



Catalyzing Innovation

ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY
WASHINGTON DC, MARCH 25-29, 2019



A PILLAR OF GROWTH OR A REGULARIZATION OF LAND GRABS?

WORLD BANK FUNDED LAND TITLING IN PIAUÍ, BRAZIL

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**Paper prepared for presentation at the
“2019 WORLD BANK CONFERENCE ON LAND AND POVERTY”
The World Bank - Washington DC, March 25-29, 2019**

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Abstract

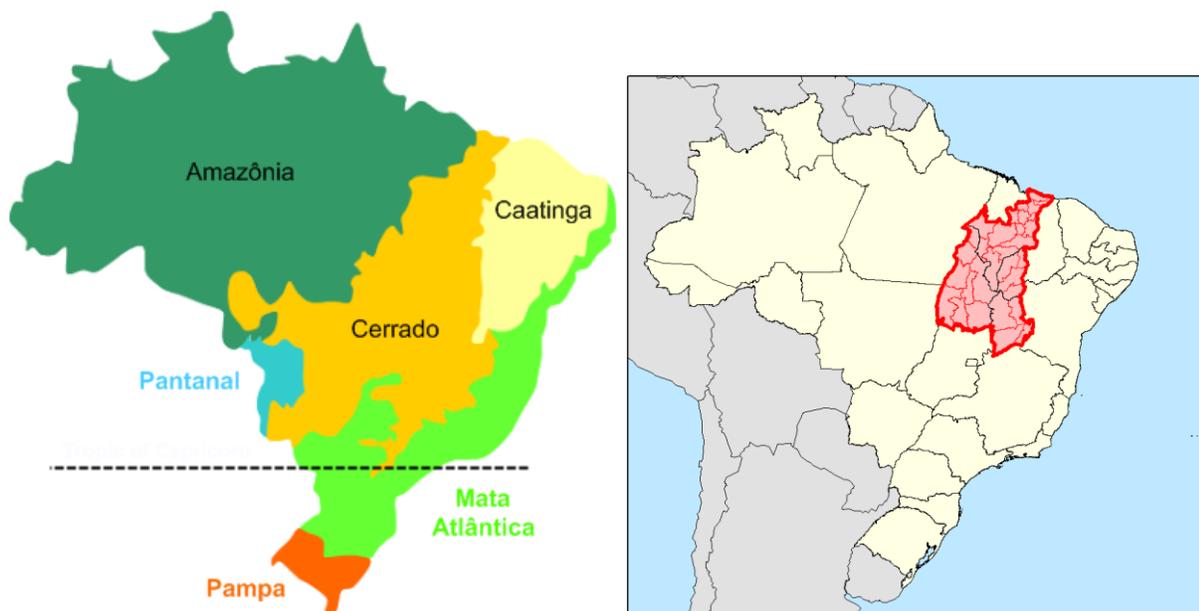
In 2015 the World Bank approved loans of \$320 million to support “Pillars of Growth and Social Inclusion” in the state of Piauí, where the Brazilian government announced its MATOPIBA project to expand large-scale soybean production. A key part of the loans includes support for land titling. However, the project needs to address unrecognized conflicts, namely the grabbing of community commons, public lands and water by large scale farmers and ranchers. This paper analyzes the human rights, land rights, and environmental issues at stake, and reports on the status of community concerns and progress toward recognizing, protecting and recovering the land rights of marginalized communities. Finally, the paper distills key recommendations for institutions and governments to meet their human rights obligations and protect community land rights in line with the United Nations Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGTs).

Key Words:

Brazilian Cerrado, human rights, community land rights, World Bank, land grabbing

World Bank Funded Land Titling in Piauí, Brazil: a Pillar of Growth or a Regularization of Land Grabs?

