

# The Land at Stake

A Decade of Cases from the HLRN Violation Database



Housing and Land Rights Network –  
Habitat International Coalition

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**HABITAT INTERNATIONAL COALITION**

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## Abbreviations

|          |   |
|----------|---|
| AFCoN    | Africa Cup of Nations   |
| AFD      | French Development Agency   |
| CESCR    | Committee on Economic, Social and Cultural Rights   |
| CFA      | Central African franc   |
| COVID-19 | Corona virus discovered in December 2019  |
| DRC      | Democratic Republic of Congo  |
| FDI      | foreign direct investment   |
| GFW      | Global Forest Watch   |
| GHG      | greenhouse gas  |
| GST      | Goods and Services Tax  |
| ha       | hectare   |
| HIC      | Habitat International Coalition   |
| HLRN     | Housing and Land Rights Network   |
| ILO      | International Labour Organisation   |
| InSAR    | Interferometric Synthetic Aperture Radar  |
| IPC      | Integrated Food Security Phase Calculation  |
| J&K      | Jammu and Kashmir   |
| kha      | one thousand hectares   |
| NUA      | New Urban Agenda  |
| RBP      | Results Based Payments  |
| REDD+    | Reducing emissions from deforestation and forest degradation in developing countries, '+' additional forest-related activities that protect the climate |
| SDG      | Sustainable Development Goal  |
| UAE      | United Arab Emirates  |
| UN       | United Nations  |
| UNDRIP   | United Nations Declaration on the Rights of Indigenous Peoples  |
| UNOSAT   | United Nations Satellite Centre   |
| VDB      | Violation Database of Housing and Land Rights Network   |

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## Land

On the occasion of World Habitat Day and the month of commemorative events in October 2024, Habitat International Coalition’s Housing and Land Rights Network dedicates its annual report from the Violation Database (VDB) to the land as a public asset with social, ecological and economic functions. As the VDB implies, this focus is on the loss and damage to land as a consequence of habitat-related human rights violations.

The five categories of violation recorded in the VDB include: (1) forced eviction, (2) destruction, (3) dispossession, (4) negative impacts of privatization and (5) environmental hazard and/or climate change. For each case recorded under these sometimes-overlapping categories, the accompanying costs, losses and damage can be considered a ‘violation’ only if a duty-bearing party is responsible—by commission or omission—for its cause or for exacerbating the impacts.

## Obligations and commitments

This determination rests on the norms already codified in international law, notably states’ permanent and binding obligations under treaty and customary law, as well as their temporary and voluntary commitments enshrined in global and/or regional policy instruments.

Among these are state’s commitments to ensure land’s social and ecological functions, as affirmed in the 2016 New Urban Agenda (NUA).<sup>1</sup> That third iteration of global habitat and human settlements policy builds upon the first Habitat Agenda (1976), which enjoins:

“The ideologies of States are reflected in their human settlement policies. These being powerful instruments for change, they must not be used to dispossess people from their homes and their land, or to entrench privilege and exploitation. The human settlement policies must be in conformity with the declaration of principles and the Universal Declaration of Human Rights”<sup>2</sup>

In a recent series of HIC-organized co-learning events toward effective advocacy, the dual focus on land issues and the social production of habitat drew out the linkages between the two themes, including the priorities of allocating land to satisfy human needs for—and, consequently, human rights to—adequate housing and land. These revelations followed a previous iteration of HIC’s co-learning-and-advocacy project, focused on climate justice and feminist approaches to habitat, which integrated land at the core of both those themes. They coincide, for example, when confronting the consistent denial of women’s secure land tenure and the need to respect and preserve the land by upholding its ecological function. And the current NUA conveys states’ commitment to ensure that land realizing its social function is linked with their commitment to support the social production of habitat (SPH).<sup>3</sup> This VDB report is informed by the need for land for SPH.

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<sup>1</sup> The New Urban Agenda, A/RES/71/256, 25 January 2017, paras. 13 and 69, <https://habitat3.org/the-new-urban-agenda/>.

<sup>2</sup> Vancouver Plan of Action, Report of Habitat: United Nations Conference on Human Settlements, Vancouver, 31 May–11 June 1976, A/Conf.70/15, 1976, para. 3 <https://documents.un.org/doc/undoc/gen/n76/967/11/pdf/n7696711.pdf>.

<sup>3</sup> NUA, *op. cit.*, paras. 31 and 46.



Although it avoids human rights language and states' corresponding obligations, the 2030 Agenda recognizes the importance of land to sustainable development.<sup>4</sup> Meanwhile, the pursuit of the 2030 Agenda's goals and targets rest on a long evolution of norms related to land tenure across the UN System, with its wide range of legitimate options to be recognized and legally protected by states.<sup>5</sup> As a matter of treaty obligation, CESCR has made clear that

“Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups.”<sup>6</sup>

## The Method

This VDB report is dedicated to understanding the denial of secure land tenure by acts and omissions around the globe over the last decade. As always, the compilation provided here gives only an impression of the phenomenon. This is for three reasons: (1) a comprehensive inventory of the world's land rights violations is far beyond the capacity of the HLRN team; (2) it has proved unrealistic to expect observers and reporters to enter their own cases in the VDB, despite its simplified form and open access to the global public; and (3) most reports in the press, scholarly literature and other sources do not report essential data, either on the identities, numbers or subsequent locations of those affected by the violations, nor do they mention the area of the land affected, or the other values at stake. Of the cases recorded in the 2014–24 period, this report spotlights some of those that lend themselves to such measurement

This year's treatment of land rights violations offers data and analytics that cover the five VDB categories:

- Degradation/destruction of land
- Dispossession of land
- Forced eviction from land
- Impacts from the privatization of land
- Impacts of environmental hazard/climate change on land with identifiable duty holders

The cases presented here cover a range of scales, contexts and drivers, while they also represent all regions. This report presents cases in alphabetical order by the country in which the violations have been carried out.

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<sup>4</sup> SDGs 5 and 15, as well as targets 1.4, 5.a and 11.2.

<sup>5</sup> *Security of Tenure: Evolving Norms through the UN Human Rights and Development Systems* (Cairo: HIC-HLRN, 2024), <https://www.hlrn.org/activitydetails.php?title=Security-of-Tenure:-Evolving-Norms&id=qGhmaw==>.

<sup>6</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 4: the right to housing, para. 8(a), [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ICEnwWR8rbeJM8O1ALabP9BWeyFuYGLyYmdqGzgvNrcHN2wfOJ7e7h561aYJ0EMO2J51czkGbs+UgXB3nd9N+A==](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ICEnwWR8rbeJM8O1ALabP9BWeyFuYGLyYmdqGzgvNrcHN2wfOJ7e7h561aYJ0EMO2J51czkGbs+UgXB3nd9N+A==).

## Azerbaijan

One of most dramatic and large-scale land grabs in the review period was in the Nagorno-Karabagh enclave in Azerbaijan. It took place in the context of a long-standing ethnic conflict in which the ethnically Armenian population lived for centuries inside the territory of what is now Azerbaijan, which was carved out of the Soviet Union as a distinct republic. Before that, the territory historically was under Qajar Iran and, later, the Russian Empire. Since the late 1980s, a bloody conflict broke out between Azerbaijan and Armenia amid the collapse of the USSR. That war left ethnic Armenians in control of most of Nagorno-Karabakh, who also drove out hundreds of thousands of Azerbaijani civilians.

For three ensuing decades, an internationally unrecognized Armenian state, called the Republic of Artsakh, operated in the enclave after the First Nagorno-Karabakh War in 1994, while the seven surrounding districts remained internationally recognized as part of Azerbaijan. Following the Second Nagorno-Karabakh War in 2020, with decisive military support from Turkey,<sup>7</sup> the seven districts and parts of Nagorno-Karabakh returned to Azerbaijani control. However, but an Azerbaijani offensive in 2023, with the notable collaboration of Israel,<sup>8</sup> ended the Republic of Artsakh and expelled 120,000 ethnic Armenians, fearing persecution,<sup>9</sup> into Armenia.

After blockading the enclave, Azerbaijan's government mounted an aggressive campaign against Nagorno-Karabagh Armenians in 2023. Although the conflict has deeper roots of reciprocity, the large-scale forced eviction (expulsion), dispossession and destruction of homes and cultural heritage sites remain violations unresolved consistent with the victims' entitlement to remedy and reparation. The region is usually equated with the administrative borders of the former Nagorno-Karabakh Autonomous Oblast, which comprises **4,400 square kilometers** (km<sup>2</sup>) of land. However, the region's historical extent encompasses approximately 8,223 km<sup>2</sup>.

The flight was chaotic, with long lines of cars slowly making their way. (See Figure below.) Some families fleeing from more rural areas had inadequate food and water for the long and halting journey. Reportedly, 69 Armenians died during the exodus and some families, including children, became separated during the chaotic process.<sup>10</sup> The few ethnic Armenians that remained behind—unwilling or unable to leave Nagorno-Karabakh—were particularly vulnerable members

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<sup>7</sup> Mathieu Droin, Tina Dolbaia and Abigail Edwards, "A Renewed Nagorno-Karabakh Conflict: Reading Between the Front Lines," *Center for Strategic and International Studies* (22 September 2023), <https://www.csis.org/analysis/renewed-nagorno-karabakh-conflict-reading-between-front-lines>.

<sup>8</sup> Igor Delanoë, "Israel – Azerbaijan: an alliance in search of renewal," *La Fondation méditerranéenne d'études stratégiques (FMES)* (28 July 2021), <https://fmes-france.org/israel-azerbaijan-an-alliance-in-search-of-renewal/>.

<sup>9</sup> Patrick Reeve, "Over 100,000 Armenians have now fled disputed enclave Nagorno-Karabakh," *abc News* (30 September 2023), <https://abcnews.go.com/International/93000-armenians-now-fled-disputed-enclave-nagorno-karabakh/story?id=103596275>.

<sup>10</sup> Council of Europe, Commissioner for Human Rights, "Observations on the Human Rights Situation of People affected by the Conflict between Armenia and Azerbaijan over the Karabakh region," (12 January 2024), <https://rm.coe.int/observations-on-the-human-rights-situation-of-people-affected-by-the-c/1680ae228c>.



of the community, including elderly people and persons with disabilities or chronic illnesses. A year later, those who fled and those few who remain face an uncertain future.<sup>11</sup>



Figure 1: A convoy of cars belonging to ethnic Armenians from Nagorno-Karabakh leaving their land to Kornidzor, in the Syunik region of Armenia, 26 September 2023. Source: Vasily Krestyaninov/AP.

## Chile

While large-scale forced evictions and demolitions are currently threatening communities elsewhere in the country, Chile's largest community facing forced eviction and demolition are the informal community living in San Antonio and Cartagena, Valparaíso Region. On 23 June 2023, the Valparaíso Court of Appeals ordered the eviction of inhabitants occupying **254 hectares** (ha) of the Bellavista Sector, where some four thousand families came to live since October 2019.

In the early hours of Thursday, 16 May 2024 (one day before the fifth anniversary of the settlement), more than 100 troops violently broke into the camp, using tear gas, cornering the families toward the perimeter; and began destruction of 200 homes in the Toma 17 de Mayo with backhoes. The victims of this gross violation were left on the street. The rest of the homes remain under eviction order, while the case remains the subject of further litigation and intense negotiations with local and central governments.

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<sup>11</sup> "Refugees from Nagorno-Karabakh Face Uncertain Future One Year After Fleeing to Armenia," *The United States Holocaust Museum* (30 September 2024), <https://www.ushmm.org/genocide-prevention/blog/refugees-from-nagorno-karabakh-face-uncertain-future-one-year-after-fleeing>.

The eviction orders in the two hills of San Antonio affect some five thousand families. Most are from the region. They say, “we have lived in precarious housing conditions and/or suffered abuse as tenants; necessity has led us to find our own housing solutions.”

These communities represent social sectors that do not have access to the housing supply, neither through the housing subsidy, nor through the market. They do not have access to social housing through the housing policy procedures for two reasons: San Antonio is a booming city due to the rapid growth of the port, the largest in the country,<sup>12</sup> while the construction of social and affordable housing does not correspond to the needs in the growing city. Two examples illustrate this deficit: the last social housing complexes, Mirador de San Antonio I and II delivered 256 units in 2019, but are currently uninhabited, and the Ministry of Housing and Urbanism has ordered their demolition. The other more-recent offer, from August 2023, provided 344 units in the Puesta del Sol complex. The other reason is that they are “insolvent” families, without the economic capacity to incur a mortgage debt and are, thereby, left out of the supply of homes aimed at the middle class.

