Tourism, Land Grabs and Displacement

A Study with Particular Focus on the Global South

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Photo on Cover: Coastal construction work for a tourist resort in Phang Nga Province, southern Thailand (Source: Author)

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List of Abbreviations

AAP	Angkor Archaeological Park (Cambodia)
ADB	Asian Development Bank
AIIB	Asian Infrastructure Investment Bank
AMANG	Manggarai Student Alliance (Indonesia)
APC	Asian Peasant Coalition
APSARA	Autorité pour la Protection du Site et l'Aménagement de la Region d'Angkor (Cambodia)
BEZA	Bangladesh Economic Zone Authority
BFAR	Bureau of Fisheries and Aquatic Resources (Philippines)
BOTD	Beneficiary-Oriented Tribal Development (India)
CARP	Comprehensive Land Reform Program (Philippines)
CADT	Certificate of Ancestral Domain Title (Philippines)
CALT	Certificate of Ancestral Land Title (Philippines)
CDB	China Development Bank
CDO	Cease and Desist Order
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEO	Chief Executive Officer
CFS	Committee on World Food Security
CHT	Chittagong Hill Tracts (Bangladesh)
CLOA	Certificate of Ownership Award (Philippines)
COHRE	The Centre on Housing Rights and Evictions
CSO	Civil society organisation
DA	Department of Agriculture (Philippines)
DAR	Department of Agrarian Reform (Philippines)
DENR	Department of Environment and Natural Resources (Philippines)
DSI	Department of Special Investigation (Thailand)
EIA	Environmental Impact Assessment
ELC	Economic Land Concession (Cambodia)
EPs	Equator Principles
ETOs	Extraterritorial Obligations
EU	European Union
FAO	Food and Agricultural Organization of the United Nations
FARDEC	Central Visayas Farmers Deveopment Center (NGO in the Philippines)
FDI	Foreign direct investment
FESIFFA	Federation of Sicogon Island Farmers and Fisherfolk Association (Philippines)
FFP	Forest Peoples Programme

FIFA	Fédération Internationale de Football Association (International Football Association)
FPIC	Free, Prior and Informed Consent
FPICon	Free, Prior and Informed Consultation
FRA	Forest Rights Act (India)
GDP	Gross Domestic Product
GIZ	German Agency for International Cooperation
GLTP	Great Limpopo Transfrontier Park (South Africa, Mozambique, Zimbabwe)
GMS	Greater Mekong Subregion
GoG	Government of Goa (India)
IATA	International Air Transport Association
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFC	International Finance Corporation
IFI	International Financial Institution
IHRB	Institute for Human Rights & Business
ILO	International Labor Organization
INEC	Instituto Nacional de Estadísticas y Censos (Costa Rica)
IMF	International Monetary Fund
IOC	International Olympic Committee
IPRA	Indigenous Peoples' Rights Act (Philippines)
IRS	Integrated Resort Scheme (Mauritius)
IWGIA	International Work Group for Indigenous Affairs
KFW	Kreditanstalt für Wiederaufbau (German Development Bank)
KMP	Kilusang Magbubukid Ng Pilipinas (Philippines)
KPK	Komisi Pemberantasan Korupsi/Corruption Eradication Commission (Indonesia)
KTV	Karaoke Television (Karaoke Venue)
LARR	Land Acquisition, Rehabilitation and Resettlement Act 2013 (India)
LDC	Least developed country
LNP	Limpopo National Park (Mozambique)
LTTE	Liberation Tigers of Tamil Eelam (Sri Lanka)
MBR	Maya Biosphere Reserve (Guatemala)
MPA	Marine Protected Area
MLMUPC	Ministry of Land Management, Urban Planning and Construction (Cambodia)
MOCHTA	Ministry for Chittagong Hill Tracts Affairs (Bangladesh)
MoE	Ministry of Environment (Cambodia)
MoEF	Ministry of Environment and Forestry (Indonesia)