In 2015 the government of Brazil promulgated new legislation declaring the states of Maranhão, Tocantins, Piauí and Bahia to form MATOPIBA, a region newly designated to receive infrastructure for expanding the frontiers of large-scale soybean production into the northeast part of the Cerrado biome. MATOPIBA contains the last native vegetation of the large savanna which extended through center of the Brazil and which was the scene of the Brazil's 'agricultural miracle' of the 1970s.



Map 1: Brazilian Biomes, Map 2: MATOPIBA outlined in red. From Wikimedia Commons.

A few months later, as part of this planned push to expand agribusiness, the World Bank approved two loans for a total of \$320 million to support “Pillars of Growth and Social Inclusion.” The loans are ostensibly aimed at benefiting the rural poor in the State of Piauí by “increasing and improving services in education, health, agriculture and water resources (World Bank, 2015).” The loans supported a larger plan of the Brazilian government to spend over \$1.1 billion dollars on regional development for agribusiness growth. The World Bank project emphasizes education and healthcare but a key part of the project is support for land regularization and land titling in the region. The declared project objectives are to benefit poor rural producers, but the project fails to fully consider the power imbalance in which land regularization is being implemented, and the ongoing conflicts that have preceded the project, namely the grabbing of community commons, public lands and water by agribusiness corporations, big landowners and ranchers over the last few decades and in recent years, often involving violence and different forms of human rights violations. Instead the project appraisal merely states:

Small-scale farmers account for 90 percent of the state’s agricultural establishment, but control only a small fraction of the land, often without formal proof of ownership. Tenure informality

also extends to medium and large-scale farmers who dominate the Cerrado (savanna) region and contribute significantly to the state's agricultural growth (IBRD, 2015, p. 4).

The project does not adequately address the risks of legalizing land grabs by funding land regularization and titling of individual farms without a proper process to fully account for legitimate tenure claims by communities. This leaves rural communities, who depend on the access to natural resources across the landscape for their survival and livelihoods, exposed to displacement by the expansion of large-scale agribusiness that is prioritized by investors and government policies. Large-scale mechanized plantations benefit a few individuals and corporations, with great cost to native Cerrado biodiversity and the peoples and communities whose cultures are built around small producer livelihoods. These include Indigenous Peoples, Afro-Brazilians, peasant communities and others whose rights and cultures are recognized under Brazilian law as Traditional Peoples and Communities.

This paper describes the environmental and social context of the policies and projects that seek to expand large-scale agricultural production into the MATOPIBA region, and the human rights and land rights issues at stake. It will contextualize the role that the World Bank is playing in Piauí, as well as the roles of international and domestic investors. The paper will report on the status of community concerns and progress toward recognizing, protecting and recovering the land rights of marginalized communities. Finally, the paper will distill key recommendations for institutions and governments to meet their human rights obligations and protect community land rights in line with the United Nations Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (CFS 2012), the UN Declaration on the Rights of Indigenous Peoples (UNGA 2007), and the UN Declaration on the Rights of Peasants and other People Working in Rural Areas (UNGA 2018).

The Social and Environmental Context

The Cerrado is a biome that transitions to the Amazon and covers 20% of Brazil. While Brazil made progress on protecting the Amazon in recent decades, the deforestation of the Cerrado is increasing and has become one of the greatest threats to biodiversity on the planet. "Cerrado" means "dense" or "closed" and refers to the diversity and density of the mix of trees, shrubs and grasses in this type of savannah. The trees in the Cerrado have very long roots that structure the soil and reach the crucial underground water sources, protecting the watershed that feeds the rivers.

The Cerrado region is home to around 15 million inhabitants including both rural and urban settlements, and the land is used by 80 Indigenous Peoples and many rural communities recognized as Traditional Peoples (ActionAid Brasil and Rede Social de Justiça e Direitos Humanos 2017). These Traditional Peoples often have centuries of cultural adaptation to making their livelihoods in the Cerrado environment through farming, herding, fishing, hunting, and harvesting wild products. Traditional Peoples in the Cerrado include Quilombolas, Afro-Brazilians who trace their heritage centuries back to communities that escaped slavery. Among the Quilombola communities in the Cerrado are Babassu Nut Breakers (Quebradeiras de Coco Babassu) who base their group identity on their livelihood. Many Traditional Peoples are identified by their livelihoods or the ecological niche they occupy, examples include Ribeirinhos, Vazanteiros, Retireiros de Araguaia, and Geraizeros. In some parts of the Cerrado there are also the self-organized settlements of displaced or recently landless family farmers who have made legitimate claims to receive recognition of land rights.