According to the Fundación Techo Camp Registry, 77.9% of families chose to go to the vacant plots in the Valparaíso Region to meet the housing needs of independent families; 69.3% due to the very high cost of rentals.<sup>13</sup>

The land takeovers began to be organized in the course of 2019, with the installation of the first families between October and November of the same year, when the country was in a social upheaval. The greatest flow of arrivals at the plots occurred during the pandemic with application of the hygiene law.<sup>14</sup> Since then, living conditions have improved due to the self-organization and management capacity in each encampment. Now, there are sewers and wells, and the houses have various extensions. The organizations built community services and neighbors set up stores. The figures below illustrate the process of occupation of the camps on Cerro Bellavista.

Like so cases elsewhere, this instance in Chile epitomizes the structural problems resulting from an economic system that produces great disparities, leaving a sizeable portion of the society without the means to participate in market-based housing schemes, and where previous governments have rescinded social programs to accommodate those left behind.

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<sup>12</sup> The Port of San Antonio, Valparaíso Region, is the most important in Chile and one of the most important in the South Pacific, <https://www.dsv.com/es-mx/sobre-dsv/latam/dsv-chile/cities-ports-airports-most-important>.

<sup>13</sup> Techo, “Catastro Nacional de Campamentos 2020-2021 de TECHO-Chile: Histórica alza de familias viviendo en campamentos,” 5 April 2021, <https://cl.techo.org/catastro-nacional-de-campamentos-2020-2021-de-techo-chile-historica-alza-de-familias-viviendo-en-campamentos/>.

<sup>14</sup> The hygiene law, originated in the postulates of social medicine by German hygienist Johan Peter Franck (1745–1821), shows that infectious diseases are directly related to the popular classes’ living conditions of overcrowding and misery. It has marked the history of social housing in Chile since the end of the 19<sup>th</sup> century and continues to be a cornerstone of urban law.



Figure 2: Form of land occupation in the conurbation area between San Antonio and Cartagena. Source: Google Earth.

## Congo (DRC)

Violence in the Democratic Republic of Congo (DRC) has been identified with North and South Kivu provinces, where fighting between government and tribal militia forces has caused two million to flee their homes. In addition to this large-scale violation, the VDB record contains other local incidents.

Mbobero village is located about ten kilometers north of the city of Bukavu, in the territory of Kabare in the province of South Kivu. Forces of the DRC Republican Guard expelled the populations of the village of Mbobero from their homes and fields on 30 January 2016. A year after the events, the victims of expropriations in Mbobero were claiming restitution from former President Joseph Kabila of their land estimated at **240 hectares**. Until remedy could be reached, approximately at least 317 households, or approximately 3,000 people, including 500 children, have been left homeless, without aid and abandoned to their fate.<sup>15</sup>

The loss of homes—in addition to the local neuro-surgical hospital, schools and churches—in the land grab represent the loss and damage of a community that has been living on the site for 50 years. A delegation from the capital, including the ex-First Lady, offered to console the dispossessed villagers with a token land offering of nine hectares for the church and eight hectares for the households. The parcel of household lands could only accommodate 12 families. The villagers refused the token offer.<sup>16</sup>

Added to these abuses, on 6 December 2020, Sergeant Bwira Malira, assigned to guard the disputed concession taken by Mr. Kabila, shot Mr. Patrick Irengé Kafarhire in cold blood at point-blank range in an argument over a cell phone. The Court has just sentenced Sergeant

<sup>15</sup> Esther Nsapu, “RDC : les victimes d’expropriations à Mbobero réclament une indemnisation,” *La Libre Afrique* (17 April 2019), [https://www.hlrn.org/img/violation/Mbobero\\_victimes\\_rejettent\\_8\\_hectares.pdf](https://www.hlrn.org/img/violation/Mbobero_victimes_rejettent_8_hectares.pdf).

<sup>16</sup> Esther Nsapu, “Dossier Mbobero: 8 hectares pour 227 familles, les victimes rejettent la proposition,” *La Libre Afrique* (1 May 2019) [https://www.hlrn.org/img/violation/Mbobero\\_victimes\\_rejettent\\_8\\_hectares.pdf](https://www.hlrn.org/img/violation/Mbobero_victimes_rejettent_8_hectares.pdf).



Bwira Malira to death and ordered him to pay damages in the amount of US\$50,000 for murder and abandonment of duty.<sup>17</sup> However, the original crime and its outcomes remain.



Figure 3: Residents of Mbobero, waiting for justice 1 December 2020. Source: Nigrizia.

## Côte d’Ivoire

The popular [Koumassi quarter of Abidjan](#) has been the target of violent evictions since the city’s proposal to host the Africa Cup of Nations, the great spectacle of African football. Also known as the 2023 AFCON, the tournament took place from 13 January to 11 February 2024.

To ‘beautify’ the host city, Ivorian authorities, led by the person of Cissé Baongo, the new Governor of the District of Abidjan and Mayor of the Commune of Koumassi, evicted inhabitants from their homes in the Yopougon neighborhood, at a place called Gesco, with an area of around **100 ha**, with an estimated population of 100,000. The eviction, which began more than a month before the games, first targeted the residents of the Eden housing estate in Yopougon, on the western outskirts of Abidjan.

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<sup>17</sup> Jean Chrysostome Kijana, “DRC: verdict in Mbobero trial,” *Tournons la page DRC* (3 March 2021), <https://tournonslapage.org/en/actualites/communiquede-tlp-rdc-sur-le-verdict-du-proces-de-mbobero>.

After an initial series of demolitions on 28 January, the excavators returned on 19 February to raze half of the 171 houses. Without prior notice, without compensation or offer of rehousing, according to all the residents interviewed. Some of the victims did have a title deed.

Government forces demolished houses and even schools without delay, provoking the anger of the people who found themselves on the street, with pupils, whose education was interrupted.<sup>18</sup> Despite Côte d'Ivoire's victory in the tournament, the AFCON euphoria dissipated with the illusion of national unity born of athletic success.

The reward of a villa and CFA 50 million (€76,000) per player on the Côte d'Ivoire team contrasted sharply with the what unfortunate residents of this working-class estate got out of it. That irony made the talk of the streets.<sup>19</sup>



Figure 4: Schoolboys walk among the rubble left the Gesco quarter of Abidjan after the demolitions of the previous week, 26 February 2024. Source: Marine Jeannin/*Le Monde*.

The AFCON may be over, but the rush to consolidate public lands under the feet of those with no other living space is not. The city district has planned a new wave of demolitions to continue with published list of 176 sites identified as "risk zones" to be vacated in this way over time. The list indicates that nearly half of the eviction plans do not provide for rehousing sites. While

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<sup>18</sup> Marine Jeannin, "En Côte d'Ivoire, les destructions de quartiers précaires agitent la vie politique," *Le Monde* (4 March 2024), [https://www.lemonde.fr/afrique/article/2024/03/04/en-cote-d-ivoire-les-destructions-de-quartiers-precaires-enflamment-la-vie-politique\\_6220052\\_3212.html](https://www.lemonde.fr/afrique/article/2024/03/04/en-cote-d-ivoire-les-destructions-de-quartiers-precaires-enflamment-la-vie-politique_6220052_3212.html).

<sup>19</sup> *Ibid.*



critical observers denounce this "bulldozer policy," which turns land needed and used for social production of habitat, they also ask why, in the case of Gesco, the government signed a financing agreement of CFA 33 billion (€50.3 million) with the French Development Agency (AFD) in 2021 to restore the district. The project, a debt-reduction and development contract, allowed part of the national debt to be converted into investments. However, the same government razed the district three years later.

Mr. Ibrahima Cissé Baongo explained that "The entrance to Abidjan from the Gesco side is not worthy of the reputation of our economic capital." He complained that it gives "the impression of entering a village." "Faced with this observation," Mr. Baongo added, "we had to start our work with the northern highway [which connects the west of Abidjan to the capital Yamoussoukro] by ensuring that this important road... is cleared of everything that encumbers it."<sup>20</sup> Among those encumbrances are the populations who make their habitat there.

## East Timor

In East Timor, one of the world's youngest and poorest nations, with its long struggle for independence from a brutal Indonesian invasion, massacres and occupation supported by the United States, in which 1,500 people were killed, more than 300,000 were displaced and over 80% of East Timor's infrastructure was destroyed. The latest chapter in the story of dispossession and forced eviction came in the seemingly unlikely context of the September 2024 [Papal Visit](#).

The East Timorese government and churches hosted a lavish welcome for Catholic Pope Francis' historic visit by spending a reported \$12 million, including \$1 million to build an altar for a papal Mass. That alone drew rebuke from activists and human rights organizations in a nation where 42% of the population lives in poverty. However, the authorities combined that with the forced eviction and dispossession of some 185 households living on the plot of 230,000 m<sup>2</sup>, until being forcibly removed for the liturgical celebration.

The Council of Ministers approved cost for the two-day visit in February 2024, which also saw the seaside capital, Dili, being dabbed with fresh paint and banners and billboards to welcome the pontiff, who earlier visited Indonesia and Papua New Guinea. At about the same time as the ministerial decision, the Integrated Food Security Phase Calculation (IPC) found some 364,000 people, or 27% of the total 1.3 million population, to face acute food insecurity from May to September, amid high inflation and weather changes that have reduced cereal production.<sup>21</sup>

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<sup>20</sup> "Déguerpissements : Cissé Baongo mets les points sur les 'i'," citing *Fraternité Matin* (2 March 2024), *YECLO* (3 March 2024), <https://www.yeclo.com/deguerpissements-cisse-baongo-met-les-points-sur-les-i>.

<sup>21</sup> "PC Acute Food Insecurity Analysis, November 2023–September 2024," 29 February 2024, [https://www.ipcinfo.org/fileadmin/user\\_upload/ipcinfo/docs/IPC\\_Timor\\_Leste\\_Acute\\_Food\\_Insecurity\\_Nov2023\\_Sept2024\\_Report.pdf](https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Timor_Leste_Acute_Food_Insecurity_Nov2023_Sept2024_Report.pdf).



The papal Mass at Tasitolu, an open field on the coast, about 8 km from downtown Dili, was the site where bulldozers evicted families and confiscated **23 ha** of land for the event. Rights groups accused the government of not offering any alternatives to poor families.<sup>22</sup>

Several violent crackdowns on street vendors were ostensibly meant to ensure order in Dili ahead of Pope Francis'. Social media posts erupted with angry comments after footage showed dozens of alleged plainclothes police officers with sticks, crowbars and spears destroying vendor stands and goods in one of the paths where the pope's entourage would pass. A veteran journalist who recorded the incident in Dili's Fatuhada neighborhood, received threats in an attempt to prevent her from sharing the video.<sup>23</sup>



Figure 5: Tasitolu, where 185 families were evicted, is now an open field used for the papal Mass, on 5 September 2024. Source: Firdia Lisnawati/AP.

## Ethiopia

[New Land Grabbing](#) is the title of the VDB entry covering the case of 2018 land leases to notorious land grabber Karuturi Global Ltd. Karuturi's 2009–10 **300,000 ha** farm project in Ethiopia's western Gambella region has served as an example of the Ethiopian government's flawed land-investment policy. The investor never cultivated more than a few thousand

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<sup>22</sup> Niniek Karmini, "Activists criticize high cost of Pope Francis' visit to East Timor, one of the poorest nations," AP (9 September 2024), <https://apnews.com/article/east-timor-pope-francis-cost-bb1613d3f0bc3818f4598f0315f50ac5>.

<sup>23</sup> *Ibid.*

hectares, while in neighboring Kenya the company's flower farm was put into receivership, and the permits were duly rescinded. Rather, the company's practices led to violations of the Anuak people via forced evictions, dispossession of customary lands, community fragmentation, deforestation and loss of biodiversity, use of chemical fertilizers and pesticides, degradation of the soil, hunger and homelessness. Some fled their homes to South Sudan and Kenya under ill-treatment by Kantururi. The company was also attributed with fomenting conflicts among indigenous peoples in Gambella and other remote parts of the country.<sup>24</sup>



Figure 6: Officer of Kartururi Ltd. In the field in Gambella, Ethiopia. Source: GRAIN.

