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Finance and land grabbing: the impact of biofuels certifications on Human Rights in Latin America

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Abstract

Land grabbing isn't a new phenomenon, but with the 2007-2008 triple crisis (food, finance and ecology), we argue that it experienced a new relation with finance. The increase of food commodity prices and the renewed interest in land as a financial asset were constitutive of a financialization of land. Among the proportion of grabbed land, the share of biofuels production is increasing and its production has been subject to passionate debates. Criticism against biofuels environmental impact and the Human Rights (HR) consequences of land grabbing (mainly in terms of right to food) have been voiced. To fend off that criticism, biofuels certifications have been implemented through multi-stakeholder initiatives (MSIs) including companies at all levels of the agri-food supply chain, financial investors and civil society. Most of the certifications include principles related to the compliance with HR. However the financialization of the agri-food supply chain might have influenced the elaboration of the certifications diverting them from the possibility to concretely trigger a positive change on the ground. In order to assess such a possibility from a HR perspective our project is to unveil who are the real beneficiaries of the biofuels certifications and how they are implemented.

Introduction

The aim of this PhD project is to assess the extent to which biofuels certifications contribute to the compliance of HR in cases of land grabbing in Latin America and the role of finance in shaping such regulation. This question is born of an interest to explore the relationship between HR violations in cases of land grabbing, finance and biofuels certifications. It inscribes in the context of the 2007-2008 triple crisis (food, finance and environment) because: 1) the subprime crisis spurred an interest in land as a financial asset which generated land grabbing and a financialization of land 2) with the food crisis and the increase of food commodity prices, import dependent countries decided to offshore their food commodity production exacerbating the tension on land. We choose to focus on biofuels because the proportion of land grabbed for biofuels production is increasing especially with directives such as the EU Renewable Energy Directive 2009/28/EC which goal is that 10% of transport energy comes from biofuels until 2020¹. In order to achieve that goal, the EU acknowledged a dozen of biofuels certifications elaborated through MSIs. We also choose to focus on Latin America because it is a region with important biofuels production (Brazil being one of the most important producer of biofuels in the world) and with alarming cases of LG related to biofuels production with tremendous violations of HR such as the right to food, the right to land, the right to water, the right to adequate standard of living, the right to a remedy, the right to life and physical integrity, the right to a healthy environment, the right to freedom of expression (Cotula, 2014).

To fend off criticisms against biofuels land grabbing, producers, processors, retailers and other companies in the entire agri-food supply chain gathered with financial institutions and civil society in order to elaborate and implement standardisation of biofuels production through sustainable certifications. Those MSIs are labels that pretend to guarantee biofuels production that respect the environment and HR.

Research questions

To what extent have biofuels certifications contributed to HR in cases of land grabbing? Two sub-questions underlie this main interrogation: 1. Who is actually benefiting² from those regulations? 2. How are those certifications implemented? To answer the first sub-question, we will use the concept of financialization of the agri-food supply chain in order to unveil the influence of such financialization processes on the elaboration and monitoring of biofuels certifications. Then, to answer to the latter, we will focus on the importance of local contexts as conditioning the biofuels certifications perspectives of implementation.

As illustrated through our literature review below, International Political Economy (IPE) academics have analysed the obstacles to the translation of MSIs into local context as well as the power struggles behind the elaboration of biofuels certifications. However, the influence of finance hasn't been thoroughly integrated in the analysis. We argue that the role of finance on the elaboration of biofuels' certifications is worth a focus because of the financialization processes taking place and impacting the relations of actors with land. Biofuels certifications promote HR in their principles, but we want to analyse if it really does sustain small-scale farmers in their living conditions and civil societies in their critics of land grabbing. This is a central question as at the end of the rope, it is people who are recipients of HR. Latin America is a relevant investigation field because of the scale of biofuels production, the number and cycles of land grabbing involving biofuels and HR violations, as well as the emergence of a HR framework to fight against land dispossession.

¹ <https://ec.europa.eu/energy/en/topics/renewable-energy/biofuels/voluntary-schemes>, visited December 22, 2015

² Here, we use the work « benefiting » in the sense of « taking advantage of », which does not only include a financial dimension, but also a benefice in terms of respect for HR.