Most of these local communities, both old and relatively newer, hold land as *posseiros*, meaning that they have established land tenure rights through their possession and use of public land, often over generations. Many of the Indigenous and Traditional Peoples have their dwellings in the lowlands along Cerrado rivers, but the upland savannahs remain crucial to their livelihoods sustained by hunting, collecting food and fuel, and grazing animals. Thus, the territory for these communities is not limited to land for their houses and crops, but to the communal use of larger extensions of Cerrado indispensable to their physical, cultural and spiritual reproduction. The four northern states, including Piauí, designated by the government to form the development project MATOPIBA, contain much of what remains of the native Cerrado ecosystem and many of the livelihoods adapted to it.

Legitimate community land possession and land grabbing in MATOPIBA

Most land in MATOPIBA is classified under Brazilian law as public land, using the term “Terras Devolutas”. This term could also be translated as untitled lands, but this term has also been used to convey the image that these lands are unoccupied or vacant, which has never been the case throughout Brazilian history. Occupation of these lands by indigenous peoples long precedes the colonial state, and their occupation by communities of people escaping slavery and other forms of domination goes back many decades and even centuries. These non-indigenous communities are recognized as Traditional Peoples by Brazilian law in based on the livelihoods and cultures they have created for themselves in relation to the territory they occupy. In MATOPIBA these communities typically built their dwellings in the valleys along rivers for easy access to water for drinking, bathing, washing, watering their crops and animals, and often transit and fishing. They create their own rules for delineating land use for housing and cultivation, and they shared the plateau savannahs for grazing animals, and gathering forest products. They have established their rights to the land under Brazilian law through occupation and socially beneficial use.

In general, there is no legitimate or clean legal process by which the public land of MATOPIBA could have been converted to large-scale private holdings, instead large-scale land grabs have been undertaken through processes that are very different from the shared land use agreed upon by communities. Some land grabs are several decades old while others are more recent, driven by the expansion of the soy industry into Bahia and Maranhão in the 1990s, and Piauí and Tocantins in the 2000s. Land grabbers use a mix of violent and subtle coercion, corruption, and fraud to stake claims to large areas of land frequently registering documents with no legal validity to justify these grabs. Land grabbing “entrepreneurs” have usually targeted the high plateaus that communities used as a commons for grazing and collection of forest products, and which are the sources of the water that flows into valleys where most community members maintain their houses and fields. The seizure of the highlands has led to massive deforestation to make space for large-scale, industrial soy plantations, and to the depletion and the contamination of the water sources communities need to survive. Land grabbers also sometimes target lowland areas belonging to communities and claim this land as green reserves to justify their planned deforestation of the plateaus for large scale soy plantations. While community social processes give a legitimacy to community holdings, the murky and ad hoc registration processes of large-scale privatized landholdings highlight their illegitimacy. Large land claims are created through unequal power relations that include acts of or threats of violence, often using private security forces. According to the Pastoral Land Commission of the Catholic Church 71 persons were killed in land conflicts in Brazil in 2017, up from 61 in 2016 with the

four states of MATOPIBA being among the worst conflict areas (CPT, 2018) (Network for Social Justice, 2018, p. 49).