In 2017, the land agreement was cancelled and Karuturi exited the country.<sup>25</sup> However, the Ethiopian government provided the company with a new lease for **25,000 ha** in the same area, after reported pressure from the government of India,<sup>26</sup> where Karuturi is domiciled. However, Karuturi ultimately divested and left Ethiopia, demanding compensation from the Ethiopian government for their losses.<sup>27</sup>

Multiple factors can be cited for the lack of commercial farming success in the Gambella region, in general. Some identify the rush of self-interested foreign capital investment for much of the

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<sup>24</sup> Okello Miru, "Uncaring Addis fuels Gambella's cutthroat communal contest," *Ethiopia Insight* (31 May 2021), <https://www.ethiopia-insight.com/2021/05/31/uncaring-addis-fuels-gambellas-cutthroat-communal-contest/>.

<sup>25</sup> "Karuturi demands compensation from Ethiopia for failed land deal," *Oakland Institute* (15 December 2017), <https://www.oaklandinstitute.org/anuak-condemn-attempts-delay-karuturis-exit-ethiopia>.

<sup>26</sup> Teshome Tadesse, "The Indian company Karuturi Global requests to resume its operations in Ethiopia," *farmlandgrab.com* (28 November 2017), <https://farmlandgrab.org/27693>.

<sup>27</sup> Nizar Manek, "Karuturi Demands Compensation From Ethiopia for Failed Land Deal," *Bloomberg* (17 September 2017), <https://www.bloomberg.com/news/articles/2017-09-21/karuturi-demands-compensation-from-ethiopia-for-failed-land-deal?embedded-checkout=true>.

problem, while others observe the lack of coordination and cooperation among local authorities in Ethiopia's federal system as key.<sup>28</sup>

## Finland

In 2015, The UN Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz, today expressed concern at the land rights situation of the Sámi (Saami) people in the Nordic countries in light of the increased drive to extract and develop minerals and set up renewable energy projects in the Sápmi region (the Indigenous Sámi People's territory). However, she said she was "pleased that Norway, Sweden and Finland all pay considerable attention to indigenous issues and note that, in many respects, initiatives related to the Sami people in the Nordic countries can set important examples for securing the rights of indigenous peoples."<sup>29</sup>

Then, in 2020, Sámi communities across the region chomused in protest at the Finnish Safety and Chemicals Agency (Tukes) licensing the Dutch-owned Akkerman Finland Oy to explore for mineral in the Arm of Finland (Käsivarsi), the Finnish side of Sápmi, without the indigenous Sámi rights holders' free, prior and informed consent (FPIC). In an area of **8,400 km<sup>2</sup>**<sup>30</sup> in the outermost northwest of the country with about 1,800 inhabitants,<sup>31</sup> the [Mining in Sámi Homeland](#) case explains that the affected territory is one of the rare areas on the Finnish side of Sápmi, where the key elements of traditional Sámi reindeer-herding—the *siida* system—have been preserved and maintained.

Finland had voted for the United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, but still has not recognized the land rights of the Sámi people. The Saami Council petitioned Finland to protect Sámi land rights,<sup>32</sup> seize the opportunity to implement the UNDRIP, ratify ILO Convention No. 169 and make necessary amendments to the inadequate Mining Act, to ensure inclusion of FPIC. The necessary measures remain to be taken to protect the Sámi People's land rights.<sup>33</sup>

## Indonesia/West Papua

Between early 2019 and April 2020, numerous reported cases of internal displacement resulted from security force operations in Indonesian-occupied West Papua. These took place in the context of Indonesian operations against the West Papua National Liberation Army (Tentara Pembebasan Nasional Papua Barat, or TPNPB) in the Mimika, Intan Jaya, Puncak, Lanny Jaya,

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<sup>28</sup> "Disappointment on the Ground: The Failure of the Local Commercial Farming," *Ethiopian Business Review* (16 July 2024), <https://ethiopianbusinessreview.net/disappointment-on-the-ground-the-failure-of-the-local-commercial-farming/>.

<sup>29</sup> "Sami People's Land Rights at Stake," *HLRN News* (28 August 2015), <https://www.hlrn.org/activitydetails.php?id=pG1rbA==>.

<sup>30</sup> National Land Survey of Finland, "Area of Finnish Municipalities 1.1.2018," [http://www.maanmittauslaitos.fi/sites/maanmittauslaitos.fi/files/attachments/2018/01/Suomen\\_pa\\_2018\\_kunta\\_maakunta.pdf](http://www.maanmittauslaitos.fi/sites/maanmittauslaitos.fi/files/attachments/2018/01/Suomen_pa_2018_kunta_maakunta.pdf).

<sup>31</sup> "Preliminary population structure by area," *Statistics Finland*, 24 September 2024, [https://pxdata.stat.fi/PXWeb/pxweb/en/StatFin/StatFin\\_vamuu/statfin\\_vamuu\\_pxt\\_11lj.px](https://pxdata.stat.fi/PXWeb/pxweb/en/StatFin/StatFin_vamuu/statfin_vamuu_pxt_11lj.px).

<sup>32</sup> "Sámi campaigners hand over mining petition with 37,200 signatures," *New Now Finland* (7 September 2020), <https://reindeerherding.org/news/175-sami-campaigners-hand-over-mining-petition-with-37-200-signatures>.

<sup>33</sup> Katri-Maaria Kyllönen, Stefan Kirchner, Gregory Poelzer, Pamela Lesser and Daniel Fjellborg, "Indigenous rights, social media and protest movements in Sápmi," *Mineral Economics* (29 April 2024), <https://link.springer.com/article/10.1007/s13563-024-00445-y>.

and Nduga districts (locally known as ‘regencies’). These began on 4 December 2018 in Nduga in response to the killing of 19 government contractors and resulted in further armed clashes, and the increasing violence has seen TPNPB increasingly targeting civilians.<sup>34</sup>

As recorded in [West Papua: TNI Retaliation](#), various estimates indicated that the fighting displaced 60,000–100,000 indigenous Papuans, and at least 214 of them died as a result of sickness, malnutrition, exhaustion, and hypothermia.<sup>35</sup> The COVID-19 outbreak in the region has aggravated this humanitarian crisis at the time, while between April and November 2021, several instances of extrajudicial killings, including of young children, enforced disappearance, torture and inhuman treatment and the forced displacement of at least 5,000 indigenous Papuans by security forces were reported. The authorities in West Papua have imposed even greater restrictions on the freedom of movement and freedom of assembly, and it is likely that hospitals, already well below Indonesian care standards, and medical personnel will not be able to cope with the rising number of patients.<sup>36</sup>

Related to this context is the extreme exploitation of the forests in Papua and West Papua for multinational agribusiness in palm oil, sugar cane and paper production. Accompanying the escalating cycle of resistance and repression, the Indigenous Peoples’ loss of habitat by deforestation in West Papua has reached staggering proportions since the turn of the millennium.<sup>37</sup>

Indonesian Papua extends across 41.1 million ha and constitutes the western half of the island of New Guinea. It is divided administratively into two provinces: Papua (31.3 million ha) and (Indonesian-occupied) West Papua (**9.8 million ha**) and comprises 42 regencies.<sup>38</sup>

Deforestation and land use change continue to occur in the Papua region, in Sorong Regency, Southwest Papua Province, Teluk Bintuni Regency, West Papua Province, and Jayapura Regency, Papua Province, and industrial timber plantation concessions in Merauke Regency, South Papua Province.<sup>39</sup> In 2001, Papua had 24.5 million ha of primary forest, extending over 78% of its land area. In 2023, it lost 12.9 thousand ha of primary forest, equivalent to 10.8 Mt of CO<sub>2</sub> emissions.<sup>40</sup>

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<sup>34</sup> ACAPS, “Thematic Report - Indonesia: Humanitarian impacts of continuing conflict in the Papua provinces,” 15 October 2024, <https://reliefweb.int/report/indonesia/acaps-thematic-report-indonesia-humanitarian-impacts-continuing-conflict-papua-provinces-15-october-2024>.

<sup>35</sup> International Coalition for Papua (ICP),

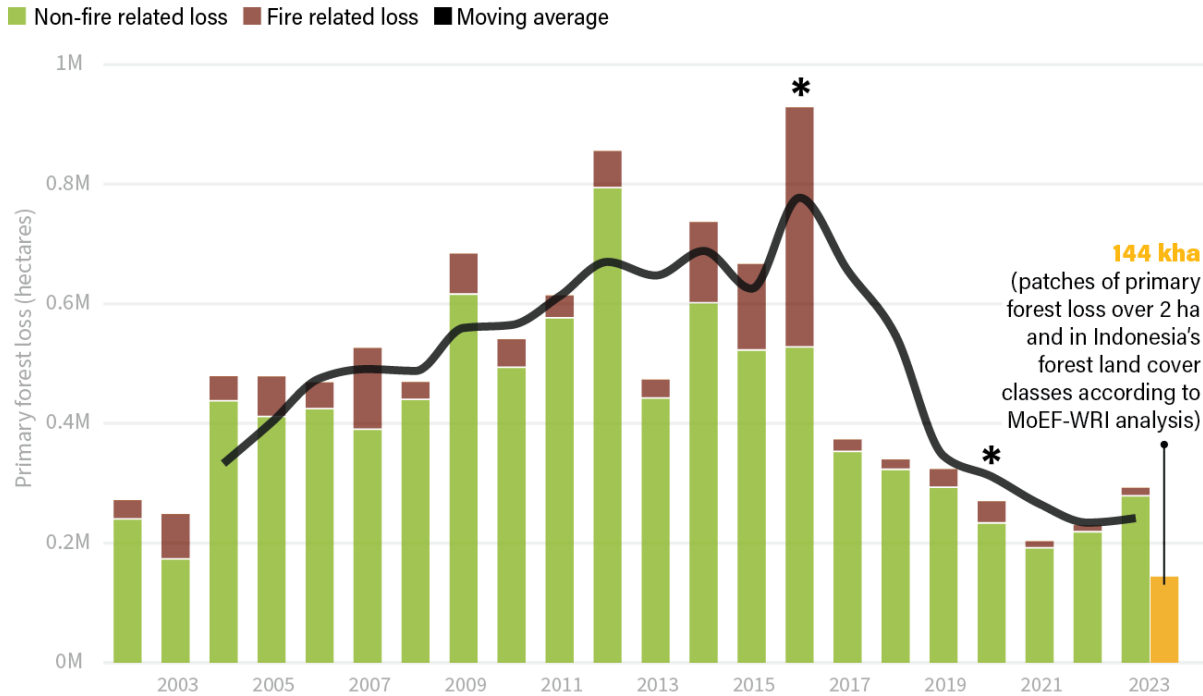
<sup>36</sup> OHCHR, “Indonesia: UN experts sound alarm on serious Papua abuses, call for urgent aid,” 1 March 2022, <https://www.ohchr.org/en/press-releases/2022/03/indonesia-un-experts-sound-alarm-serious-papua-abuses-call-urgent-aid>.

<sup>37</sup> Hans Nicholas Jong, “World’s biggest deforestation project gets underway in Papua for sugarcane,” *Mongabay* (19 September 2024), <https://news.mongabay.com/2024/09/worlds-biggest-deforestation-project-gets-underway-in-papua-for-sugarcane/>.

<sup>38</sup> David Graveau, “Drivers of forest loss in Papua and West Papua” (Bogor, Indonesia: Center for International Forestry Research (CIFOR), 2019), [https://www.cifor-icraf.org/publications/pdf\\_files/factsheet/7444-factsheet.pdf](https://www.cifor-icraf.org/publications/pdf_files/factsheet/7444-factsheet.pdf).

<sup>39</sup> “Deforestation in West Papua continues despite environmental protection program – PUSAKA publishes new report,” *Human Rights Monitor* (11 April 2024), <https://humanrightsmonitor.org/news/deforestation-in-west-papua-continues-despite-environmental-protection-program-pusaka-publishes-new-report/>.

<sup>40</sup> Global Forest Watch, dashboard, <https://www.globalforestwatch.org/dashboards/country/IDN/23/>.



\*Much of Indonesia's 2016 fire loss was actually due to burning in 2015. Burned lands were detected late because of insufficient clear Landsat images at year's end (the same is also true to a lesser extent for 2019 and 2020).