MTICNB	Ministry of Tourism, Industry, Commerce & Ni-Vanuatu Business (Vanuatu)
NAFSO	National Fisheries Solidarity Movement (Sri Lanka)
NCIP	National Commission on Indigenous Peoples (Philippines)
NGO	Non-governmental organisation
NTFPs	Non-timber forest products
NTT	Nusa Tenggara Timur (Indonesian Province)
OCHA	Office for the Co-ordination of Humanitarian Affairs
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PARL	People's Alliance for Rights to Land
PATA	Pacific Asia Travel Alliance
PEZA	Philippines Economic Zone Authority
PMRTN	Master Plan for National Reconstruction and Transformation (Honduras)
RAN	Rainforest Action Network (Japan)
REDD+	Reduced Emissions from Deforestation and Forest Degradation
SDG	Sustainable Development Goals
SEZ	Special Economic Zone
SIDECO	Sicogon Island Development Corporation (Philippines)
SIDS	Small island developing state
SLCPJ	Sri Lanka Campaign for Peace and Justice
STP	Society for Threatened Peoples
STR	Similipal Tiger Reserve (India)
TAR	Technical Assistance Report
TEZ	Tourism Enterprise Zone (Phllippines)
TIEZA	Tourism Infrastructure and Enterprise Zone Authority (Philippines)
TUDG	Tianjin Union Development Group
TWBI	PT Tirta Wahana Bali International (Indonesia)
UCAN	Union of Catholic Asian News
UDHR	Universal Declaration on Human Rights
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGPID	United Nations Guiding Principles on Internal Displacement
UNGP	United Nations Guiding Principles on Business and Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNWTO	World Tourism Organization
UPPs	Unidades Pacificadoros Policiais/Police Pacification Units (Brazil)
USAID	United States Agency for International Development

VGGT	Voluntary Guidelines for Responsible Governance of Tenure of Land, Forestry and Fisheries
WINTA	World Indigenous Tourism Association
WLPA	Wildlife Protection Act (India)
WMA	Wildlife Management Area (Tanzania)
WTTC	World Travel & Tourism Council
WWF	Worldwide Fund for Nature
ZEESM	Zonas Especiais de Economia Social de Mercado
ZMT	Zona Maritimo Terrestre (Costa Rica)

Preface

Tourism is often presented as a peaceful and benevolent sector that brings people from different cultural backgrounds together and contributes to employment, poverty alleviation, and global sustainable development. This study sheds light on the lesser known and much darker side of tourism as it unfolds in the Global South. While there is no doubt that tourism has been an engine of economic growth for many so-called developing countries, this has often come at the cost of widespread dispossession and displacement of indigenous and non-indigenous communities. In many countries of the Global South, tourism development is increasingly prioritised by governments, businesses, international financial institutions and donors over the legitimate land and resource rights of local people. This study examines the actors, drivers, mechanisms, discourses and impacts of tourism-related land grabbing and displacement, drawing on more than 20 case studies from Latin America, sub-Saharan Africa, South and Southeast Asia, the Middle East and the Southwest Pacific. It also explores the potential of several international legal frameworks and voluntary guidelines to prevent tourism-related land grabs and involuntary relocation. The author hopes that this study will contribute to sensitising various stakeholder groups within the tourism sector, including the individual traveler, on this important issue that has for too long stayed under the radar of the international community. As this study breaks new ground in the global analysis of tourism-related land grabs and displacement, the author welcomes all forms of critical and constructive feedback from readers.

Acknowledgements

Executive Summary

The tourism sector has not featured prominently in the debate on global land and resource grabbing that has ensued since the 2007/08 global financial crisis. Some of the reasons why the sector has stayed 'under the radar' are that (1) tourism is a relatively fragmented sector with numerous stakeholders along the 'supply chain', (2) it is a 'feel good' industry that stands for leisure and pleasure and is not commonly associated with violent land grabs and forced evictions, and (3) many advocacy groups have focused on infringement on local land rights by other extractive industries, such as mining and agro-industrial operations, where the scope of land grabs and evictions seems greater. Yet, there is an abundance of media reports and civil society accounts that bear testimony of the fact that evictions and displacement processes in the name of tourism increasingly threaten local communities' right to land, housing and resources. There is also a nascent academic literature on tourism-related land grabs and displacement.