Several researchers such as Roberto Miranda, Ariovaldo Oliveira, and Vicente Alves have documented the way specific land grabs in the MATOPIBA states were carried out (Network for Social Justice, 2018). Typically, landgrabbers will organize a group of individuals who will claim possession of smaller plots that will then be registered and “sold” to the land grabber. Land grabbing is called “grilagem” or “cricketing” in Brazil due to the reported practice of putting fraudulent documents into a box with crickets, so that the crickets eat and defecate on the documents to make them look older. The term, however, is a metaphor for a wide range of land-grabbing practices. Sometimes landholders will simply fence in a nearby piece and claim that their possession was always that much larger, or land-grabbers will induce community members to sell land by threats of violence or other pressure.

The arrival on the scene of international buyers seeking farmland as a financial asset to diversify their portfolios with an increasingly scarce resource, has rewarded earlier land grabbers and provided additional impetus for more land-grabbing. While the earliest of these actors were industrial scale farmers or agribusiness owners who were subsidized by state policies, recently even larger international institutions have become involved.

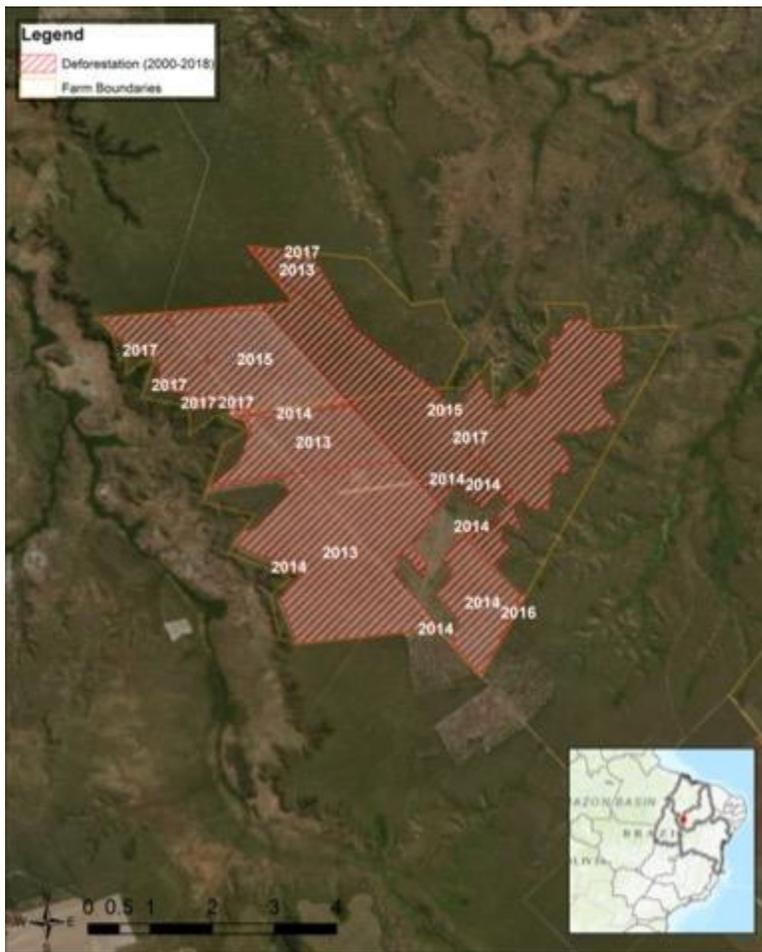
Two internationally known players in MATOPIBA land accumulation are the pension fund giant, TIAA/Nuveen, which manages the retirement accounts of many United States university faculty, and other non-profit employees. However, TIAA also manages pension funds for a variety of state actors, including funds from Canada, Germany, Sweden and the United Kingdom. TIAA describes itself as the largest manager of farmland assets globally. Another high-profile acquirer of MATOPIBA farmland is the Harvard University endowment. These institutional actors circumvented provisions in Brazil law intended to limit land holding by foreign companies, by setting up Brazilian companies in which they were the primary investors. These companies began to buy land that had been registered using the dubious documents of earlier land grabbers. In many cases these lands were only partially cleared of trees prior to purchase and not highly profitable in terms of the soy production, but they were purchased for speculative purposes, assuming that the price of the land will increase in upcoming years (Network for Social Justice 2018).