Much of the primary forest loss in Indonesia according to the GFW analysis is within areas that Indonesia classifies as secondary forest and other land cover (e.g., mixed dry land agriculture, estate crop, plantation forest, shrub and others). This is because the GFW primary forest definition is different than Indonesia's official primary forest definition and classification. GFW's statistics on loss of primary forests in Indonesia are therefore considerably higher than the official Indonesian statistics on deforestation in primary forest.

Figure 7: Indonesia primary forest loss between 2002 and 2023. Source: Global Forest Watch and World Resources Institute.

In addition, a total of **2 million ha** of forests, wetlands and grasslands in Merauke district of South Papua will be razed in the biggest deforestation effort in the world to make way for a cluster of giant sugarcane plantations, part of the Indonesian government's efforts to boost domestic sugar production.

Satellite imagery shows 30% of the concessions appear to fall inside a zone that the government previously declared should be protected under a moratorium program. Amid this transformation of Papua's habitat, Indigenous rights advocates charge that the governance of these natural resources exclude Indigenous Papuans, while imposing an industrial agricultural mode of production on peoples who have long been hunter-gatherers.<sup>41</sup>

Five consortiums, consisting of Indonesian and foreign companies, are participating in the \$8.4 billion project, complementing diversified roles ranging from cultivating sugarcane, processing, and construction of infrastructure, including power plants, to run them. At least one such company, PT Global Papua Abadi (GPA), already began since June 2024 to ceremoniously

<sup>41</sup> Jong, *op. cit.*



cultivate at least 356 ha of forest in its concession, with President Joko Widodo planting the first seeds on 23 July 2024.<sup>42</sup>



Figure 8: Indonesian President Joko Widodo plants the first seed in PT Global Papua Abadi's sugarcane concession in Merauke, South Papua. Source: BPMI Setpres/Muchlis Jr.

In the REDD+ Results Based Payments (RBP) scheme, the Green Climate Fund awarded Indonesia a US\$ 103.8 million positive incentive for GHG emission reductions in the FOLU sector for 2014–16. This amount is equivalent to 20.25 million tonnes of CO<sub>2</sub>.<sup>43</sup> Moreover, Indonesia also received a US\$ 156 million Result-based Contribution (like the RBP) through the Indonesia-Norway Partnership for supposed emission reductions in 2016–19.

Critics argue that such incentives do not compensate for—but reward—the destruction of the natural habitat, end the social and ecological functions of forests, provoke resistance and social unrest, and cause mental and physical suffering for the communities in West Papua. Seemingly immeasurable are these combined costs of converting indigenous forests to oil palm plantations, logging, mining, and industrial timber extraction for export cash.

## Iraq

In the middle of the orchards and hills in northern Iraq, stagnant black spots form. They are the remains of an oil spill that mixed with torrential rainwater, a kind of pollution that has been recurring since 2016 and destroying vast areas of agricultural land.

Petroleum leakage (تسرب نفطي) is a VDB case from Salahuddin Governorate, in a country rich in oil, but whose infrastructure has been exhausted after years of US-led invasion and occupation, followed by continuous armed conflicts, while facing an expanding climate crisis.

<sup>42</sup> Jong, *op. cit.*

<sup>43</sup> "REDD+ Results Based Payments (RBP): INDONESIA" (Jakarta: GCF Task Force, 2020), [https://www.gctf.org/wp-content/uploads/2020/12/RBP\\_Booklet\\_20200512\\_ENG.pdf](https://www.gctf.org/wp-content/uploads/2020/12/RBP_Booklet_20200512_ENG.pdf).



This repeated pollution, which affects the hills of the Hamrin region and the agricultural lands adjacent to it in al-Ma'abdi village, remains despite local authorities' attempts to find permanent solutions to this oil spill. Local farmer `Abdul Majid Sa`id says that the oil has depleted the land's bounty: "Everywhere we plant seeds, it spoils. This land is no longer useful."<sup>44</sup>

Although bulldozers are at work building earthen barriers nearby to prevent oil-polluted water from seeping into agricultural land, the damage has already been done. Local farmers planted an estimated 5,000 dunams (**500 ha**) in 2023 with winter wheat and barley, but heavy rainfall caused the waste that had accumulated inside natural caves in the Hamrin area to flood onto the cultivated land.

While several explanations identify the cause of the oil spills, farmers and local officials blame this tragedy on the Islamic State (ISIS) group, which rampaged through the area in the wake of the US occupation. After taking control of large areas of Iraq in 2014, the jihadists financed their 'caliphate' by blowing up pipelines and wells to steal oil from the nearby Ajil and Alas oil fields in the Hamrin Mountains, where they dug crude basins to store it.



Figure 9: Petroleum-contaminated agricultural land in northern Iraq. Source: Abdel Khalek Azzawi/AFP.

<sup>44</sup> Oil spills pile on pressure for Iraq's farmers," *AFP* (27 February 2024), <https://www.france24.com/en/live-news/20240227-oil-spills-pile-on-pressure-for-iraq-s-farmers>.

The pollution only adds to the suffering that Iraqi farmers in this country face as a result of climate change, amid a drought that has cast its shadow over Iraq for the fifth consecutive year. In order to save water resources, the authorities are deliberately reducing the cultivated areas significantly.

Meanwhile, another VDB case from 2021, "[12 rivers blocked](#)," reveals how damming and diverting rivers in Iran has depleted the cultivability of Iraqi fields by denying natural rights to cross-border water courses. Desertification had claimed 39% of Iraq's land, and 54% of agricultural areas were threatened by salinity, according to a report by the Planetary Security Initiative in May 2021. The World Bank noted in November 2021 that a fall of 20% in Iraq's water supply and the related decline in crop yields could accompany climate-change impacts to reduce real GDP in Iraq by up to 4%, or \$6.6 billion.<sup>45</sup>

While these big data may be momentarily shocking, small-scale farmers are bearing the daily brunt daily. Some farmers have filed lawsuits to obtain compensation from the state, but they find themselves in a legal dispute that pushes them from one court to another without any results.

## Kashmir

While the VDB contains eight major cases of housing and land rights violations in Indian-occupied Kashmir during the review period, only two, [Industrial Concessions](#) and [J&K Farmlands](#) record data on land areas affected as reported in public media.

In 1947, Kashmir came under the dual occupation by India and Pakistan; and, in 1963, China also has occupied northern frontier territories of Kashmir. With the neighboring countries' continuous administration of the territory, Kashmir falls under the legal definition of an occupied territory.<sup>46</sup> The UN brokered arrangement established autonomous, but not self-governing territories, with protections against recolonizing the self-determination unit. Despite these international safeguards and prohibitions under the law of occupation,<sup>47</sup> on 5 August 2019, the Indian Parliament rescinded Kashmir's special autonomous status provided under Article 370 of the Indian Constitution.

The Indian Jammu and Kashmir government introduced an industrial policy on 1 April 2021 that offered subsidies on capital investments, Goods and Services Tax (GST) incentives on purchase of plant machinery, and working capital on loan from financial institutions. With these concessions in place, forested land has been transformed into fully developed industrial

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<sup>45</sup> Faris al-Omran, "Iran's diversion of water resources away from Iraq 'a form of war'," *Diyarna* (28 December 2021), [https://diyaruna.com/en\\_GB/articles/cnmi\\_di/features/2021/12/28/feature-01](https://diyaruna.com/en_GB/articles/cnmi_di/features/2021/12/28/feature-01).

<sup>46</sup> See "Occupation" in *The HICtionary: Key Habitat Terms* (Cairo: HIC-HLRN, updated 2024), p. 74–75, <https://www.hlrn.org/img/documents/HICtionary.pdf>.

<sup>47</sup> Article 43 of The Hague Regulations prohibits the occupier from altering the legal system of an occupied territory. International Committee of the Red Cross, Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, The Hague, 18 October 1907, *International Humanitarian Law Databases*, <https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-iv-1907/regulations-art-43?activeTab=>.

estates. The National Highways Authority of India is also considering building a logistics park to facilitate these investments and the related land takeover.

Kandhari Beverages Pvt. Ltd., one of Coca-Cola India's top franchisee bottlers, has begun construction on their allotted 36 acres. Muralidharan's Ceylon Beverages, a company owned by a former Sri Lankan cricketer, has been allotted 25.75 acres in Kathua (Jammu district). And the Ennar Group, known for having developed Dubai's Burj Khalifa, has been allotted land to construct a \$60 million shopping mall and IT tower in Srinagar, as well as another IT tower in another part of the Jammu division of Kashmir.

The occupation government received 6,909 applications as of 3 July 2024 from various players to set up new ventures in the territory, and has allotted land to extraterritorial investors such as the Sri Lankan Welspun conglomerate and Dubai's Enaar group in Kashmir. The Kashmir valley has 5,007 applications, mostly for small and medium enterprises, with a land requirement of **14,859,989 m<sup>2</sup>**.<sup>48</sup> As of this writing, the total land area allotted for these ventures has reached almost 20 km<sup>2</sup>.<sup>49</sup>

Moreover, Jammu and Kashmir small-scale farmers are undergoing a new trend of persecution by the occupying administration through direct legislation of India's parliament. Under the pretext of alleged anti-encroachment drive the Indian occupation has identified as "state land" some 178,005.213 acres in Kashmir region and 25,159.56 acres in Jammu, totaling (**822,179,393 m<sup>2</sup>**).<sup>50</sup> Kashmiri inhabitants have effectively owned and cultivated these lands and properties under the [Big Landed Estate Abolition Act](#) (Agrarian Reforms Act) of 2007, the [State Lands \(Vesting of Ownership to the Occupants\) Act](#) of 2001, [Jammu and Kashmir Evacuee \(Administration\) of Property Act](#) (2006), [Jammu and Kashmir Tenancy Act](#) 1980, [Jammu and Kashmir Common Lands \(Regulation\) Act](#), 1956 and numerous other orders promulgated in favor of economically vulnerable and otherwise-landless Kashmiri peasants.<sup>51</sup> The occupying Indian state's appropriation of these agricultural lands will lead to the further economic disempowerment and geographical displacement of the local Kashmiri population.

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<sup>48</sup> "Jammu and Kashmir land finds more than 6,900 bids: Report," *Hindustan Times* (7 July 2024), <https://www.hindustantimes.com/india-news/jammu-and-kashmir-land-finds-more-than-6-900-bids-report-101720336881919.html>.

<sup>49</sup> 4,935.61 acres = 19,973,705.027 m<sup>2</sup>.

<sup>50</sup> Nasir Qadri, *The Great Land-Grab: Disempowering People in Indian Occupied Jammu & Kashmir* (Islamabad: Legal Forum for Kashmir, 2023), <https://ljkashmir.com/wp-content/uploads/2023/02/LFK-Factsheet-The-Great-Land-Grab.pdf>.

<sup>51</sup> Shinzani Jain, "From 'land to the tiller' to land to the highest bidder: Land grabs in Jammu and Kashmir," *London School of Economics* (15 February 2023), <https://blogs.lse.ac.uk/internationaldevelopment/2023/02/15/from-land-to-the-tiller-to-land-to-the-highest-bidder-land-grabs-in-jammu-and-kashmir/>.





Figure 10: Small-holder terraced farmland in Kashmir. Source: Avatar.

## Nicaragua

The Indigenous communities in Nicaragua's Caribbean Coast Autonomous Regions have faced incessant violence and land dispossession as evidenced by the 2020 case of [Indigenous Territory](#) by recent attacks against the Alal, Wasakin, and Miskitu communities. The perpetrators have been foreign gold mining firms, national and international actors in logging and cattle ranching industry, as well as prominent Nicaraguan officials. In the specific case on 29 January 2020, over 80 armed men connected to land grabbing attacked the Indigenous Alal community in the protected Indigenous Mayangna Sauni territory of the Bosawás Biosphere Reserve, the world's third largest forest reserve, home to diverse Indigenous People and other traditional communities, hosting 21 ecosystem types with rich biodiversity.

He perpetrators reportedly killed four persons, injured two, and burned 16 houses. In the following weeks, locals remained under continuous threat and harassment under guns fired in the air, near their villages. This episode is but one example of the ongoing and systematic assault raging over decades against the Indigenous and Afro-descendant communities in Nicaragua, throughout the change of regime over the decades.