This study examines the global scope of tourism-related grabbing of land and other natural resources and its diverse expressions and mechanisms, for instance by enclosing territories, evicting communities, extracting natural resources and erasing livelihood opportunities. Particular emphasis is placed on countries and regions in the Global South where land and resource rights of communities and individuals tend to be less protected by existing legal frameworks and social safeguard mechanisms. These countries have also seen the highest tourism growth rates in recent years. Encouraged by bilateral donors and international financial institutions, many governments in South and Southeast Asia, sub-Saharan Africa, Latin America and the South Pacific have prioritised tourism as their country's growth engine and prime source of foreign direct investments. Tourism zoning, infrastructure development, and investor-friendly land legislation have paved the way for expansionist tourism development. Dispossession and displacement of local communities – often supported by the military or local security forces – are justified by invoking the 'public purpose' of tourism development for creating job opportunities, alleviating poverty and protecting natural and cultural heritage sites. Governments and tourism investors also claim that the land slated for tourism development has no alternative use value or has been degraded by local farming, pastoralist and fishing communities that are often labelled as threats to the environment.

Tourism has been assigned an increasingly prominent role in the rehabilitation of areas affected by disasters, wars or civil conflicts. Local elites and external investors have used the aftermath of devastating tsunamis, cyclones and hurricanes as an opportunity to appropriate land from previous occupants that either perished in the disaster or were relocated from affected coastal areas, ostensibly for their own safety. This strategy has often been facilitated by government-imposed no-building zones in coastal areas that were selectively applied to local residents, while allowing the tourism industry to build hotels and resorts in prime beach locations. In post-conflict contexts, military or paramilitary forces have discovered the tourism sector as a lucrative business and have used their unrestrained power to evict former adversaries from their land or take unlawful possession of areas vacated by internally displaced people. The military

and security forces also play an important role in patrolling and securing cultural heritage sites and protected areas, such as wildlife sanctuaries, national parks and biosphere reserves, so that heritage tourists, trophy hunters and eco-tourists can enjoy a largely 'people-free' environment.

In contexts where forced evictions from tourism zones and conservation areas are politically impossible – e.g. due to the presence of strong civil society networks, independent media reporting or donor obligations – more or less voluntary forms of land acquisition and resettlement are common. Yet, acceptance of resettlement terms by local communities is often based on incomplete or false information, and very few cases are reported where communities resettled for the purpose of large-scale tourism projects or tourism-related infrastructure developments (such as airports) have been able to restore their livelihoods to pre-relocation levels, even when best-practice social and environmental safeguard principles were invoked.

As many of the examples in this study show, tourism-related land grabs and dispossession do not always come in the form of forceful eviction and physical displacement of local communities. They can also take more subtle forms, such as gradual gentrification and economic and cultural displacement. Broader urban renewal projects in the context of urban heritage tourism and sporting mega-events have triggered drastic increases in land and rental prices which has crowded out local residents from the real estate market and has made housing unaffordable for the poorer strata of urban society. Residential tourism – also referred to as lifestyle migration or retirement migration – has had a similar effect in increasingly popular coastal areas of the Global South. The drastic increase of local land prices – often in combination with harassment by local tourism developers – often triggers 'distress sales' by local people.

Apart from the direct loss of their land, housing and resource rights, many communities in touristic areas have lost their ability to manage risk through diversifying their livelihood strategies. Indigenous and non-indigenous groups have been deprived of the spiritual and cultural connection to their ancestral land and have lost invaluable local knowledge that has been transferred over several generations. Tourism zones have gradually depleted local water supplies and enclosed coastal or forest resources, with particularly adverse effects on women's livelihoods. Tourism-related land grabs and displacement also have had a range of indirect effects, such as further social marginalisation, economic exploitation, and reduced self-determination and political participation of affected communities.