Harvard University obtained control of 300,000 hectares of farmland in MATOPIBA from 2008-2016. However, Harvard also ended up owning the violence and environmental destruction involved. Farmers from local communities in Piauí came forward to file a lawsuit and recount the violence as to how the land had been taken from them (McDonald and Freitas, 2018). Other communities cited how Harvard’s operations and others nearby are killing their communities by depriving them of water and the use of their common lands. A judge in the state of Bahia has ruled that Harvard’s claim to a large portion of one of their biggest investments was based on the purchase of fraudulent land titles (GRAIN and Network for Social Justice 2018).

TIAA has similar problems in the MATOPIBA region, where it owns 106,000 hectares (Nuveen n.d.). In the south of Maranhão and Piauí, TIAA obtained some of its land from CODECA, a company owned by one of Brazil’s most notorious land grabbers, Euclides de Carli. De Carli has been accused of using threats of violence and possibly murder, and grabbing over 300,000 hectares of land in the state of Piauí (Bonifacio 2011) (Camargo 2018). A judge in the state of Piauí has declared de Carli’s claims of

ownership of over 120,000 hectares of land to be invalid. Investigation into de Carli's dealings continue, it is not known whether TIAA's holdings will be impacted. TIAA's agricultural practices are similar to other local soy growers, fostering complaints about the effects of deforestation, especially water depletion and damage to communities downstream from agricultural chemical run-off.

Deforestation from soy expansion is severe despite the fact TIAA and many other agribusiness firms have pledged to be responsible and deforestation free in their agricultural investments. These investors incentivize deforestation by buying land from others soon after it has been deforested. In fact, satellite imagery shows continued clearing of tree cover on TIAA farms following purchase, plainly contradicting their commitments. The image below shows the gradual deforestation of TIAA's Ludmila and Laranjeiras farms from 2013-2017:



Source: Chain Reaction Research (2018).

Analysis by Chain Reaction Research has found that foreign-held farms in MATOPIBA have seen at least 423,242 ha of deforestation since 2000. Chain Reaction analyzed 82,000 hectares of land held TIAA/Nuveen finding that 73,000 hectares were deforested after 2000 (Chain Reaction Research 2018). In 2018, TIAA promised that it will not buy land deforested after 2009, but that policy does not apply to

land they already own.

The World Bank Project and Land Grabs in Piauí.

In September 2017, an international fact-finding mission composed of 30 representatives from 20 organizations visited seven communities in southern Piauí state affected by land-grabbing and the expansion of the soy industry. The mission found that:

Local people face severe consequences of deforestation, widespread contamination of soil, water, and livestock by agrochemicals, and loss of biodiversity. Additionally, violence against community leaders is on the rise, as are disputes over water, exacerbated by changing rainfall patterns due to eco-destruction. Lastly, local people in the region are losing their land, leading to the destruction of their livelihood, community disruption, and food and nutrition insecurity (FIAN, Network for Social Justice, CPT, 2018).

In December 2017, in response to communities' complaints that the government of Piauí State was regularizing disputed lands in favor of land grabbers, the Brazilian Public Prosecutor's office called for the suspension of the implementation of the World Bank funded land regularization project in Piauí (Ministério Público Federal, 2017). Indeed, in the face of the described situation in MATOPIBA, the World Bank project has a high risk of further deteriorating the situation, by legalizing illegal and/or illegitimate appropriation of community lands and triggering further dispossession and environmental destruction. In March 2018 a coalition of more than 60 Brazilian and international civil society organizations joined the call on the World Bank to suspend the project and to address community concerns (Campanha Nacional em Defesa do Cerrado 2018).

The World Bank responded in April 2018 with a letter that failed to recognize the risks of the project, denying the validity of concerns expressed by civil society stating:

The communities in the project areas are not affected by displacement and that the process of land regularization through INTERPI is regarded by all the communities, with whom the World Bank team consulted, as one important element of protection against illegal land grabs (World Bank letter to FIAN dated April 3, 2018).