Problematic and objectives

As widely admitted, large-scale land acquisitions³ are not a new phenomenon, but a recurrent one. However, the 2007-2008 triple crisis (food, finance and ecology) boosted a renewed interest in land grabbing. Crops and land became assessed as safer assets diversifying portfolios. The raise of food commodities prices and related perceived food insecurity for imports dependent countries spurred their interest in offshoring their food production. Interests in biofuels and flexi crops (crops that can be used as fuels, food or feed⁴) accelerated the demand for land. In that context, the novelty about this wave of land grabbing is its relationship with financial actors (pension funds, sovereign funds, investment funds, banks, financialized agri-food producers and traders, private equity groups) and financial instruments (agricultural derivatives, index funds, private equity capital) linked to the triple crisis (Fairbairn, 2014; Knuth, 2015; Visser, 2015). We will discuss this influence of finance on land grabbing through the concept of “financialized land grabbing”. Moreover, a large scale of those lands grabbed by financial actors are used for the production of biofuels (Cotula, Dyer, & Vermeulen, 2008; Ernsting, 2014; McMichael, 2012a). The production of “flexi crops” on grabbed lands has given impetus to critics of large-scale land acquisitions (Dauvergne & Neville, 2009; Lendle & Schaus, 2010; Levidow, 2013). Actors involved in all the commodity chain have thus developed, in partnership with civil society organisations, MSIs for biofuels certifications. Adding to the corpus of regulations on land investment⁵, multi-stakeholders initiatives answering to criticisms towards biofuels land-grabbing have been shaped through round tables on the sustainable standardisation of biofuels such as the *Roundtable on Sustainable Palm Oil* (RSPO), *Bonsucro* (for sustainable sugarcane), the *Round Table for Responsible Soy* (RTRS) and the *Round Table on Sustainable Biomaterials* (RSB)⁶. Bonsucro, RSP and RSB do include compliance with HR as one of their principles (Bonsucro, 2015; Round Table on Sustainable Palm Oil, 2013; Roundtable on Sustainable Biomaterials, 2010). RSPO and RTRS refer to compliance with applicable laws and regulations (Round Table on Responsible Soy, 2013)⁷. Our aim is to assess if the operationalization of those principles can really spawn human rights compliance in cases of large-scale land acquisitions.

This analyse will be shaped through a critique of the MSIs on biofuels certifications by shedding light on who actually benefits from those certifications and how they are implemented. We argue that financialization processes and financialized actors influence the elaboration of biofuels certifications that turn consequently as unlikely to trigger a positive change regarding land grabbing from a HR perspective. To the contrary, those initiatives further “capitalist accumulation through dispossession” (Goodale, 2015; Levidow, 2013; McMichael, 2005; McMichael, 2011) of the poorest by the powerful and reflect of a financial hegemonic force (Bloomfield, 2012). Indeed, biofuels certifications discourse tends to legitimize land grabbing providing that it fulfils a set of requirements related to “sustainable” biofuels, imposing dispossession of the poor by the powerful through accumulation (Bacon, 2010; Borrás Jr & Franco, 2010; Fortin, 2011, 2013; T. Selfa, Bain, & Moreno, 2014).

This context warrants our exploration of the relationship between finance, land grabbing from a HR perspective and biofuels certification. We chose to focus on Latin America because it illustrates the recurring dimensions of land grabbing through the cycles of large-scale land acquisitions and land reforms it experienced in the last centuries (Edelman & León, 2013). At the same time, the region current wave of land grabbing has its own specificities in terms of actors (S. Borrás, Franco, Kay, &

³ I am using indifferently “land grabbing”, “land deals”, “large-scale acquisitions”, “land investments”, which I will define in more details below.

⁴ Such as palm oil, sugarcane and soy. For more on that topic see S. Borrás et al., 2012; S. M. Borrás, Franco, & Wang, 2013; McMichael, 2014; Moser et al., 2014; White, Borrás Jr., Hall, Scoones, & Wolford, 2012.

⁵ At the UN level: the *Voluntary Guidelines on the Responsible Governance of Tenure of land, fisheries, and forests* and the *Principles for Agricultural Investment that Respect Rights, Livelihood and Resources* (PRAI)

⁶ For an overview of biofuels certification: (Scarlat & Dallemard, 2011)

⁷ Bonsucro Principle 2: Respect Human Rights and labour standards; RSPO Principle 6.13: Growers and millers respect Human Rights; RSB Principle 4: Biofuel operations shall not violate human rights or labour rights and shall promote decent work and the well-being of worker

Spoor, 2011; S. Borras, Kay, Gomez, & Wilkinson, 2012) and in terms of biofuels production (Moser, Hildebrandt, Bailis, Solomon, & Bailis, 2014). Those elements explain that regarding land grabbing: “The context in the Americas today is both historically unprecedented and very familiar” (Safransky & Wolford, 2011: 3).