Figure 11: Recently deforested areas in Bosawás Biosphere Reserve. Source: Michelle Carrere/Mongabay.

The self-acclaimed socialist government of Daniel Ortega and his wife Rosario Murillo has not only failed to enforce legal protections of Indigenous lands, but actually plays an active role in their colonization and exploitation by transnational firms without respecting the FPIC principle, despite Nicaragua having voted in favor of UNDRIP. More recently, official Nicaraguan documents reveal unilateral offers to potential investors of over **7.1 million ha** of land (60% of the country) for mining concessions and over **3.5 million ha** (another 30% of the country) for forestry projects.

Over the past three years, the amount of land under mining concessions has more than doubled, totaling 2.6 million hectares, or 20% of the country. Similarly, Nicaragua’s primary forests, majority of which are found along the Caribbean Coast Autonomous Regions and are essential for the livelihoods of the Indigenous Peoples and mixed Creole and Garifuna populations, are under intense pressure by corporations and illegal settlers engaged in cattle ranching and lumber operations. The forest cover in Nicaragua has dropped from 76% in 1969 to 25% today. In particular, President Ortega and his family maintain personal links to the forestry and logging business through the Alba Forestal company.<sup>52</sup>

Past “development” schemes, resettlement of ex-combatants, and business-friendly policies advanced by successive governments have exploited the Caribbean Coast’s lands. The current generation of Indigenous Peoples has turned to the Inter-American Court for Human Rights because of the long denial of the legal protections afforded to them by domestic law and policies of noncompliance.

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<sup>52</sup> *Nicaragua’s Failed Revolution: The Indigenous Struggle for Saneamiento* (Oakland: Oakland Institute, 2020), pp. 6, 37–38, <https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/nicaraguas-failed-revolution.pdf>.

In Nicaragua, Indigenous and Creole communities continue to struggle for *saneamiento*, the final step of implementing Law 445, which requires clearing the Indigenous territories of colonial settlers, as well as corporations, who are living and using the territories without a legal title or a lease agreement with the communities.

## Palestine

In the course of 2014–24, the VDB has recorded 49 entries of housing and land rights violations perpetrated by Israeli military forces and militarized Zionist settlers against the Indigenous Palestinian People throughout historic Palestine. These include combined entries covering monthly compilations of forced evictions, house demolitions, land confiscation and contamination, as well as other environmental crimes carried out by such Israeli institutions as the apartheid-chartered Jewish National Fund, the Israeli water authority, Mekorot, and their affiliates. In addition, ongoing violations across the country—and beyond—persist without remedy for the ethnic cleansing and dispossession of the Palestinian People in two waves of war: The Nakba of 1948 and the Naksa in 1967.

The record of ongoing violations is too vast to summarize here. At this writing, the ongoing Israeli genocide against the Palestinian people, with its ample expressions of intent over decades, has rolled out in grotesque scenes before our eyes. These feature targeting of homes, the repeated forced transfer of over 1.9 million Palestinians and bombing those shelter seekers in their concentrations of refuge, exercising its consistent military doctrine.<sup>53</sup> Some historiographic discipline is needed to describe the century of colonial land deprivation among the accompanying Zionist atrocities in their many sadistic forms. The current onslaught follows Israel’s failure to exercise self-defense within its legal bounds against acts of retaliation by the Hamas `Izz al-Din al-Qassam Brigades and other militant groups just one year ago.

Despite this dense record of gross violations of Palestinians’ human rights related to their habitat, suffice it in this coverage to draw on a recent two. Most dramatic of these is [Gaza Genocide](#), recording the vast destruction and denial of land to the Palestinian People of the Gaza Strip.

Israel has denied Palestinians in the Gaza Strip over 75% of their agricultural land, either by isolating it in preparation for illegally annexing it to its military ‘buffer zone,’ or by razing lands with military bulldozers or otherwise damaging it. Israel thereby has destroyed Gaza Strip’s supply of fruits, vegetables, and meat, while blocking the entry of food, water and other humanitarian aid, exacerbating the famine there and enabling the use of starvation as a strictly prohibited weapon of war.<sup>54</sup>

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<sup>53</sup> Joseph Schechla, *Coveting Land, Targeting Homes, Shelters and Shelter Seekers: Israel’s raison d’état, military doctrine and consistent practice* (Cairo: HIC-HLRN, 30 March 2024), <https://hlrn.org/arabic/activitydetails.php?id=qGhnaA==>.

<sup>54</sup> Integrated Food Security Phase Classification (IPC), “Gaza Strip: Acute Food Insecurity Situation for 15 February - 15 March 2024 and Projection for 16 March - 15 July 2024,” <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156872/>; Mohammed Hussein and Mohammed Haddad, “How Israel destroyed Gaza's ability to feed itself,”



Since the start of its military assault on the Gaza Strip on 7 October 2023, the Israeli army has worked methodically to destroy livestock, agricultural lands, and bird farms in a consistent manner, starving the populace and denying them access to the staple foods of fruits, vegetables, and white and red meat. Four children starved to death in a single week due to Israel's decision, bringing the total number of starvation victims in the Strip to approximately 40 already at 24 June 2024.<sup>55</sup>

In an attempt to annex it to the "buffer zone", in violation of international law, Israeli forces have bulldozed and destroyed all agricultural lands along its "security fence". The zone is approximately 2 km wide and runs along both the Strip's northern and eastern borders, resulting in the removal of approximately **96 km<sup>2</sup>** from the Palestinian people. In addition, about **3 km<sup>2</sup>** have been lost as a result of the construction of a road and another 'buffer zone' imposed by Israeli forces to isolate Gaza City from the rest of the Gaza Strip via the Israeli-built 'Netzarim axis,' isolating another 27.5% of the Gaza Strip.

Beyond this "buffer zone", additional land has been destroyed by Israeli ground incursions as well as aerial and artillery bombardment, affecting at least 34 km<sup>2</sup> of agricultural land. The remaining lands set aside for agriculture are extremely sparse, with the majority located in the rustic al-Mawasi region, west of Khan Yunis, which unserved area houses hundreds of thousands of internally displaced Gazans.

Meanwhile, in the Israeli-occupied West Bank of Palestine, [Smotrich grab](#) is the case by which Israeli Finance Minister Bezalel Smotrich declared **800 ha** in the in the Jordan Valley as state land, on 22 March 2024. This acquisition of territory by force of Israel's military occupation is intended to facilitate building more settler colonies, despite growing international opposition to this crime of war.<sup>56</sup>

That confiscation of land as state land follows a similar designation of **300 ha** in the east of Jerusalem in favor the illegal Israeli Maale Adumim settler colony. These cases are especially linked in the context of Israel's genocidal war on Gaza, as illegal Israeli settlers in the West Bank and Jerusalem continue to use the cover of war to expand their control over Palestinian lands by all means.<sup>57</sup>

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*Aljazeera* (2 July 2024), <https://www.aljazeera.com/news/longform/2024/7/2/how-israel-destroyed-gazas-ability-to-feed-itself>.

<sup>55</sup> Euro-Med Monitor, "Gaza: By destroying agricultural lands and blocking food aid, Israel uses starvation as a weapon of war against civilians," <https://euromedmonitor.org/en/article/6377/Gaza:-By-destroying-agricultural-lands-and-blocking-food-aid,-Israel-uses-starvation-as-a-weapon-of-war-against-civilians>.

<sup>56</sup> OHCHR, "UN Human Rights Chief deplores new moves to expand Israeli settlements in occupied West Bank," 8 March 2024, <https://www.ohchr.org/en/press-releases/2024/03/un-human-rights-chief-deplores-new-moves-expand-israeli-settlements-occupied>.

<sup>57</sup> "How Israeli settlers are expanding illegal outposts amid Gaza war" [video feature], *Aljazeera* (22 March 2024), [https://www.aljazeera.com/program/newsfeed/2024/3/22/how-israeli-settlers-are-expanding-illegal-outposts-amid-gaza-war-3?traffic\\_source=KeepReading](https://www.aljazeera.com/program/newsfeed/2024/3/22/how-israeli-settlers-are-expanding-illegal-outposts-amid-gaza-war-3?traffic_source=KeepReading).



Figure 12: Aerial photo of Gaza Strip agricultural land at the beginning of summer 2023 (above) and the destruction by Israeli forces in the same area at the end of June 2024 (below). Source: Hussein and Haddad/Aljazeera, *op. cit.*.

However, these calculations on two land grabs under Smotrich figure only a part of the Palestinian people's entitlement to land restitution, which encompasses 20,770 km<sup>2</sup>, including 445 km<sup>2</sup> of inland water surface area, as well as the total areas presently controlled by Israeli forces (army and settlers), amounting to 61% (**3,449.55 km<sup>2</sup>**) of the total surface areas of the West Bank,<sup>58</sup> including east Jerusalem (5,655 km<sup>2</sup>) and the whole of the Gaza Strip (**365 km<sup>2</sup>**).<sup>59</sup>

<sup>58</sup> Mohammed Haddad and Marium Ali, "Ten maps to understand the occupied West Bank," *Aljazeera* (16 September 2024), <https://www.aljazeera.com/news/2024/9/16/ten-maps-to-understand-the-occupied-west-bank>.

<sup>59</sup> *Ibid.*

Estimates of Israel's West Bank land seizures in 2024 (as of 11 July) total 23.7 km<sup>2</sup>, of Palestinian land in the occupied West Bank, amid its genocide in Gaza.<sup>60</sup> However, beyond the 61% of West Bank land under Israeli control as Area C under the Oslo Agreements, estimates set the additional Israeli-seized land area at more than **50 km<sup>2</sup>**.<sup>61</sup>

The composite figure for the 93% of Palestinian territories claimed by Israel within its pre-1967 border (**20,594.85 km<sup>2</sup>**/22,145 km<sup>2</sup>) and those illegally acquired and otherwise controlled since that date (**3,864.55 km<sup>2</sup>**) total **24,459.4 km<sup>2</sup>**.

## Saudi Arabia

Saudi Arabian Crown Prince Muhammad bin Salman's much-touted futuristic [Neom Megaproject](#) provides the context for land deprivation by royal decree and even assassination.

The new \$500 billion, 170 km-long, 1,600 feet tall and 650 feet wide<sup>62</sup> city state of Neom, named by combining the Greek word for "new" (*neo/véο*) and the Arabic term for 'future' (*mustaqbal/مستقبل*), is intended to cover an area the size of Belgium (ca. **30,689 km<sup>2</sup>**)<sup>63</sup> and accommodate 9 million residents at the far north of Saudi Arabia's Red Sea coastline.

The project is advertised to offer a huge artificial moon, glow-in-the-dark beaches, flying drone-powered taxis, robotic butlers to clean the homes of residents and a Jurassic Park-style attraction featuring animatronic lizards, with facial-recognition technology proliferating across the entire city-state.<sup>64</sup> All this futuristic technology is to be built on 'virgin' land to realize, as the project's website proclaims: "The future has a new home."<sup>65</sup>

However, part of the site is the home of the Huwaitat tribe, who have spanned Saudi Arabia, Jordan and the Sinai Peninsula for generations, tracing their lineage long before the founding of the Saudi state. At least 20,000 members of the tribe are faced with forced eviction to make way for the project, with no provision for their future welfare. The number evicted so far exceeds 6,000.<sup>66</sup>

The killing of community leader Abdul Rahim al-Huwaiti on 13 April 2020, after refusing to allow a land registry committee to access his property, highlighted the tension between the tribe and

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<sup>60</sup> Mohammed Haddad, "Visualising how Israel keeps stealing Palestinian land," *Aljazeera* (11 July 2024) <https://www.aljazeera.com/news/2024/7/11/how-israel-keeps-stealing-palestinian-land>.

<sup>61</sup> *Ibid.*, citing Peace Now.

<sup>62</sup> Editorial Board, "Saudi Arabia's new mega-city may be built on a foundation of tyranny," *The Washington Post* (10 May 2023), <https://www.washingtonpost.com/opinions/2023/05/10/saudi-arabia-neom-huwaitat-mbs/>.

<sup>63</sup> "Land use according to the land register," STATBEL, <https://statbel.fgov.be/en/land-use-according-land-register>.

<sup>64</sup> "NEOM to be first totally digitized city in world — CEO," *Saudi Gazette* (5 February 2020), <https://saudigazette.com.sa/article/588351>.

