



SPOTLIGHT ON PUBLICATIONS: EXTRACTIVE INDUSTRIES AND LAND USE



Questions about land use are inextricably related to decisions about where and how to engage in extractive industry activities. Latin American countries have dealt with a range of land-related challenges, from land use planning and consent for securing access to land, to special considerations for indigenous peoples and environmental conservation, all of which have important implications for governments and local communities. This selection highlights some of the key publications dealing with issues of extractive industries and land use in Latin America.

► [Better Land Access for the Rural Poor: Lessons from Experience and Challenges Ahead](#)

This study of land access challenges experienced by the rural poor includes a focus on extractive industries and land use, examining how efforts to attract foreign investment related to the extraction of natural resources in Latin America, Asia and Africa limits access to land and resources by local communities and indigenous peoples. The study finds that to encourage foreign investment, states typically prioritise concession rights granted to extractive industry companies over local land rights. The study concludes that this can be avoided by creating mechanisms to protect legal entitlements of collective lands. It offers interesting details about Latin America and other contexts, making it useful for those working on extractive industries issues across the world.

Full Citation: Cotula, L., Toulmin, C., Quan, J. 2006. *Better Land Access for the Rural Poor: Lessons From Experience and Challenges Ahead*. IIED, FAO, Hertfordshire.

► [The Concentration of Land Ownership in Latin America: An Approach to Current Problems](#)

This publication looks at a variety of issues stemming from the increasing concentration of land ownership in the region, including as related to extractive activities. The study presents cases from Peru and Nicaragua in which rural and indigenous communities rejected large-scale mining and oil projects on their lands, where the State had previously granted concessions. On the other hand, when there were land negotiation processes, they were often linked to civil society mobilisations and the absence of the State. The author also argues that the indigenous populations are defending not only their livelihoods based in agricultural production, but also their identity and methods of social and cultural reproduction.

Full Citation: Wiener, E. 2011. *The Concentration of Land Ownership in Latin America: An Approach to Current Problems*. International Land Coalition, Rome.



► [Environmental and Social Consequences of Commodity Production](#)

This chapter of a larger World Bank study assesses some of the potentially negative consequences of commodity production, including a focus on mining and oil. In particular, the authors describe the difficulties that rural communities in Latin America face due to the acquisition of their lands by large mining and oil companies, such as land fragmentation and trying to adapt to a different way of life that follows from the introduction of new economic activities. Although some rural dwellers consider selling their land as a way out of poverty, such a decision could actually increase poverty in the long-term, while also leading to social conflict. This chapter will likely be of use to researchers, practitioners and policymakers from other regions interested in understanding how to avoid some of the same negative impacts of extractive industry activity in their own contexts.

Full Citation: Sinnott, E., Nash, J., De la Torre, A. 2010. Chapter 6: Environmental and Social Consequences of Commodity Production. In: *Natural Resources in Latin America and the Caribbean. Beyond Booms and Busts?* World Bank, Washington, DC.

► [Extractive Industries and Sustainable Development: An Evaluation of World Bank Group Experience](#)

This is a study of the World Bank Group's effectiveness in promoting extractive industries projects that contribute to sustainable development goals, especially from an environmental and social perspective. It also includes an assessment of the World Bank's work in Latin American countries. It treats land challenges such as land tenure, use and degradation as transversal issues that impact extractive industries. The publication provides practical recommendations, such as how to best organise consultation processes when starting an extractive industry project in a new area. This will likely be a useful publication for policymakers and practitioners to learn from what has and has not worked in different contexts.

Full Citation: Liebenenthal, A., Michelitsch, R, Tarazona, E. 2005. *Extractive Industries and Sustainable Development: An Evaluation of World Bank Group Experience*. World Bank, Washington DC.

► [Extractive Industries as a New Constituency for Protected Areas](#)

Highlighting the fact that many biodiverse areas are also home to large known mineral and hydrocarbon reserves, this article looks at the potential contribution that the extractive industries sector can make to protected areas. This could include financial contributions, support for environmental management and planning, direct contributions to conservation science and capitalising on their influence to push for public support of protected areas. Alongside these recommendations, the author also highlights the importance of national land use planning policies, and addresses the risks of not having clear and equitable planning procedures. The different case examples worldwide - including from Latin America - help illustrate what has worked well in different contexts.

Full Citation: Carter, A.S. 2005. Extractive Industries as a New Constituency for Protected Areas. In: McNeely, J. (ed.). *Friends for Life: New Partners in Support of Protected Areas*. IUCN, Gland.

► [Framework for Responsible Mining: A Guide to Evolving Standards](#)

This report assesses some of the environmental, human rights and social issues associated with the mining industry, and sets forward a framework for achieving more responsible mining investment and activities with regards to these issues. It includes a strong focus on land use concerns, such as indigenous and community rights to prior consultation, land use planning and conservation, 'no go' zones, relocation and resettlement, and reclaiming and rehabilitating land. It provides recommendations useful for governments, civil society, private extractive companies and financial institutions



investing in extractive activities. The authors describe their publication as both offering “expert guidance” and as being a “catalyser” for further discussion among stakeholders interested in improving mining standards.