Literature review and theoretical references

Land governance and the definition of land grabbing

Land grabbing, land rush, land deals, large-scale land acquisitions, land control, land transactions: there is no unanimity in the academic literature on what concept can comprehensively render account of an evolving phenomenon covering a myriad of different situations, processes and actors (Oya, 2013). This plethora also relates to the “competing tendencies in global governance of land deals” with far-reaching implications on how and why to regulate land grabbing: 1. Regulate to facilitate land deals, 2. Regulate to mitigate impacts and maximize profits, 3. Regulate to stop and rollback (S. M. Borras, Franco, & Wang, 2013). For example, the Food and Agriculture Organization of the United Nations (FAO) selected criteria to define land-grabbing are: “i) significant extent of recent large-scale land acquisitions; ii) involvement of foreign governments in these land deals; and iii) negative impact of such renewed land investments on food security of the recipient country” (S. Borras et al., 2011: 4). We agree with Borras and al. on the limitations of the FAO definition. While rendering account of financial instruments and actors’ influence on land grabbing, territoriality and “foreignization” cannot expose the current essence of the financialization of land grabbing (Fairbairn, 2015b). Between too narrow and too broad definitions, we will use Borras and al’s definition of land grabbing: “capturing control of relatively vast tracts of land and other natural resources through a variety of mechanisms that involve large-scale capital that often shifts resource use orientation into extractive character, whether for international or domestic purposes, as capital’s response to the convergence of food, energy and financial crises, climate change mitigation imperatives, and demands for resources from newer hubs of global capital” (S. M. Borras, Franco, Gómez, Kay, & Spoor, 2012: 851).

The HR perspective on land grabbing

Our research builds on the literature advocating for the adoption of a HR perspective on land grabbing, because we believe that “To resist oppression is at the very core of the human rights idea. Human rights explicitly address power imbalances and raise the question of the legitimacy of the powerful” (UDHR 1948: cited by Monsalve Suárez, 2012: 240). This perspective has been mainly developed through the right to food⁸ (Claeys & Vanloqueren, 2013; De Schutter, 2009; Golay & Biglino, 2013). In 2009, the UN Special Rapporteur on the Right to food, Oliver De Schutter elaborated a set of 11 principles in order to tackle large-scale land acquisitions from a HR perspective (United Nations Press Release, 2008). The prominence of the right to food in the academic literature on land grabbing from a HR perspective might be partially explained by the fact that the right to land hasn’t been recognized as a HR, except for indigenous people in the Declaration of the Rights of Indigenous People⁹. Negotiations on the draft declaration of the UN on the rights of peasants and other people working in rural areas are still on-going and the right to land is one of the main stake of that declaration (Suárez, 2015). An important literature conceptualizes the right to food through the concept of food sovereignty¹⁰ (Bacon, 2010; Boyer, 2010; Giunta, 2013; Rosset, 2011; Schanbacher, 2013). The land

⁸ “For the Special Rapporteur, the right to food is the right to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensure a physical and mental, individual and collective, fulfilling and dignified life free of fear” <http://www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx> (accessed 15.01.2016)

⁹ UN Declaration on the Rights of Indigenous People (2007), Art. 26: “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired”

¹⁰ “Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems”(Declaration of Nyéléni – Forum for Food Sovereignty, 27 February 2007)

dimension of food sovereignty goes beyond food security as it ensures not only the access to food, but also the right to choose what to produce on the land (S. M. Borras, Franco, & Suárez, 2015). Suárez has shed light on the advantages and the limits for local communities to use a HR framework as a way of resistance against large-scale land acquisitions (Suárez, 2012). Narula opposes a market-plus approach¹¹ to a rights-based approach as a tool to “assessing the underlying normative frameworks employed by the market-oriented international financial institutions that facilitate these land transfers” (Narula, 2013: 109). As already mentioned, MSIs on biofuels certifications do mention compliance with HR or with international law in their principles. We want to assess how those principles are operationalized and implemented in cases of land grabbing with conflict on human rights violations between small-scale farmers/civil society and certifications members.