<sup>65</sup> Ruth Michaelson, "'It's being built on our blood': the true cost of Saudi Arabia's \$500bn megacity," *The Guardian* (4 May 2020), <https://landtimes.landpedia.org/newsdes.php?id=qm9k&catid=ow==&edition=pHE=>.

<sup>66</sup> Merlyn Thomas & Lara El Gibaly, "Neom: Saudi forces 'told to kill' to clear land for eco-city," *BBC News* (9 May 2024), <https://www.bbc.com/news/world-middle-east-68945445>.



the kingdom's development plans.<sup>67</sup> In response to the forced eviction, arbitrary imprisonment and related violence arising from the construction of the Neom project, UN Special Procedures have issued communications to the Saudi government, to which the government responded by disavowing any human rights violation in the project's implementation.<sup>68</sup>



Figure 13: Huwaitat settlement before evictions in 2018 (L), and after evictions in April 2024 (R). Source: Planet Labs PBC.

## Sudan

The entire period of review saw waves of displacement from war and disaster. The war of rivals since April 2023 has produced 12 million refugee and displaced Sudanese. Sudan emerged—surpassing Syria—as the world's biggest displacement crisis. Assessments are still underway to produce impressions of the scale of costs, loss and damage to housing and land. At the same time, we can be sure that the fighting has cost lives, the environmental disaster and climate-change tolls are harder to come by.

Nonetheless, we can attempt to derive a spatial measure of the area covered by a single event. One that combines environmental triggers and human factors in creating or exacerbating the impacts on the land and its people is the VDB entry for the August 2024 [Arba`at Dam](#) collapse.

Even before the dam collapsed, more than 310,000 people had been impacted by flooding across the country, adding to the misery inflicted by the brutal conflict and its forced evictions of millions. The human factors in the 25 million m<sup>3</sup>-capacity Khor Arba`at Dam collapse derive from several warnings and needs assessments calling for maintenance since 2019.<sup>69</sup> This is also the period of supposed transition to a democratic and development state.

<sup>67</sup> Frank Gardner, "Saudi tribe challenges crown prince's plans for tech city," *BBC News* (23 April 2020), <https://www.bbc.com/news/world-middle-east-52375343>.

<sup>68</sup> "Human Rights and KSA's Neom Project," *Land Times/أحوال الأرض*, Issue 29 (September 2023), <https://landtimes.landpedia.org/newsdes.php?id=qm9k&catid=ow==&edition=pHE=>.

<sup>69</sup> Andrea Cattarossi, Paolo Polo, Paolo Mastrocola, Elmusalami Fadlallah, Sami Ouechtati, Giovanni Isotton, Alessio Fileccia and Casey Walther, "Management of Critical Water Supply Sources near Port Sudan, Sudan: Arbaat Dam and Well Fields at Arbaat and Moj," Deliverable No. 4 (D-4) – Final Technical Report (Treviso, Italy: Hydro Nova s.r.l.; Washington: World Bank, 15 March 2019), <https://documents1.worldbank.org/curated/en/650011609914976904/pdf/Management-of-Critical-Water-Supply-Sources-near-Port-Sudan-Sudan-Arbaat-Dam-and-Well-Fields-at-Arbaat-and-Moj.pdf>; H. Ali, "Hydro-environmental impact of Khor Arbaat Dam, Eastern Sudan," *Environmental Science* (2022),

Measurements so far indicate around 50,000 people living on the western side of the dam have been severely affected; at least 148 died. Severe damage to infrastructure has also been reported, including 84 collapsed borehole wells and 70 schools fully or partially destroyed. More than 25,000 shelters and community infrastructures were destroyed, forcing many to shelter with host communities and in schools, while many others are staying in the open, exposed to intense heat and rain.<sup>70</sup> Over 10,000 livestock are also missing. About 70 villages around Arba'at Dam, 38 kms northwest of Port Sudan, were caught up in the flash flooding, which destroyed 20 villages, estimated to encompass **7,000 km<sup>2</sup>**, at only 10 ha land area each.<sup>71</sup>

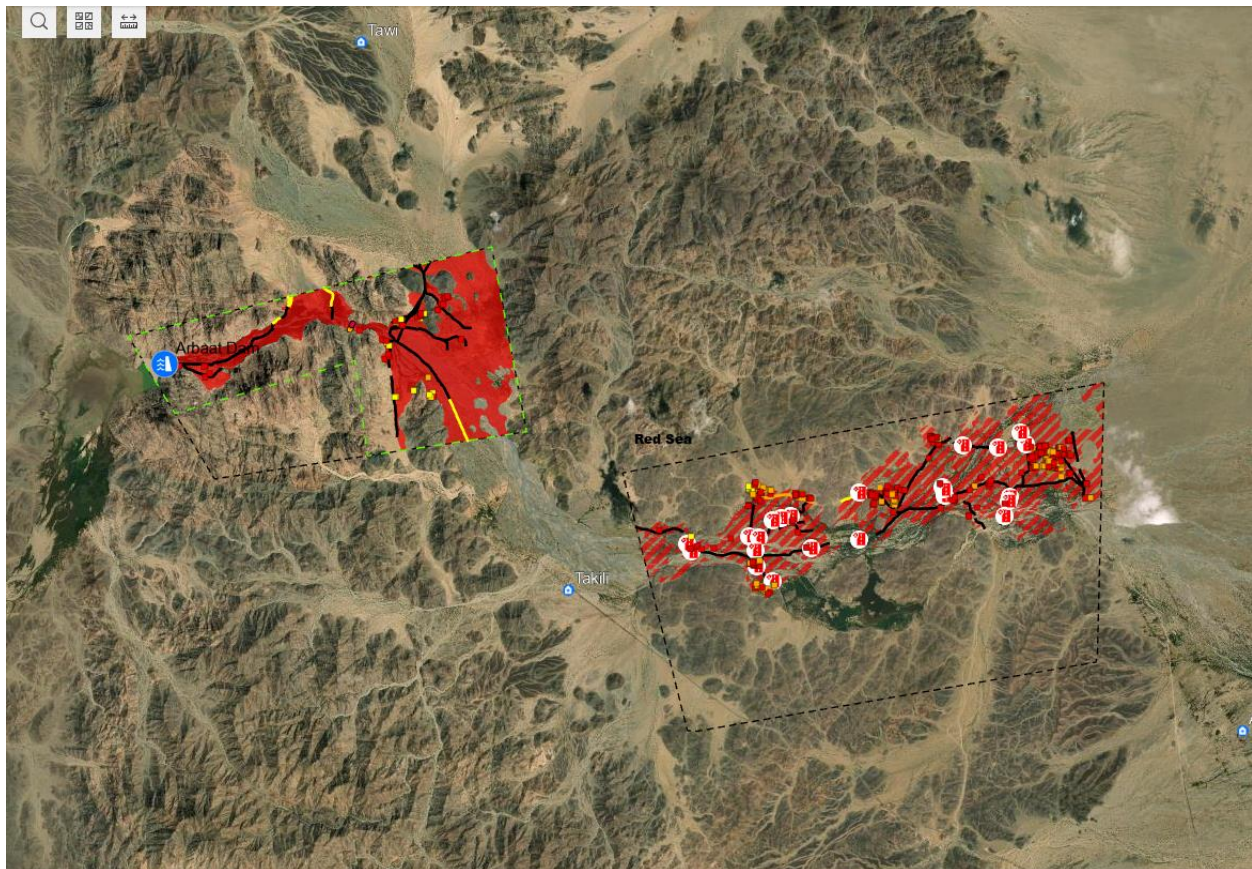


Figure 14: Areas affected by the Arba'at Dam collapse. Source: International Charter Space and Major Disasters, [UNOSAT and Copernicus images](#).

Amid the environmental and conflict toll on the country's land and its people, Sudan is notably among the global 'hotspots' for large-scale land acquisitions. Sudan transferred nearly 4 million

<https://api.semanticscholar.org/CorpusID:247166959>; Vibhu Mishra, "Sudan's displaced millions face escalating hardship amid war and floods," *UNHCR* (9 August 2024), <https://news.un.org/en/story/2024/08/1153026>.

<sup>70</sup> IOM, "Floods, Dam Collapse Intensify Suffering in Sudan 500 Days into the War," 29 August 2024, <https://www.iom.int/news/floods-dam-collapse-intensify-suffering-sudan-500-days-war>.

<sup>71</sup> International Charter Space and Major Disasters, UNOSAT and Copernicus images, <https://disasterscharter.org/es/web/guest/activations/-/article/flood-in-sudan-activation-906->.

ha of land to foreign private investors, more than any other country within the region, except for Saudi Arabia, in attracting foreign direct investment (FDI).<sup>72</sup>

## Syria

Syria was the locus of 15 VDB entries during the period. Among them, four—تلاعب ديمغرافي (demographic manipulation), مصادرة 200 عقار (Confiscation of 200 properties), House confiscation and another مصادرات منازل (Confiscation of homes)—over the last year form a distinct pattern of housing, land, water and livelihood rights violations endured by the civilian population in the northwestern and northeastern territories of Syria.

With around 2.9 million persons displaced in the region throughout 13 years of conflict, inhabitants of the northern and northeastern parts of Syria have been forced to live with displacement, dispossession, looting and theft, compelled to seek alternatives for housing, work and income.

Despite the plurality of perpetrators over the period, these violations form a common and systematic policy in certain areas where various foreign-backed militias operate. The reader will appreciate that, because of the inherent difficulties on gathering information, figures available for land area, extent of damage and numbers of affected persons are estimates. Nonetheless, to present a coherent picture from this mosaic, HIC-HLRN HIC Member Insight jointly produced *Defiled in Northern Syria: Rights to Housing, Land, Water and Livelihood* on World Habitat Day 2024. To develop a current snapshot of the ongoing situation, this report covers only the most-recent period (2023–24). Partial though this documentary record may be, it gives the reader a glimpse into what day-to-day Syrians are forced to endure at the hands and lethal arms of foreign occupants of their territory.

Largely because of ambiguities and lack of data, the field research of these combined could not specify the total land area affected. However, it did reveal that various militia attacks by occupying forces destroyed or confiscated at least 720,963 housing units and appropriated 14,586 trees, with their surrounding fields. A conservative estimate of the land areas taken would be **360,714,876 m<sup>2</sup>**, if each unit were calculated as 500 m<sup>2</sup> (**360,481,500 m<sup>2</sup>**) and trees are planted on an average of 4 meters apart (**233,376 m<sup>2</sup>**).

## Ukraine

In Ukraine, land losses by way of dispossession and/or destruction are largely the result of grounded military action. However, air assaults have been similarly destructive in the war raging since the beginning of this review decade, 2014.

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<sup>72</sup> Mohyeldeen E. Taha, *Land Use, Ownership and Allocation in Sudan: The challenge of corruption and lack of transparency* (Kampala: Sudan Democracy First Group, September 2016) , p. 2, <https://sudandemocracystgroup.org/wp-content/uploads/2024/02/Land-Use-Ownership-and-Allocation-in-Sudan.pdf>.



One of the greatest losses of land for housing and livelihood has been the VDB case entered as [Russia Targets Dams](#). This instance of deliberate destruction of infrastructure by aerial bombing took place on

In the early hours of 6 June 2023, Russian bombs breached the Kakhovka hydroelectric dam, retaining Ukraine's biggest reservoir, on the Dnipro River in (Kherson Oblast). The destruction of the dam caused extensive flooding, with a domino effect on both humans and their environment. The loss of the dam cost Ukraine 41,700 cubic meters (m<sup>3</sup>) of water per day, as the broken dam released 1.2–1.3 billion m<sup>3</sup> of water, a volume equal to one-fourth of Ukraine's water supply. Even if the dam were to be restored today, an estimated 33.5 years would be required to recover the loss of water.

The environmental consequences have been vast. The drying of the emptied Kakhovka Reservoir has rapidly and perhaps irreversibly transformed a mature and fully functioning aquatic ecosystem of 70 years into a riverine type of ecosystem in an initial stage of development. Some of the protected areas located within the reservoir, such as the Velyki Luh National Nature Park, were destroyed. Groundwater levels in the region fell sharply with the disappearance of such a large body of water. As the burden of climate change increases, the region may be further affected in the longer run.