Various international legal frameworks and guiding principles can be invoked by advocacy groups, human rights organisations and transnational social movements to call for the strengthening of local resource rights and the protection of vulnerable communities from tourism-induced land grabs and displacement. An important first step would be to reject all claims that people can be displaced and land can be acquired for 'public purpose' by tourism. The study concludes with a set of recommendations addressed to various stakeholder groups in the tourism sector with the aim of providing guidance on how to prevent the tourism industry's further infringement on land and resource rights of local communities in the Global South.

Chapter 1. Introduction

1.1 The Context: Global Rush for Land and Tourism-Related Land Grabs

Tourism has arguably become one of the most important economic sectors globally. According to the World Tourism Organization, the tourism sector in 2016 accounted for about ten per cent of the global Gross Domestic Product (GDP), seven per cent of world trade and one in ten jobs worldwide (UNWTO, 2017). In 2017, international tourist arrivals reached more than 1.3 billion, and 393 million more people travelled internationally for tourism between 2008 and 2017 (UNWTO, 2018).

Tourism is often depicted as an activity that provides enormous benefits to host countries and local communities in the form of employment, foreign exchange, preservation of natural and cultural heritage, and intercultural exchange. The World Tourism Organization asserts that tourism has the potential to contribute directly or indirectly to all 17 Sustainable Development Goals (SDGs), agreed upon by United Nations members states in 2015 (UNWTO, 2018). Tourism has been specifically included as targets in SDG 8 "Decent Work and Economic Growth, SDG 12 "Responsible Production and Consumption", and SDG 14 "Life Below Water: Sustainable Use of Oceans and Marine Resources" (UNWTO, 2015). The tourism sector has even been labelled as the world's 'peace industry' (D'Amore, 2009; WTTC, 2016), hence it also lays claims on addressing SDG 16 "Peace, Security and Strong Institutions".

Recently, the Chengdu Declaration on Tourism and the Sustainable Development Goals made the bold statement that "tourism is a vital instrument for the achievement of the 17 SDGs and beyond as it can stimulate inclusive economic growth, create jobs, attract investment, fight poverty, enhance the livelihood of local communities, promote the empowerment of women and youth, protect cultural heritage, preserve terrestrial and marine ecosystems and biodiversity, support the fight against climate change, and ultimately contribute to the necessary transition of societies towards greater sustainability" (UNWTO, 2018: 37).

This idealized view of tourism glosses over the fact that the sector – particularly, but not exclusively in its most common form of mass tourism – has also contributed to dispossession and displacement of indigenous communities and ethnic minorities, environmental pollution, conflicts over the use of natural resources, as well as political and socio-economic inequality in many host countries, particularly in the so-called 'developing world' (e.g. Gurtner, 2016; Farmaki, 2017; Neef & Grayman, 2018). Contemporary tourism practices have been traced back to colonialism and imperialism, while tourism's controversial entanglements with class, race, and even war and militarism have also been highlighted (Weaver, 2011; Lisle, 2016).

This study examines the global scope of tourism-related grabbing of land and other natural resources and its diverse expressions and mechanisms, for instance, by enclosing territories, displacing communities and destroying livelihood opportunities. It tries to explain why tourism has often remained 'under the radar' in the global land grab debate and will argue that it is time

to consider tourism as an extractive industry and to acknowledge that tourism practices can adversely affect the rights of legitimate owners and users of land and resources in a variety of ways. It aims to expose the most important drivers, actors, mechanisms and impacts of tourism-related land and resources grabbing. This is done by presenting a range of case studies from various regions, including Central and South America, sub-Saharan Africa, the Middle East, South and Southeast Asia, and the Southwest Pacific. While the study does not claim that tourism-related land grabs are non-existent in OECD countries (most of which comprise the "Global North"), the major focus of the study is on the tourism sector of non-OECD countries (primarily in the "Global South"), where most of the contemporary studies on tourism-related land and resource grabbing have been conducted and where local communities – both indigenous and non-indigenous – have proven to be particularly vulnerable to infringements on their customary and/or legally acknowledged land, resource and housing rights.