The purpose of a HR perspective to discipline land grabbing is not to obfuscate the responsibility of the State, but to reveal the shortcomings of voluntary code of conducts in a context where it is widely admitted that the duty bearers of HR also include private actors (Ruggie, 2011). In that sense, we assume that adopting a HR perspective on biofuels certifications will help us in understanding the power struggles and dynamics contradicting the achievement of those goals. The HR framework on land grabbing opposes to the “market-plus approach” led by the World Bank and puts into questions the “win-win” discourse according to which land grabbing is an opportunity for developing countries because they bring investments, knowledge and higher productivity. In that discourse, HR violations related to land grabbing are a “risk” worth taking because what is to win (development and neoliberal mode of production) overstep the unpleasantness spawned by the dispossession of local communities, and MSIs are in fact the answer to mitigating risks. This project will contradict this perception by answering our sub-questions of who benefit from the certifications and how they are implemented.

The literature on the relationship between finance and land grabbing from a HR perspective is very limited. However, a blossoming of authors have been analysing the impact of finance on land grabbing, mainly through the concept of financialization (see below). Financialization is an interesting concept for our project as it centres new actors and new instruments in land grabbing. Moreover, the broader relationship between finance and human rights hasn't been the focus of a significant amount of literature either, although some exceptions must be mentioned: De Felice, 2014; Dowell-Jones & Kinley, 2011; Dowell-Jones, 2013. In the context of the 2007 triple crisis, I argue that this encounter is worth analysing through a land grabbing lens, placing it in a longer-term perspective. Biofuels certifications are one of the instruments emerging from this financialization of land grabbing. To analyse the capacity of certifications to trigger a change on the ground is important to shed light on power struggles behind them, the winner and the loser of processes, the discourses of the new actors.

Finance and land grabbing

A wealth of recent research has spawned on the relationship between finance and land grabbing, mainly apprehended through the 2007-2008 food crisis high price volatility and food commodities speculation (Clapp & Helleiner, 2012; Friends of the Earth Europe, 2012; J Ghosh, 2011; Headey, 2010; Irwin & Sanders, 2011). Indeed, the 2007 financial crisis spawned financial investors' new attention in agri-food commodities. Financial instruments were implemented in order to turn liquid and fungible those hence commodified assets (Fairbairn, 2015b). New types of actors started to invest in food commodity derivatives and land (Baud & Durand, 2012). Financial capital started to have a prominent role compared with productive capital in agricultural activities at all level of the commodity supply chain (Burch & Lawrence, 2013). Those phenomena paved the way to what has been tagged as the financialization of food (Clapp & Helleiner, 2012; Clapp, 2014; Fuchs, Meyer-Eppler, & Hamenstädt, 2013; Kerckhoffs, Van Os, & Vander Stichele, 2010; Mayer, 2009; Rossman, 2010), land (Fairbairn, 2014; Knuth, 2015; Mayer, 2009; Visser, 2015), agri-food (Burch & Lawrence, 2013) and agriculture (Salerno, 2014). The food international political economy (IPE) considers the

¹¹ “The market-plus approach is essentially a market-driven approach with a special sensitivity to the need for regulation. At the most fundamental level, it privileges market-led processes as engines for economic growth and increased food production” (Narula, 2013: 121)

financialization of food as central in the conceptualization of a third “food regime” (Burch & Lawrence, 2009; McMichael, 2012b). Indeed, the food regime, defined as “the global ordering of international food production, circulation and consumption relations within specific institutionalized world-historical conjunctures” (McMichael, 2012b) has since the 1980s been entering a third phase, shaped by a neoliberal project of agricultural liberalization characterized by the importance of financial capital.

As already pointed out, land grabbing isn't a new phenomenon. However, building on food IPE focus on the financialization of land, food, agri-food system and agriculture, we consider those dynamics as embodying the more salient particularities of this new financialized land grabbing. But what is financialization? In the field of IPE, much ink has been spilled on that broad concept. Krippner (cited by Fairbairn, 2014) defines it as the “Tendency for profit making in the economy to occur increasingly through financial channels rather than through productive activities” (Krippner, 2011: 4) whereas Clapp defines as the “increasingly important role played by financial market within a specific sector” (Clapp, 2012: 2). Speaking more specifically about land financialization, Gunnoe considers it as the “increasing tendency to treat land as a financial asset” (Gunnoe, 2014: 1). In such a process, Fairbairn underlines the intricacy between financial and productive capital in farmland. “This fuzzy boundary arises from land's double function as productive and financial asset” (Fairbairn, 2014: 781). She adds that its geographical origin being always in flux, capital tends to be more and more de-territorialized (Fairbairn, 2015b).