Downstream, the immense high-velocity flood caused losses in natural habitats, **12,000 ha** of forest, plant communities and species, inundating habitats and likely leaving toxic debris and sediments behind.<sup>73</sup> The destruction of the dam will leave **584,000 ha** (5,840 km<sup>2</sup>) of farmland without irrigation, turning them into virtual deserts.<sup>74</sup>

In addition, the impact led to a release of numerous chemical pollutants, including petroleum derivatives and liquid fertilizer. Even the assessment's focus only on large structures containing significant amounts of chemicals has identified 54 pollution zones. The resulting exposure to chemicals is likely to affect returning populations and pose particular risks to women and children, with long-term health consequences.

The destruction of the Kakhovka Dam killed dozens of people and submerged entire villages in flood water. It affected 4,377 households on the north side and 12,844 households on the south side of the dam, totaling 17,221 affected persons.<sup>75</sup> The breach inflicted almost €13 billion in economic loss and damage, with recovery and reconstruction needs at \$5.04 billion.

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<sup>73</sup> UNEP, "Rapid Environmental Assessment of Kakhovka Dam Breach Ukraine," 25 October 2023, p. xiii, [https://wedocs.unep.org/bitstream/handle/20.500.11822/43696/Kakhovka\\_Dam\\_Breach\\_Ukraine\\_Assessment.pdf?sequence=3&isAllowed=y](https://wedocs.unep.org/bitstream/handle/20.500.11822/43696/Kakhovka_Dam_Breach_Ukraine_Assessment.pdf?sequence=3&isAllowed=y).

<sup>74</sup> Anastasia Feshchenko, "Знищення росіянами Каховської ГЕС завдало значних збитків сільському господарству України" ["The destruction of the Kakhovskaya HPP by the Russians caused significant damage to the agriculture of Ukraine"], *Glavkom* (9 June 2023), <https://minagro.gov.ua/news/znishchennya-rosiyanami-kahovskoyi-ges-zavdalo-znachnih-zbitkiv-silskomu-gospodarstvu-ukrayini>.

<sup>75</sup> *Ibid.*, p. 46.

However, this figure is expected to grow as more detailed assessments are conducted. In the short term, \$1.82 billion is needed for recovery efforts in the 2023–024 period.<sup>76</sup>



Figure 15: Flooding of the Dnipro River after the Kakhovka Dam breach. Keystone/AP.

Around 37,012 residential units were affected by the flooding, and 15% of those (over 550) were damaged beyond repair. This number includes apartment units, single-family houses, and dormitories. Single-family houses have been the most affected (97.3% of damage), which indicates the significant impact on the rural landscape of Ukraine, including peri-urban communities. The extent of housing damage is spread across two oblasts (districts), with Kherson being significantly more impacted (98.4% of damage) than Mykolaiv (1.6%). Estimated losses in the housing sector are at US\$66 million, which reflects the cost of demolition and debris removal and the Ukraine government’s one-time indemnity payment. That figure does not reflect bank losses and mortgage defaults, temporary rental and shelter provision by owners, or adjusted rental income losses.<sup>77</sup> For the housing sector alone, total damage is estimated at US\$1.101 to US\$1.502 billion.<sup>78</sup>

<sup>76</sup> Government of Ukraine and United Nations, *Post-disaster Needs Assessment: 2023 Kakhovka Dam Disaster, Ukraine*, October 2023), <https://ukraine.un.org/en/download/145177/248860>.

<sup>77</sup> *Ibid.*, p. 42.

<sup>78</sup> Both Mykolaiv and Kherson oblast sustained severe damage due to the conflict however overlap is minimal due to the predominance of rural and peri-urban areas affected by the flooding and the significant number of single dwelling houses impacted (97.3% of damage is in single dwelling houses). Damages due to the war have been deducted from the total flood damages.

## USA

The great 2023 train wreck known as the [Norfolk Southern derailment](#) in East Palestine, Ohio, stands as an environmental hazard that is *not* a ‘natural’ disaster, but humanmade. In this VDB case, duty bearers were derelict in their duty to protect the various habitat-related human rights of local inhabitants, laying waste to vast areas of land.

On 3 February 2023, just before 21:00 EST, a *Norfolk Southern* train derailed near the town of about 4,800 people near the border with Pennsylvania. Nobody was hurt at the time of the accident, but 20 of the derailed cars contained hazardous materials, which included ethylene glycol monobutyl ether, ethylhexyl acrylate and isobutylene, all of which can cause irritation or neurological symptoms like dizziness and headaches. One tank car lost its entire load of butyl acrylate, a clear liquid used to make paint, adhesives and caulk. And as authorities worked to assess the damage and investigate the derailment, five rail cars` worth of vinyl chloride and other contaminants and carcinogens were intentionally burned off in a controlled explosion that, in turn, prompted a temporary evacuation of the area.

A plume of contaminants released in the initial derailment did reach the Ohio River. The release of chemicals caused the deaths of 3,500 fish in the days following the derailment. While tests in the soil have not shown dangerous levels of contamination, many farmers are wary of the long-term effects on their lands and crops.

Public work crews removed contaminated soil from the populated areas near the derailment site. Trucks and trains hauled it to designated incinerators and landfills in Ohio, Indiana, Michigan, Colorado and Texas.<sup>79</sup> Reportedly also, airborne pollution from the East Palestine train derailment rained down in 16 states.<sup>80</sup>

A federal judge approved a US\$600 million class-action suit against *Norfolk Southern*,<sup>81</sup> which potentially offered US\$70,000 in household and property loss, and US\$25,000 for any personal health issue to residents who live within a 3.2-km radius of the derailment (**32,169,882 m<sup>2</sup>**)<sup>82</sup> should be approved. However, these amounts decline for those living farther away.<sup>83</sup>

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<sup>79</sup> Grace Springer, “Crews removed tons of contaminated soil from the East Palestine derailment. Here’s where it went,” *ideastream public media* (19 December 2023), <https://www.ideastream.org/environment-energy/2023-12-19/crews-removed-tons-of-contaminated-soil-from-the-east-palestine-derailment-heres-where-it-went>.

<sup>80</sup> Kasha Patel, “Pollution from East Palestine train derailment rained down in 16 states, study says,” *The Washington Post* (19 June 2024), <https://www.washingtonpost.com/climate-environment/2024/06/19/east-palestine-train-pollution-study/>.

<sup>81</sup> Josh Funk, “Judge approves \$600 million settlement for residents near fiery Ohio derailment,” *AP* (26 September 2024), <https://apnews.com/article/east-palestine-derailment-norfolk-southern-settlement-d08463bd83c5dc19f89719d04747d98c>.

<sup>82</sup> 3.2 km x 3.2 km = 10,240 x 3.14159 = 32,169,881 m<sup>2</sup>.

<sup>83</sup> Josh Funk, “EPA data make it hard to know the extent of the contamination from last year’s Ohio derailment,” *AP* (25 September 2024), <https://apnews.com/article/epa-east-palestine-train-derailment-contamination-6d5f43a6d6105741747a67c68f1cbccd>.



The U.S. Environmental Protection Agency releases preliminary water, air, and soil sampling results from East Palestine as they become available. As of late October 2024, soil samples show significant chemical sediment in the soil around the derailments site.<sup>84</sup>



Figure 16: Drone photo showing portions of the Norfolk Southern freight train that derailed in East Palestine, Ohio. Source: AP Photo/Gene J. Puskar, File.

It is clear that improvements are needed in regulations and critical infrastructure such as railways to reduce the likelihood of additional contamination. While this derailment has raised the issue, freight-train derailments are more common than most people realize. Largely because they occur disproportionately in rural areas, the public commonly dismisses them.<sup>85</sup>

## Uzbekistan

Another water infrastructure disaster hit Uzbekistan with the **Sardoba Dam Collapse** in the Syrdario Region of Uzbekistan, on 1 May 2020. This was not a case of prolonged negligence or deliberate sabotage. During heavy rains, the dam's floodgates were opened to reduce water pressure on the walls of the reservoir and prevent further collapse of dam walls. Water spilled into the Southern Golodnostepsky Canal and its branches in an attempt to divert the flow to the

<sup>84</sup> "EPA Lab Results: Soil and Sediment (through 10/23/2024) - East Palestine, OH Response (csv)," U.S. EPA East Palestine, OH Derailment Soil/Sediment Sampling Dashboard, <https://www.epa.gov/east-palestine-oh-train-derailment/soil-and-sediment-sampling-data>.

<sup>85</sup> Sanya Mansoor, "As Norfolk Southern Faces NTSB Investigation, Train Derailments Are More Common Than You Might Think," *Time* (8 March 2023), <https://time.com/6260906/train-derailments-how-common/>.



Aydar-Arnasay lakes, a wetland of international ecological importance. The capacity of the canal was overwhelmed, and the flood expanded, washing away grasslands, farms and villages on more than **35,000 ha** of land in Uzbekistan and across the border into Kazakhstan. Six people lost their lives, and at least 111,000 evacuated in both countries as a result of the disaster.

Despite the grand scale of the tragedy, local officials have prevented journalists from investigating victims' claims of mistreatment, and the causes of the disaster. Several local reporters say they have faced intimidation and threats while working on the story and at least one of them has lost her job.

In front of Kurgantepa's school building, where displaced persons were sheltering, a group of policemen keep guard, preventing the displaced residents from leaving the premises. The guards claim the shelter was a 'quarantine facility,' not a temporary home for survivors. Nonetheless, the guards could not stop the sequestered people from gathering in front of the gate and complaining of the treatment.

Some, like the residents of Babur village, were relatively lucky. After a government-issued advance warning, they were able to leave in time before the water flooded their homes, orchards and cattle. However, when they returned a week later to their damaged homes, water still flowed in the streets, and the stifling stench of latrines spread throughout the village.<sup>86</sup>

By late July, more than 16,000 people still lived in temporary accommodation, including more than 2,000 in public buildings such as schools. Many have also received financial stipend equivalent of US\$4,000 to survive. Most of the displaced will receive new accommodation from the government, but it remained unclear how long they will have to stay in provisional accommodation. According to residents, only those neighbors with connections and those who were willing to pay high bribes to the local commission have managed to rebuild their homes.<sup>87</sup> The year before the dam collapse, Uzbekistan ranked 153<sup>rd</sup> out of 180.<sup>88</sup>

President Shavkat Mirziyoyev called a commission to investigate the circumstances of the disaster, which included those responsible for constructing the dam, such as Deputy Prime Minister Achilbay Ramatov and Senator Abdugani Sanginov. However, information on how contracts for the construction of the Sardoba reservoir were distributed remains obscure. The fact that the dam burst after only three years of operation raises widespread suspicion of foul-play, earning this case an entry in the VDB.<sup>89</sup>

From a wider vantage point, the Sardoba incident follows decades of poor management of water resources across the region. In Soviet Central Asia the irrigation of dry land was enabled

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<sup>86</sup> Pikulicka-Wilczewska, *op. cit.*

<sup>87</sup> Agnieszka Pikulicka-Wilczewska, "Uzbeks search for answers and stability after deadly dam collapse," *Aljazeera* (23 September 2020), <https://www.aljazeera.com/features/2020/9/23/uzbek-dam-collapse>.

<sup>88</sup> Transparency International, "Corruption Perceptions Index 2019," <https://www.transparency.org/en/cpi/2019/index/uzb>.

<sup>89</sup> "A dam failure raises concerns about corruption in Uzbekistan," *The Economist* (6 August 2020), <https://www.economist.com/asia/2020/08/08/a-dam-failure-raises-concerns-about-corruption-in-uzbekistan>.

by integrated water-energy management systems. A series of dams, including the giant Toktogul dam in Kyrgyzstan, regulated the flow of the Syr Darya River to supply agricultural project, mostly in Uzbekistan. The Soviet system distributed fuel to the upstream republics of Kyrgyzstan and Tajikistan in winter to offset the hydropower energy those republics agreed not to generate. One of the grave consequences of the large-scale water diversion scheme has been the disappearance of the Aral Sea, once the world's fourth-largest lake.



Figure 17: Aerial photo showing drained Sardoba Reservoir, the flooded area and the destruction of farmland and villages in between. Source: NASA Earth Observatory images by Lauren Dauphin, using Landsat data from the U.S. Geological Survey.