The objective of the study is to raise awareness among experts and practitioners in the field of tourism and land rights, including Civil Society Organisations (CSOs), international Non-Governmental Organisations (NGOs), political decision makers, national tourism services, and tourism businesses along the supply chain (from international travel advisors, national tourism offices and local travel agencies to tour operators and hoteliers). The publication shall provide solid grounds for a qualified debate on how the different actors are responsible for the adverse impacts of tourism on land rights infringements, how they can proactively avoid land grabs and displacements and how those who have violated local land and resource rights can be held accountable. The study closely examines existing international human rights frameworks as well as voluntary guidelines and corporate codes of conduct.

1.2 Tourism-Related Land and Resource Grabbing within the Global Land Grab Debate

Land and resource grabbing is not a recent phenomenon, but has re-emerged as an international issue of concern following the 2007/08 financial crisis which – in conjunction with a number of other crises, e.g. around food, fuel and climate – triggered a new global rush for land and other natural resources. The international limelight – from media, civil society and academia – was on large-scale transnational land acquisitions and leases for (1) agro-industrial plantations for food, feed and biofuels, (2) logging, mining and unconventional extraction of oil and gas (e.g. fracking), and (3) various forms of green grabbing, e.g. appropriation of forest areas that could be used to earn carbon credits under international climate mitigation regimes. While in many circles, land grabs are defined as large-scale land acquisitions and leases and often have a transnational dimension, the 2011 Tirana Declaration (see Box 1.1) adopted a broader perspective, denouncing all forms of land grabbing, whether international or national and whether perpetrated at the local level (e.g., by powerful local elites, within communities or among family members) or in the form of large-scale land deals (e.g., by multinational corporations, international hotel chains or state-owned enterprises) (International Land Coalition, 2011).

> **Box 1.1.** Definition of Land Grabbing by the Tirana Declaration (2011)
>
> "Acquisitions or concessions that are one or more of the following:
>
> (1) in violation of human rights, particularly the equal rights of women;
> (2) not based on free, prior and informed consent of the affected land-users;
> (3) not based on a thorough assessment, or are in disregard of social, economic and environmental impacts, including the way they are gendered;
> (4) not based on transparent contracts that specify clear and binding commitments about activities, employment and benefits sharing, and
> (5) not based on effective democratic planning, independent oversight and meaningful participation."
>
> Source: International Land Coalition, 2011

Tourism has been conspicuously absent from the global land grab debate, for a variety of reasons: first, in contrast to the agricultural, forest and mining sectors, the tourism sectors tends to be regarded as a non-extractive industry with negligible adverse impacts on people and environments. Second, tourism businesses are often assumed to be smaller in scale than agro-industrial plantations or large mining operations and therefore regarded less as a threat to the land rights of local communities. Third, tourism development has been promoted by governments, donors, development practitioners, tourism scholars and even many NGOs as a pro-poor strategy, hence critical reporting on tourism-related land grabs and displacement is not encouraged or even actively impeded. Fourth, international watchdogs (e.g. the Land Matrix, an independent monitoring initiative for global land deals) have often focused on the *transnational* dimension of land and resource grabbing, while the myriad domestic investors in tourism businesses that routinely infringe on the land rights of local communities got less attention. Finally, many corporate land deals and state-led land grabs are attributed to other sectors, such as infrastructure (airports, roads, etc.) or conservation (private wildlife conservancies, national parks, etc.), although the major driver behind the land grab may in fact be the tourism sector or at least expectations by governments and businesses that visitor numbers will rise as a result of the infrastructure or conservation project.

For the purpose of this study, the answer to the question whether a tourism-related land transfer is in fact a land grab is not simply determined by its size or by the degree of legality under the existing national laws. Small-scale land deals for a corporate tourism project can be labelled as 'land grabbing' when they involve some form of physical or economic displacement and/or deceitful or unethical behaviour on the part of the investor. Similarly, land acquisitions by a national or local government for a tourism infrastructure project can amount to a land grab when they do not follow proper procedures of consultation and informed consent, bend the existing laws in favour of the project and/or do not conform with internationally binding human rights law. In the following sections and chapters, when the term "land grab" is used, it also implies that – in addition to land – other types of natural resources may also be subject to grabbing, e.g. water, sand, trees or wildlife.