In overall, it seems that land financialization has been subject of less attention in IPE literature (Fairbairn, 2014; Gunnoe, 2014; Knuth, 2015; Visser, 2015) than food and agri-food financialization (Burch & Lawrence, 2013; Fairbairn, 2015a; Fuchs et al., 2013; Jayati Ghosh, 2010; Isakson, 2014; Jones, 2010). In any case, these latter will be of critical use for our research project, as they cannot be rigidly separated from land financialization. For example, according to Clapp, financialization empowered new financial actors (as financial investors, including banks, financial services firms, and large-scale institutional investors). She summarizes the impact of these new financial actors on food regime by using the concept of “distancing” which among other consequences “abstracts food from its physical form into highly complex agricultural commodity ‘derivatives’ that only seasoned financial traders fully understand. The result of this increased distancing is a weakening of influence of other actors over food system outcomes.” (Clapp, 2012: 2). The abstraction of food into derivatives echoes the process through which land is being commodified (McMichael, 2014), as well as the new actors contributing to that process. Further literature on the relation between food and finance are very useful in the analyses of the relation between land and finance. Moreover, the relation between biofuels and financialization has also been analysed in those literatures considering that “the agrofuels project is symptomatic of the phenomenon of financialization whereby investors prefer to hold capital in liquid” (McMichael, 2012a: 66) and that with flexi crops, the distinction between food and fuels tends to be blurred.

Multi-stakeholders initiatives (MSIs) on biofuels certification and land grabbing

What stands out of the literature on financialization is the sprawling amount of actors, instruments and processes involved. This precludes a full rendition of the politics of financialization. In this regards, some authors chose to focus on specific instruments such as index funds (Irwin & Sanders, 2011) and private equity capital (Daniel, 2012), agricultural commodity trading company (Salerno, 2014) or on particular financial actors such as investment funds (Buxton, Campanale, & Cotula, 2012) and pension funds (Grain, 2011). The purpose of this project is to focus on a group of instruments (multi-stakeholders certifications of biofuels) as well as on the financialized actors being part of those voluntary initiatives.

According to Lin, “biofuels ‘meta-standard’ certification scheme creates a transnational governance regime involving a regional bloc including States, non-governmental organisations and businesses in a hybrid regulatory model combining elements of private certification and public authority” (Lin, 2012: 43). IPE on transnational land grab governance has been underlying changes brought by private and

hybrid regulations (Margulis & Porter, 2013). According to Graz, global hybrids encompasses actors, objects and spaces as joint issues beyond “the private/public nexus of the actors involved in new forms of institutional arrangements and authority” (Graz, 2006: 787). For example, the EU goal that 10% of transport energy comes from biofuels until 2020 (Renewable Energy Directive 2009/28/EC)¹² and its acknowledgement of a dozen of biofuels certifications in order to achieve it, shows the intricacy of MSIs initiative with State’s interests. We will thus use Graz’ conceptualization of global hybrids through the subjects wielding authority, the objects concerned and the space of deployment in order to analyse MSIs on biofuels certification.

Multi-stakeholders certifications of biofuels has been apprehended in terms of their legitimacy, their content, the power relations shaping and positioning them and their ability to generate change (Bailis & Baka, 2011; Brassett, Richardson, & Smith, 2012; Partzsch, Partzsch, & Values, 2011; Schouten & Glasbergen, 2011) as well as in the context of the emergence of a “global integrated biofuel network” (Fortin, 2011). Moreover, a literature on the translation of MSIs on biofuels into local contexts has been emerging. For example, Selfa and al. focus on the case of Bonsucro in Colombia, underlining “How local context shapes the prospects for Bonsucro sustainably certified biofuel production in relation to land and water grabs” (Selfa et al., 2014: 455). Fortin and Richardson discuss on the “Extent to which two global sustainability standards and certification schemes, Bonsucro and the RSB, are able to protect the land right of those whose land tenure is insecure” (Fortin & Richardson, 2013: 20) through concrete obstacles related to the implementation of universal concepts to local contexts. However, those approaches don’t include the influence of financial processes nor a HR perspective on land grabbing.