Then, in 2017, Uzbekistan's President Mirziyoyev sought to develop electricity sources for its growing economy, securing USD 2.7 billion from the Chinese Ministry of Commerce at the Belt and Road Initiative (BRI) Forum to repair and construct 32 dams. The general contractor and

operator for the new Sardoba dam was not a certified for the hydroengineering project, but a subsidiary of Uzbekistan Railways Company, a large state-owned enterprise involved in BRI developments. The president declared that a newly formed company, UzbekHydroEnergo, would operate the project, under heavy time pressure from the Chinese partner.

Mirziyoyev appointed an evaluation team to investigate the Sardoba Dam disaster that included a senator involved in supervising the Sardoba Dam. That same Mr. Abduvani Sanginov was also assigned to lead UzbekHydroEnergo in May 2017, while his son headed Topalang HPD Holding, one of the main sub-contractors building Sardoba Dam.<sup>90</sup> From a sheerly technical perspective, a subsequent assessment recommended the use of InSAR deformation monitoring technology in future safety measures, providing detailed deformation and resisting risks of ignorance.<sup>91</sup> However, replacing nepotism and other forms of corruption may require a different fix.

## Western Sahara

Of the 12 entries in the VDB for Western Sahara since 2014, none of their sources records detail about the land surface areas affected by the violations of housing and land rights in the country. In an effort to produce the first-ever report on housing and land rights violation in Western Sahara, HIC-HLRN and The Sahrawi Association in the United States of America (SAUSA) published. *Human Rights to Habitat in Western Sahara: Land, Housing, Population Transfer, Natural Resources* (2023). That report combines the entries from the review period, as well as other long-standing violations across the zone of Morocco's military occupation.

The report covers the devices that Moroccan occupation authorities use to dispossess Sahrawis of their lands and homes, including breaching The Hague Regulations' Article 43-prohibited alteration of the legal system of an occupied territory. By the device of imposing Moroccan law and institutions in Western Sahara, the occupier denies traditional tenure on tribal *grarat* lands with their palm groves or desert trees such as acacia, which also act as natural storage of scarce water for agriculture and drinking.

The report also chronicles cases of Sahrawi homes demolished by occupying forces. This pattern also illustrates the continuum of losses, costs and damages that the Sahrawi people have incurred under Morocco's policy of violating the Sahrawi people's individual and collective human right to adequate housing with in the larger frame of the Moroccan kingdom's denial of the Sahrawi people's collective right to self-determination. Thus, the report details the demolition and dispossession of Sahrawi homes and lands throughout the period from 1976 to the present.

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<sup>90</sup> Eugene Simonov, "Uzbekistan dam collapse was a disaster waiting to happen," *Dialogue Earth* (23 June 2020), <https://dialogue.earth/en/water/uzbekistan-dam-collapse/>.

<sup>91</sup> Ruya Xiao, Mi Jiang, Zhenhong Li and Xiufeng He, "New insights into the 2020 Sardoba dam failure in Uzbekistan from Earth observation," *International Journal of Applied Earth Observations and Geoinformation*, 107, <https://www.sciencedirect.com/science/article/pii/S0303243422000319>.



Taking this cumulative approach to a rarely reported phenomenon of house demolitions and land confiscations, the quantification of land areas affected remains a challenge. Therefore, the calculation of land area subject to reparation of the Sahrawi people is provided by the occupation itself. As a violation persists until its remedy, Morocco's continuing occupation of Sahrawi land through the past ten years served as the spatial indicator, amounting to a total of **21,280,000 ha** of land subject to restitution, rehabilitation, compensation, guarantees of nonrepetition and the victims' expressed satisfaction with the ultimate remedy. This land area represents the 80% of Western Sahara that Morocco illegally occupies.



Figure 18: Aerial photo showing a segment of the berm with its military patrol. Source: P. Herzog/Getty Image/AFP.

## Yemen

Most of the ten VDB entries for Yemen during the 2014–24 period reflect land disputes arising from the former regime of Ali Abdallah Salih, which at least partly sparked the 2011 uprising and subsequent civil war. HIC-HLRN dedicated a project to quantifying the costs, losses and damage arising from housing and land rights violation in three key regions as a contribution to the eventual transitional-justice process. However, two of these entries [al-Mahra lands](#) and [UAE in Sugatra, Perim](#) stand out from the rest as an additional phenomenon, involving extraterritorial states grabbing lands for strategic purposes.

Al-Mahra governorate is located in the far southeastern part of Yemen and shares a nearly 300-km border with Oman to the east, and another with Saudi Arabia in the north. Although the second largest Yemeni governorate with more than 67,000 km<sup>2</sup>, al-Mahra is the least populated governorate in mainland Yemen, with a population of about 175,600.<sup>92</sup> The al-Mahra

<sup>92</sup> United Nations OCHA, "2023 Population Estimates," 2023, <https://data.humdata.org/dataset/yemen-population-estimates>.



Governorate's capital of al-Ghaydah lies on the southern Arabian Sea coastline, where also the main seaport of Nishtun is located.



Figure 19: Mahri tribesmen and local protesters demonstrating against Saudi forces seizing control of the al-Ghaydah City airport in al-Mahra governorate, celebrate after reaching an agreement with Saudi officers to return the airport to civilian control, 13 July 2018, before Saudi forces later reoccupied it. Source: Yahya al-Sewari.

Due to its remote location, al-Mahra has been largely isolated from the wider conflict. However, it played a significant role in security concerns for the Sultanate of Oman in the 1980s, during the separatist rebellion in Oman's western Dhofar. However, in recent years, the region has come under Saudi and Emirati influence with both Gulf countries maintaining *de facto* occupation forces in both al-Mahra and the offshore island of Soqatra since 2018.<sup>93</sup> While the United Arab Emirates (UAE) makes no secret of its maritime ambitions to control trade and port facilities across the Arabian Sea and East Africa, al-Mahra's relative avoidance of the wider Yemeni conflict has seen it transform into a flashpoint.<sup>94</sup> It is also public knowledge that UAE's bases in Yemen are being used also as Israeli military intelligence outposts.<sup>95</sup>

In the case of UAE's occupation of Soqatra, its effective control now extends to four main islands: Socotra (3,796 km<sup>2</sup>), Abd al-Kuri (130.2 km<sup>2</sup>), Samhah (39.6 km<sup>2</sup>), and Darsah (7.5 km<sup>2</sup>),

<sup>93</sup> Karim Shami, "Tyranny on the waters: The UAE-Israeli occupation of Yemen's Socotra Island," *The Cradle* (24 March 2023), <https://thecradle.co/articles-id/916>.

<sup>94</sup> Akbar Shahid Ahmed and Adel al-Hasani, "Americans Are Quietly Supporting A Saudi Land Grab In Yemen," *Huffington Post* (23 February 2023), [https://www.huffpost.com/entry/yemen-mahra-saudi\\_n\\_63ee5d3ee4b022eb3e354a6c](https://www.huffpost.com/entry/yemen-mahra-saudi_n_63ee5d3ee4b022eb3e354a6c).

<sup>95</sup> "UAE Fast-Tracks Development of Joint Military Base with Israel in Yemen's Socotra," *Emirates Leaks* (8 August 2024), <https://emiratesleaks.com/uae-fast-tracks-development-of-joint-military-base-with-israel-in-yemens-socotra/?lang=en>; Shami, *op. cit.*; "الإمارات وإسرائيل توسعان قواعد تجسس في جزيرة سقطرى اليمنية" ["UAE, Israel expand spy bases on Yemen's Socotra Island"], *euronews* (30 August 2024), <https://arabic.euronews.com/2024/07/30/uae-israel-socotra-archipelago-yemen-tel-aviv-gulf-arab-abd-al-kuri-washington>.

as well as three small islets. In addition, UAE has established a military base on most of Yemen's **13 km<sup>2</sup>** Perim Island (*Mayyun*/جزيرة ميون, in Arabic) on the Bab al-Mandab Strait.

In addition to seizing al-Ghadrah Airport, in al-Mahra's capital, Sudi forces presently maintain at least 20 military bases throughout the governorate.<sup>96</sup> Without published spatial data, only conservative estimates are possible, assuming that these points average at least one dunum (1,000 m<sup>2</sup>), totaling some **21,000 m<sup>2</sup>**.

However, the significance of these land grabs in a country embroiled in conflict is greater than mere acreage or its social, economic and environmental functions. The value at stake with these extraterritorial land holdings is also the sovereignty and self-determination of the Yemeni people.

## Conclusion

While these cases from the VDB represent only a fraction of entries over the review period, they are especially significant in that the authors have tried to quantify the land areas affected. With that single criterion, it is possible to derive a cumulative figure for the land area that would otherwise be needed for other uses fulfilling their social, economic and/or ecological functions, including not least social production of habitat. Having identified duty bearers in all these cases, the violations that underly them render their outcomes illegitimate and their victims/affected populations eligible for remedy, including reparations in cases of gross violations such as forced eviction.

The status of these lands results from verifiable violations of land rights in all cases, with duty bearer having been established in the monitoring process. With our focus only on the land areas concerned and the disposition as part of a reparations package for remedy, the following table gives an impression of the scale of remedy required in spatial terms only. However, the total land area subject to housing and land rights violations and their remedy in these select cases is 322,740,050 km<sup>2</sup>. The actual costs, loss and damage remains another chore to determine, as is the opportunity costs of withholding these lands and territories to the self-determination, including social habitat production, of their rightful tenure holders.

(See table below.)

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<sup>96</sup> Yahya al-Sewari, "Yemen's Al-Mahra: From Isolation to the Eye of a Geopolitical Storm," *The Sana'a Center for Strategic Studies* (5 July 2019), <https://sanaacenter.org/publications/analysis/7606>.

## Types and Affected Areas of Select Entries in the Violations Database, 2014–24

| Location       | Type/context of Violation |               |                 |               |               | Land Area              |                         |
|----------------|---------------------------|---------------|-----------------|---------------|---------------|------------------------|-------------------------|
|                | Destruction               | Dispossession | Forced eviction | Privatization | Environmental | Meters <sup>2</sup>    | Kilometers <sup>2</sup> |
| Azerbaijan     |                           | 1             | 1               |               |               | 4,400,000              | 4,400                   |
| Chile          | 1                         | 1             | 1               | 1             |               | 2,540,000              | 2,540                   |
| Congo (DRC)    | 1                         | 1             | 1               |               |               | 2,400,000              | 2,400                   |
| Cote d'Ivoire  | 1                         | 1             | 1               | 1             |               | 1,000,000              | 1,000                   |
| East Timor     | 1                         | 1             | 1               |               |               | 230,000                | 230                     |
| Ethiopia       | 1                         | 1             |                 | 1             | 1             | 3,250,000,000          | 3,250,000               |
| Finland        | 1                         |               |                 |               | 1             | 8,400,000              | 8,400                   |
| Indonesia/WP   | 1                         | 1             | 1               |               | 1             | 98,000,000,000         | 98,000,000              |
| Iraq           | 1                         |               |                 |               | 1             | 5,000,000              | 5,000                   |
| Kashmir        | 1                         | 1             |                 | 1             | 1             | 837,039,382            | 837,039                 |
| Nicaragua      | 1                         | 1             |                 | 1             | 1             | 1,060,000,000          | 1,060,000               |
| Palestine      | 1                         | 1             | 1               |               | 1             | 24,459,400             | 24,459                  |
| Saudi Arabia   |                           | 1             | 1               |               |               | 30,689,000             | 30,689                  |
| Sudan          | 1                         |               |                 |               | 1             | 7,000,000              | 7,000                   |
| Syria          | 1                         | 1             |                 | 1             |               | 360,714,876            | 360,715                 |
| Ukraine        | 1                         |               | 1               |               | 1             | 5,960,000,000          | 5,960,000               |
| USA            | 1                         |               |                 |               | 1             | 32,169,882             | 32,170                  |
| Uzbekistan     | 1                         |               | 1               |               | 1             | 350,000,000            | 350,000                 |
| Western Sahara | 1                         | 1             | 1               | 1             | 1             | 212,800,000,000        | 212,800,000             |
| Yemen          |                           | 1             |                 |               |               | 4,007,100              | 4,007                   |
| <b>Totals</b>  | <b>17</b>                 | <b>14</b>     | <b>11</b>       | <b>7</b>      | <b>12</b>     | <b>322,740,049,640</b> | <b>322,740,050</b>      |