1.3 Global Scope and Local Contexts for Tourism-Related Land Grabs

The highest tourism growth rates are now recorded for the so-called "Least Developed Countries" (LDCs) and nearly all of them – 46 out of 50 LDCs – depend on tourism as their primary source of foreign exchange earnings (Becken, 2014). Yet, most of these countries are post-colonial states and many are also post-conflict nations where land governance systems have remained relatively weak and are often incoherent due to overlaps between legal regimes stemming from colonial times, Western-style land reforms undertaken by post-colonial governments and customary land tenure systems. Investors from the Global North as well as domestic political and economic elites can use such weaknesses and incoherencies in national legal frameworks to pursue their own economic agendas through tourism, often at the expense of indigenous communities, ethnic minorities, smallholder peasants, artisanal fisherfolks and other marginalised groups that lack voice in national development debates.

Illegitimate or unethical land transfers for tourism development often take place in countries that are marked by significant power differentials between the actors and where host governments do not necessarily act to protect weaker groups within society (Price, 2015). A common argument that has been made that many developing countries suffer from insufficient law enforcement by the public sector which allows land grabbing in the tourism sector to occur (e.g., Ojo, 2013). Yet, in many cases, national legal frameworks in the Global South have been designed to promote domestic and foreign direct investment in tourism, to facilitate land transactions and even to make it easier for governments to drive local communities off their land (cf. Neef, 2016).

Few countries have provided a strong protective framework for customary rights to natural resources. In some countries, such as India and Indonesia, new land acquisition laws have been established that – on paper – require better protection of vulnerable groups, e.g. by making social impact assessments mandatory (Price, 2018). Yet, there are cases of exceptions where the new laws do not apply. Indonesia's Law 2/2012 on Land Acquisitions in the Public Interest, for instance, does not apply when the land needed for investment in the public interest is located in a forest area or when a local or national government institution wants to acquire land that is smaller than 5 hectares, which may be sufficient for a small tourism zone or a new sports stadium (Bakker & Reerink, 2014). Little is known about the real impact of how such new and seemingly progressive land acquisition acts are implemented, but there is anecdotal evidence that these laws have actually sped up the land acquisition process instead of leading to more participation and more effective protection of the land rights of local communities (cf. Section 9.2 for the case of greenfield airport development in Goa, India).

In some countries, progressive policies that adopt international human rights principles have yet to be incorporated into a comprehensive national legal framework. For example, the Sri Lankan Cabinet approved a National Involuntary Resettlement Policy in 2001 that was modelled after international best-practice safeguard guidelines, but did not provide any legal instruments to implement it (Price, 2015). This opened the door to widespread evictions of local

communities by the Sri Lankan military for tourism development over the past decade (cf. section 6.1).

Another important contextual factor of tourism-related land grabbing is that the tourism sector is extremely diverse, fragmented and non-transparent. For example, in many countries targeted by the tourism industry, the construction and property ownership are often separate which makes it easier for investors to undermine international human rights laws and more difficult for national and local government bodies to regulate the sector and protect local communities from land rights violations caused by corporate activities (IHRB & Tourism Concern, 2012).

Debates about tourism-related land grabs have often put particular emphasis on how the rights of indigenous peoples are being affected by the tourism sector. Yet, rights infringements do also affect non-indigenous peoples that are even less protected under international human rights frameworks. This will become particularly evident in the case studies from Cambodia, Philippines, Sri Lanka and Costa Rica, where non-indigenous communities have also seen their land and resource rights violently withdrawn or slowly eroded through tourism actors at government and corporate levels.

Finally, an important contextual factor of land grabs by the tourism industry in the Global South is the common lack of legal literacy among the affected communities. Many groups (1) have very limited knowledge of the official legal and judicial system, (2) have a conception of resource ownership that differs markedly from a Western understanding of land property, (3) lack the financial, technical and political capacity to challenge land rights infringements, and (4) are often unaware of who they should report their grievances to.

