations cover transparency and information disclosure.

Another very important document that protect indigenes against land grabs is the United Nation's Guiding Principles for Business and Human Rights¹⁷, written by the former United Nations Special Representative to the Secretary General for Business and Human Rights,

¹⁵ The Report of Green Peace International on the activities of Herakles Farms in the South West Region of Cameroon, available online at (<http://www.greenpeace.org/usa/global/usa/planet3/pdfs/forests/heraklescrimefile.pdf>) (October 2014).

¹⁶ Cited in a GRAIN publication on land grabbing in Cameroon available at (www.grain.org) (October 2014).

¹⁷ The United Nations Guiding Principles for Business and Human Rights is available online and can be viewed at (http://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_en.pdf) (October 2014).

Professor John Ruggie, which provides some discussion on how business enterprises need to undertake human rights due diligence, suggesting that states should set out clearly the expectation that all business enterprises domiciled in their territory or jurisdiction respect human rights throughout their operations and notes that at present states are not generally required under international human rights law to regulate the extraterritorial activities of businesses domiciled in their territory or jurisdiction.

The representative who wrote this document claims that states are not generally prohibited from doing so either, provided there is a recognised jurisdictional basis, but also reports that some states have introduced domestic measures with extraterritorial implications. Some examples include requirements on parent companies to report on the global operations of the entire enterprise, multilateral soft law instruments such as the Guidelines for Multinational Enterprises of the Organization for Economic Cooperation and Development, and performance standards required by institutions that support overseas investments.¹⁸

These approaches amount to direct extraterritorial legislation and enforcement including criminal regimes that allow for the prosecutions based on the nationality of the perpetrator no matter where the offence occurs. The United Nation's Guiding Principles propose that contracts should always be publicly disclosed when the public interest is impacted, namely in cases where the project presents either large scale or significant social, economic, or environmental risks or opportunities, or involves the depletion of renewable or non-renewable natural resources. These requirements must be put in place even though governments and businesses often claim that confidentiality is necessary to protect commercially sensitive information contained in investment contracts.

8. Conclusion

The issue of extra-territorially controlling the activities of home registered companies in host countries with respect to land grabbing through human rights laws should be secondary to the host states' ability to ensure compliance. Rather host states should endeavour to make sure businesses do comply with human rights requirements. The corruption and opacity of the Cameroonian government in granting lease licenses for land is really the issue here and hopefully with the upcoming change and transition in government in the near future, transparency will come to play a central role in the negotiations and granting of such leases, which will be compelled to integrate local contents. Only then will there be hope of effectively transforming land grabbing in the country to a fair process of land based investments that are beneficial to the region in question and to the whole country at large.

¹⁸ This Guideline is available online and can be viewed at (<http://www.oecd.org/corporate/mne/1922428.pdf>) (October 2014).

References

Borras, Sartunino, From Threat to Opportunity? Problems with the Idea of a Code of Conduct on Land Grabbing, Transnational Institute Amsterdam, 2008.

Braun von, Joachin and Ruth Meinzen-Dick, Land Grabbing by Foreign Investors in Developing Countries: Risk and Opportunities, IFPRI Policy Brief 2009.

Cuffaro, Nadia and David Hallam, Land Grabbing in Developing Countries: Foreign Investors, Regulations and Codes of Conduct, International Conference on Land Grabbing, April 2011.

Green Peace International, Land Grabbing and the Violations of Indigenous Rights to Land in Africa, (<http://www.greenpeace.org/usa/global/usa/planet3/pdfs/forests/heraklescrimefile.pdf>).

OECD Guidelines for Multinational Enterprises, (<http://www.oecd.org/corporate/mne/1922428.pdf>).

United Nations Documents, the United Nations Guiding Principles for Human Rights and Business, (http://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_en.pdf