Leaders of seven communities in the region responded to the World Bank in June 2018 with a four page letter that verified and reiterated the concerns about loss of land, environmental damage and the potential role of the World Bank project in making land grabs permanent and setting the stage for further dispossession. They cited cases that had been highlighted by the Federal Prosecutor, stating:

Lands belonging to the communities of Sete Lagoas, Brejo das Meninas, Baixão Fechado and Melancias are situated on lands, which have already been registered in the name of private persons and can therefore not be regularized. This confirms that private actors, in particular plantation owners, have registered land that is occupied and used by local people, using the regularization process as a means to formalize the dispossession of communities. Even in case such registration has not been done directly through the regularization program, this shows shortcomings of this program and its inability to effectively protect local people from land grabbing. As such, it contributes to cement and consolidate the appropriation of community lands

by private actors, with the described effects on communities. The World Bank cannot ignore the context in which its project is implemented (Communities letter to World Bank).

The June 2018 letter from the communities resulted in a more satisfactory August 17th 2018 response from the World Bank Country Director Martin Reiser in which he forwarded a letter to the Bank from INTERPI the Piauí State agency responsible for land governance. In the letter, INTERPI outlined steps to address the community concerns including hiring of anthropological consultants to document community land claims and engaging in dialogue with local civil society groups. Visits to several communities have taken place with the objective of facilitating collective titles. These steps were positively received by the communities and civil society in Piauí, as there is a strong desire to see these communities lands demarcated and protected, as well as restoration of lost access to and control over the entire territory of these local communities.

However, there remains reason to be concerned about the World Bank's Piauí project. Monitoring of the process by international civil society will be important to ensure that community rights are effectively protected and restored. The World Bank has a history of failing to protect and even undermining indigenous land rights in areas where national governments are supporting an expansion of industrial agriculture. A recent case was the 2016 approval of a loan for Tanzania's Southern Agricultural Growth Corridor which allowed an exception to the World Bank policies regarding the rights indigenous peoples in a zone of high environmental risk (Chavkin and Ullman 2016). In one well documented case the World Bank's large-scale land administration project in Guatemala resulted in still ongoing large-scale 21st century displacement of indigenous peoples through the privatization of large areas of indigenous community land in the Guatemalan department of the Petén. The project resulted in the loss of half the land studied and the displacement and disappearance of entire communities, according to a World Bank funded evaluation (Grunberg et al., 2012).

A second phase of the project in the department of Alta Verapaz, demonstrated good will from World Bank staff in its design, but in implementation did not yield much better results as only a handful of communities received title while land continued to be privatized (IRBD 2016).

In Brazil, several land market oriented-projects, which were presented as means to solve land concentration and insecurity of tenure rights, have actually increased conflicts and inequalities. Among others, "Cédula da Terra", a project funded by the World Bank from 1997 until 2002, which resulted in more land concentration in the hands of big landowners and the displacement of family farmers to less productive lands, which was the only land they could afford due to rising land prices (Mendonça, 2006. p. 205).

One major area of concern is that only eight communities have been included in the plans for the project, while there are many others in the state of Piauí that need similar inclusion. Secondly the demarcation of community lands by INTERPI, which started after civil society letters to the World Bank, has explicitly concerned only the lands situated in the lowlands (baixões), and excludes community lands on the plateaus (chapadas). It is necessary to reiterate that community territories comprise both the lowlands, where communities live, farm and fish, as well as the plateaus, which have traditionally been used collectively by communities for hunting, collecting of wild fruits and medicinal plants, grazing animals etc. The springs that feed the rivers originate in the plateaus. Their capture by agribusiness companies for soy monoculture denies communities sufficient water, while the chemicals used by agribusiness pollutes

the remaining water that communities need for drinking, washing, irrigation, fishing and other subsistence activities. Communities' livelihoods depend on the control over the totality of their territories, which is guaranteed by the Brazilian constitution and international human rights standards. Limiting the regularization process to the lowlands will result in formalization of the plateau land grabs by agribusiness, and violate the rights of the communities.