Full Citation: Miranda, M., Chambers, D., Coumans, C. 2005. *Framework for Responsible Mining: A Guide to Evolving Standards*. WWF, WRI, CSP.

► [Institutional Challenges for Mining and Sustainability in Peru](#)

In this report, the authors warn about the risks inherent in undertaking mining projects in areas where institutional weaknesses in environmental management exist. In the context of Peru, the authors explain how mining has increased social conflicts as a result of environmental damage and altered livelihood bases, which can lead to economic insecurity and leave villages without land holdings. They argue that it is important to regulate mining activities to protect against these potential risks. This Peru case study, and the analysis related to the importance of institutions, could be useful for those in Africa and Asia working on similar extractive industries and land use issues.

Full Citation: Bebbington, A., Bury, J. 2009. *Institutional Challenges for Mining and Sustainability in Peru*. PNAS, Washington, DC.

► [Land Use Planning Handbook](#)

This Handbook offers clear guidelines for the successful application of land use planning. Though it was written for use in the United States, it provides a detailed land use planning framework that could be helpful for understanding how to best prepare, implement and revise land use planning in other countries. The Handbook also provides guidance for developing subsequent implementation plans and decisions. Overall, the publication offers a general guide to land use planning, from the initial decision making process to the final evaluation, and covers a variety of land use decisions, including for extractive industries.

Full Citation: United States Department of the Interior, Bureau of Land Management. 2005. *Handbook H-1601-1: Land Use Planning Handbook*. United States Department of the Interior, Washington, DC.

► [Michiquillay: Dynamics of Transference and Changes in Land Use and Valuation in the Context of Mining Expansion in an Andean Campesino Community](#)

This publication analyses negotiation processes for gaining access to land in the context of extractive industries, and discusses the economic, environmental and social impacts of the subsequent agreements. The authors present a case study of the Michiquillay community in the Peruvian Andes. They argue that land negotiation with a private company changed traditional communal land tenure and led to the fragmentation of land. Furthermore, negotiation processes were biased towards the company due to the lack of information made available to the community. This case study offers an example of what can go wrong in land negotiations, with lessons that could be applied to other regions as well.

Full Citation: Burneo, M.L., Chaparro, A. 2011. *Michiquillay: Dynamics of Transference and Changes in Land Use and Valuation in the Context of Mining Expansion in an Andean Campesino Community*. ILC, CISEPA, CEPES.

► [No Man’s Lands? Extractive Activity, Territory, and Social Unrest in the Peruvian Amazon](#)

This case study demonstrates the challenges related to land access and use for extractive industries by showing how these issues played out in one indigenous community in the Peruvian Amazon. It looks at a variety of critical details, such as how the Peruvian government has modified laws and procedures to attract foreign investment for oil extraction in the Amazon region. Indigenous people living in the area first used institutional mechanisms such as land titling and the



creation of a national park to prevent the expropriation of their lands. However, given that they received limited support from the government, major social conflicts have emerged. The author argues that to avoid such conflicts, compliance with laws and regulations and the implementation of consultation processes and dialogue between the parties is essential. The details about this Peruvian case and the recommendations coming out of it will be useful to policymakers, civil society and private companies dealing with extractive industry land use issues in other contexts.

Full Citation: Durand, A. 2011. *No Man's Lands? Extractive Activity, Territory, and Social Unrest in the Peruvian Amazon: The Cenepa River*. ILC, CIRAD, SER, CISEPA.

► [Review of Major Mining, Oil, and Gas Company Policies on Free Prior and Informed Consent and Social License](#)

Oxfam America created this compilation of existing statements by leading oil, gas and mining corporations about their policies related to acquiring free, prior and informed consent of local communities and social license. Though the authors admit it is not an exhaustive compilation, it will still be a useful background resource for governments, civil society and private sector actors.

Full Citation: OXFAM America. 2009. *Review of Major Mining, Oil, and Gas Company Policies on Free Prior and Informed Consent and Social License*. Oxfam America, Boston.

► [Sarayaku: An Emblematic Case of Territorial Defense](#)

This case study presents the history of Sarayaku, an indigenous people from Ecuador, that have been living in constant conflict with the Ecuadorian government and the Argentinean General Fuel Company (*Compañía General de Combustibles - CGC*) over access to their land. Oil extraction activities affect 60% of the Sarayaku territory, which was concessioned by the Ecuadorian government without prior consultation. The Sarayaku people took the case to international courts to defend their land. The Sarayaku experience marked a precedent that researchers, practitioners and policymakers working on extractive industries and land use should be aware of, as it provides an interesting case study of the legal mechanisms that a community can use to defend its land.

Full Citation: Melo, M. 2011. *Sarayaku: An Emblematic Case of Territorial Defense*. Fundación Pachamama, Quito.

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