Methodology

Our main research question is: **To what extent have biofuels certifications contributed to the respect of HR in cases of land grabbing?** We plan to answer it through two sub-questions underlying this main interrogation: **1. Who is actually benefiting from those regulations? 2. How are those certifications implemented?** By unveiling the real beneficiaries of biofuels certifications, we intend to analyse the gap between biofuels land grabbing violations of HR and the biofuels certifications elaboration and implementation. Using the gramscian concept of hegemony¹³, we assert that those certifications are legitimizing land grabbing by imposing criteria they have to fulfil instead of putting into questions their own existence. Integrating elements of HR local contexts in our analyse aims at assessing its importance on the implementation and monitoring of the biofuels certifications.

Multiple cases study

Considering the preponderance that we assume HR local contexts might play in biofuels certifications’ perspective to trigger a change regarding land grabbing from a HR perspective, we will apply a multiple case study research method as defined by Yin: “An empirical inquiry about a contemporary phenomenon (e.g., a “case”), set within its real-world context—especially when the boundaries between phenomenon and context are not clearly evident” (Yin, 2012: 4). This analyse will be prepared through a mapping of the situation of land grabbing in two countries before focusing on most crucial cases of biofuels land grabbing perpetuated by biofuels certifications members. This means that the two countries selected should have a significant enough number of biofuels land grabbing and of biofuels land grabbing perpetuated by biofuels certifications members. We plan to analyse around 2 or 3 cases of biofuels certifications members land grabbing in each country (total cases between 4 or 6). The choice of two different countries experiencing different national policies regarding land grabbing is motivated once again by our will to put forward the impact of local contexts on the perspective of implementation of biofuels certifications.

¹² <https://ec.europa.eu/energy/en/topics/renewable-energy/biofuels/voluntary-schemes>, accessed December 22, 2015

¹³ In the sense that “hegemony is achieved within the sphere of civil society by consensual means, when a leading class sheds its immediate economic-corporate consciousness and universalizes (within the constraints of the national-popular character) its norms and values, thereby establishing a political and ethical harmony between dominant and subordinate groups” (Germain & Kenny, 1998: 16)

Field investigation in Latin America

Situations of land grabbing exist in various regions of the world, especially in Africa, Latin America and South East Asia. However, Latin America is particularly relevant for a research on biofuels' certifications impact on land grabbing from a HR perspective. The cycles of land grabbing and land reform characterizing the continent makes it a relevant geographical area for this study and the rise of flex crops in Latin America is considered, according to Borras and al., one of the hall mark of the region land grabbing (S. Borras et al., 2012: 847). Moreover, numerous land grabbing and HR violations related to dispossession have been documented. Finally, the human rights perspective of land grabbing in Latin America is present through the activism of local, regional and international NGOs (S. M. Borras, 2010; Boyer, 2010; McMichael, 2008).

Corpus

Sampling criteria:

1. Countries: Considering that our multiple case study analyses will map the situation of biofuels land grabbing in two countries before focusing on most crucial cases of biofuels land grabbing perpetuated by biofuels certifications members, the two countries selected should fulfil the following criteria: 1. Significant production of biofuels 2. Significant number of biofuels land grabbing 3. Significant number of biofuels land grabbing perpetuated by biofuels certifications members.
2. Cases: Land grabbing cases in the two countries will include: 1. Financialized members of biofuels certifications 2. International dimension 3. Biofuels production 4. Conflict over the land.
3. Biofuels certifications: The certifications chosen will have to include: 1. International dimension 2. References to compliance with HR 3. Financialized actors as members 4. Land dimension

Sampling:

As of today, the state of advancement of our research tends to the fulfilment of those criteria for relatively documented cases in Brazil and Colombia. For example, according to the Land Matrix Global Observatory¹⁴, in Brazil Louis Dreyfus, member of the RTRS has been signalled for a case of land grabbing for soy production. In Colombia, the company (member of the RSPO) is involved in land grabbing for palm oil production. Moreover, some qualitative investigative fieldworks exist for those countries. Camargo explores the relationship between water grabbing, governmentality and property rights through the case of the Lower Sinu River in Colombia (Camargo, 2012) and Ballvé explores the narco land grab (Ballvé, 2011). Fairbairn focused on the process of financialization in the case of land grabbing in Brazil (Fairbairn, 2015b). Other authors analyse the relationship between biofuels and land grabbing (Clancy, Lovett, & Marin, 2011; Hollander, 2010; Mejía A., 2011; Wilkinson, 2011) and the impact of biofuels certifications (Mier y Teran, 2011; B. T. Selfa, Bain, & Moreno, 2012; T. Selfa et al., 2014) in those two countries. Finally, Brazil has been playing a central role in the promotion of biofuels (Wilkinson & Herrera, 2010) and has a particular status as country afflicted by and perpetrator of land grabbing (Clements & Fernandes, 2013). Colombia is going through a civil war of which land is a central component (Grajales, 2011; Hoffmann, 2002).