Lastly, it is vitally important that the World Bank and INTERPI work with the communities and civil society organizations to ensure that community lands are effectively protected so that they can support community-based livelihoods in the future. These lands should not be individualized so that they can be acquired piecemeal by outside buyers, under threats of violence or economic pressure, as is occurring as a result of World Bank land administration projects in other places.

As an intergovernmental institution that is part of the UN system, the World Bank is bound by the UN Charter and the international human rights framework. The Bank is therefore required to ensure that its operations do not impair human rights, and contribute to the realization of human rights, in particular the rights of the most marginalized groups. In the context of land and other natural resources, the World Bank is required to thoroughly abide by the VGGT, the UN Declaration on the Rights of Indigenous Peoples, and the UN Declaration on the Rights of Peasants and other People Working in Rural Areas, as well as ILO Convention No. 169 on Indigenous and Tribal People, among other human rights standards. This requires to put in place safeguards and measures to ensure that World Bank projects, including the Piauí project, respect, protect and promote the land and tenure rights of rural communities. This includes, in particular to ensure that World Bank project funds are not used to legitimize earlier land grabs.

Based on these concerns and on the work of the 2018 fact finding mission we conclude with a set of policy recommendations adapted from the report on the mission. Restoring and protecting land and human rights of local communities in Piauí and MATOPIBA requires actions at different levels. Additional recommendations for different levels of government in Brazil and other actors can be found in the Fact Finding Mission report (FIAN, Network for Social Justice, and CPT, 2018).

Concluding Recommendations

To the World Bank:

- Ensure that the Land Regularization Program in Piauí, which is implemented by INTERPI, is extended to all rural communities and duly takes into account the totality of communities' legitimate tenure rights, including, in particular, the plateaus (chapadas). Regularization of communities' lands needs to be prioritized over regularization of other actors' claims.
- Support a dialogue roundtable in order to assess the effects of the World Bank-financed land regularization program in Piauí, in order to prevent and remedy violations and to put in place mechanisms, which guarantee local communities control over their territories as well as effective remedies, including the restitution of community lands. As requested by the affected communities, such a round table should involve representatives of the affected communities, the agrarian court of the state judiciary (Vara Agrária da Justiça Estadual), INTERPI, the state and federal Public Prosecutor's Offices, the State Parliament of Piauí, FAO and support groups from civil society. This dialogue round table should be convened by FAO as the leading UN agency for the implementation of the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.

- Publicly disclose how the land regularization project in Piauí is in compliance with the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests. This includes providing detailed information on the measures the World Bank has taken and will take in order to ensure compliance with these Guidelines, in order to ensure the recognition and protection of communities' legitimate tenure rights, in particular their collective rights over lands and forests that are collectively used and managed.
- Revise the terms of the current project, based on the result of the dialogue as well as the internal assessment. The results of these assessments need also be taken account for any future projects that may impact tenure rights of local communities.

To the United Nations Food and Agriculture Organization:

- Provide technical assistance to ensure that the land regularization process in the state of Piauí complies with the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.
- Respond to the demand of affected communities to convene a dialogue round table in order to assess the effects of the land regularization program in Piauí, in order to prevent and remedy violations and to put in place mechanisms, which guarantee local communities control over their territories as well as effective remedies, including the restitution of community lands.

To INTERPI:

- Extend the Land Regularization Program to all rural communities in Piauí, and ensure that the regularization communities' lands needs to be prioritized over regularization of other actors' claims.
- Ensure that the demarcation processes of community lands takes duly into account the totality of communities' legitimate tenure rights, including, in particular, the plateaus (chapadas).
- Adhere to the Brazilian Public Prosecutor's Office's recommendation from 18 December 2017 by implementing concrete safeguards and mechanisms are to prevent and remedy violations of local people's tenure and human rights, and measures have been taken to respect and protect communities' traditional forms of tenure and land use, e.g. through collective titling, ensuring their free, prior and informed consent.
- Initiate procedures to assess and cancel land titles that have been acquired by private actors over community lands, in accordance with its mandate. In particular, initiate such procedures regarding the lands of the communities of Sete Lagoas, Brejo das Meninas, Baixão Fechado and Melancias.

To the companies and funds involved in agribusiness activities and investments in MATOPIBA:

- Immediately cease all acts of intimidation, violence and abuse of power – including those committed by private security firms hired by them – against the traditional communities affected by their operations and their leaders, especially in areas of conflicts. Immediately stop deforestation, the undue use of pesticides, the excessive extraction of water resources, and other practices that have led to the impairment of the human rights of affected communities.
- Take full responsibility for the social and environmental damages caused by their operations and collaborate to ensure adequate reparation of these damages.

- Withdraw all investments, which have led to the impairment of human rights and eco-destruction or which carry the risk of doing so.
- Collaborate with state authorities in the context of the land regularization process in the region by providing all information about their farms and how the respective lands have been acquired and by restituting and restoring lands that have been irregularly and/or illegitimately acquired

To the Home States of the Pension Funds Involved in Farmland Investments in the MATOPIBA Region:

- Establish the necessary regulatory mechanisms to ensure that the involved pension funds do not impair the enjoyment of human rights of communities and people in the MATOPIBA region. This entails, among others, to:
 - Develop policies and frameworks for the conduct of pension funds over which they have jurisdiction (adapting existing regulations or introducing new regulations) to effectively regulate these actors, through a process of dialogue with individuals and communities affected by human rights abuses, taking into account their experiences and needs.
 - Clearly define, in civil, administrative, commercial, environmental and criminal regulation, the duties of corporations and financial actors, including rules on human rights and environmental impact assessments, responsibility of due diligence and victim centered criteria for the determination of liability, and develop clear provisions on legal accountability by these actors for human rights abuses and crimes. The requirements regarding land-related investments need to be based on the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.
 - Impose a legal duty of care on parent companies to exercise due diligence by controlling their subsidiaries to prevent human right abuses and make it a criminal offence for companies to contribute to human rights abuses abroad.
- Proactively track and monitor the activities of pension funds and other actors, especially in sectors with high human rights risks, such as farmland investments. This includes:
 - Putting place mandatory disclosure rules to require these actors to provide all information relevant to assess human rights risks and impacts in relation to their business activities, and to report on their subsidiaries, wherever incorporated and operating, and their business relationships.
 - Carry out monitoring through the embassies in the target countries of investments.
 - Assess compliance of investments with national law as well as human rights standards, including the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.
 - Ensure affected people's access to effective judicial remedies, including by assuming jurisdiction in cases of corporate human rights abuses committed by actors under their jurisdiction, and removing obstacles for people affected abroad to bring a case in the home state of the involved fund.
- Establish a complaint mechanism for individuals and communities whose rights have been negatively affected by actors under their jurisdiction

To all states:

- Support and engage in good faith in the on-going process towards the adoption of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights at the UN Human Rights Council, in order to define clear and obligatory international standards on duties of transnational corporations and other business, including rules

on impact assessments, due diligence, duty of care and liability, and hold them legally accountable for human rights abuses and crimes. States should also support any regional initiative in this regard.

- Implement the United Nations Declaration of the Rights of Peasants and other people working in rural areas, in order to increase protection of the human rights of these groups, including in the context of resource grabbing.
- Adopt all needed measures to prevent harm and criminalization of human rights and environmental defenders by transnational companies under their jurisdiction, in close cooperation with the competent authorities of other states involved in the specific cases on which they receive complaints or any additional information, including in the MATOPIBA region.

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