It is worth mentioning that Cargill and Dreyfus are two agricultural commodity traders that have expanded their activities to financial services. According to Salerno, who wrote a paper on Cargill's land investment techniques in the Philippines: "Cargill is profiting from financialization through a reshaping of its approach to agriculture by becoming more involved in finance and acquiring indirect control over land and production" (Salerno, 2014: 1710). For her, this reflects what Clapp called the

¹⁴ <http://www.landmatrix.org/en/get-the-idea/global-map-investments/>, accessed December 11, 2015.

financialization of agriculture. The impact of those financialized actors on the biofuel certifications they took part is worth of interest. Moreover, the financialization of commodity trading through the ABCD (Archers Daniel Midlands, Bunge, Cargill, Louis Dreyfus) has been a preoccupation for IPE recently (Murphy, Burch, & Clapp, 2012), although the phenomenon hasn't been widely understood and analysed yet. Consequently among biofuels certifications members, a focus on commodity traders might be of great relevance.

Operationalization of the analyse

Who is actually benefiting from those regulations?

To unveil the real beneficiaries of biofuels certification and analyse the gap between biofuels land grabbing violations of HR and the biofuels certifications elaboration and implementation, we will proceed in two times:

Assess the influence of financialization¹⁵ on the elaboration of the biofuels certification:

1. Biofuels members' financial reports: Dissect the shares of financial capital and financial investments in members of biofuels certifications to assess if a process of financialization of the elaboration of biofuels certification is taking place.
2. Reports on negotiations of the elaboration of biofuels certification and interviews of biofuels certifications members' representatives in negotiations: In case of the significant share of financial capital sustaining the activities of the biofuels certifications members, assess if this financialization has a real influence. This latter might be assessed through reports on the negotiations and contacts with representatives in the negotiations.

How are biofuels certifications implemented?

To ensure an efficient implementation of biofuels certification in terms of HR implies that the content of the biofuels certifications match the local context regarding land grabbing HR violations. To check if this is the case we will:

Assess the gap between HR violations related to land grabbing (HR subjects of violations, victims, consequences for the victims) in selected host countries and the content of biofuels certifications regarding HR.

3. Main HR NGOs reports working on land grabbing and field investigation data to compare with HR principles of biofuels certifications: Assess if HR mentioned in biofuels certifications and the criteria measuring their compliance match violated HR on the ground and their consequences.
4. Interviews with small-scale farmers, HR NGOs/civil society working on land grabbing: Assess the existence of a local HR framework against land grabbing HR violations.

Feasibility

- My experience documenting cases of land grabbing in Honduras for a local HR NGO taught me how crucial it is to collaborate with NGOs and organized civil society in order to get access to the field and ensure security conditions for the researcher and the interviewees. If this access turns obstructed for fluctuating security reason that couldn't have been anticipated, the data they have gathered or their ability to bring victims of land grabbing from remote areas to the capital for interviews can palliate the lack of access to the field. Indeed, some NGOs have been following and documenting cases of land grabbing for years, collaborating with them is the best way to

¹⁵ We will use the concept of financialization as defined by Clapp: "increasingly important role played by financial market within a specific sector" (Clapp, 2012: 2).

expand the knowledge further on what they have built and to contribute to the respect of HR. Such contacts are in the process of being established for Colombia and Brazil.

- Documents related to the influence of financialized certifications members on the elaboration of the certifications might be of difficult access. Interviews with NGOs and civil society that took part in those negotiations would be a way to bypass those impediments.
- Data related to financial capital of members of biofuels certification (possibly commodity traders) might not be public. The assessment of a financial expert might be used instead.

Data analysis

I shall use methods of interpretative social sciences to make sense of complex social and political phenomena, combining a historical reflection with close textual reading, personal interviews with observation of key institutions and actors in direct relation with land grabbing and biofuel certifications, and qualitative analyses of legal and political developments.

Thesis shaped on three academic articles format

The topic of this project is suitable for a thesis shaped in a three articles format. Details on the content of each article will be determined in a further step.

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