1.4 Study Design, Case Selection and Analytical Framework

Study Design
This study is primarily desk-based and draws on refereed articles in international journals, media articles, personal and institutional blogs, government and NGO reports, corporate websites, and legal documents. Literature search was undertaken via citation databases, such as Scopus and Google Scholar, using a range of relevant keywords. The emphasis of the search was on English-language academic literature, but to a lesser extent articles and documents in German, French and Spanish language were also considered.

In several cases, the author could draw on his own long-term research into tourism-related land grabbing (see case selection below). Due to the tight time frame of only three months, there was no scope for interviewing experts or conducting additional fieldwork, with the exception of the case of land grabbing around the Angkor Archaeological Park in Siem Reap Province, Cambodia, which the author visited for the third time in February 2019.

Case Selection

In selecting the case studies, the author focused on such criteria as (1) broad geographical coverage, (2) high actuality, and (3) trustworthiness of sources. An initial search generated more than 45 relatively well-documented case studies. This preliminary selection was reduced to 25 by eliminating cases that (1) were not based on thorough and independent investigation by more than one source, (2) did not contain new information over the past five years, and/or (3) were somewhat redundant as they did not provide any additional insights into actors, discourse, mechanisms and impacts of tourism-related land grabbing. Due to the focus on English-language sources, there is a potential bias towards regions and countries where more articles, documents and media reports are available in English.

The author has previously conducted field research on the topic of tourism and land grabbing in Thailand, Cambodia and Vanuatu. He is also familiar with tourism-related land grabs in Indonesia, Tanzania, Laos and Philippines due to his research on related topics and supervision of PhD students.

Analytical Framework

The comparative analysis of selected case studies places particular emphasis on ***practices of dispossession***, following Devine and Ojeda's (2017) conceptual ideas on violence and dispossession in tourism development, which have been subsequently developed into an analytical framework for a comparative case study by Neef et al. (2018) in southern Thailand (cf. section 5.2). However, for the purpose of this study, the framework has been modified for simplification purposes by including 'eviction' as an additional violent practice alongside 'enclosure', 'extraction' and 'erasure', while excluding 'commodification', 'destructive creation', and '(neo)colonialism' from the analysis. This is not to suggest, however, that these latter three practices are not at work in the cases selected for this study. The framework as outlined in Table 1.1 is examined with selected cases in section 2.3.

Another analytical concept that is employed in this study is Harvey's (2006) notion of 'accumulation by dispossession' which he breaks down into four elements, i.e. privatisation, financialisation, management and manipulation of crises, and state redistributions. These are further explored in section 2.2.

Table 1.1. Practices of dispossession in tourism

Type of practice	Characteristics
Eviction	Tourism physically removes communities and individuals from territories that they have previously occupied, whether under non-codified customary ownership or formally recognised communal or private land title. Eviction can occur via openly violent measures (such as burning of houses) or by more subtle means of coercion and may or may not include compensation.
Enclosure	Tourism dispossesses people from access to material means of subsistence, such as land, water, timber, fisheries and other resources. It is linked to 'accumulation by dispossession' as the tourism sector physically appropriates various types of natural resources that were previously vital to local people's livelihoods, e.g. for subsistence farming or artisanal fishery.
Extraction	Tourism development functions as an 'extractive industry' instead of being an alternative to (other) extractive industries, such as mining. The tourism sector exploits the natural environment by such practices as extracting large amounts of freshwater, removing protective mangrove forests and mining sand for beach development.
Erasure	Tourism's representational practices render pre-existing definitions of place, livelihood, identity and history invisible or erase them deliberately. The tourism sector might infringe on culturally important places (e.g. ceremonial grounds, graveyards), destroy artefacts of cultural and historic significance or render other cultures invisible through a variety of measures.

Source: Partially adapted and expanded from Devine and Ojeda (2017) and Neef et al. (2018)

1.5 Structure of the Study

This study is structured as follows. In the next chapter, an overview is provided of the major actors, drivers, mechanisms, discourses and impacts of tourism-related land grabs. Chapter 3 then introduces the state as a major player in the tourism sector, by delineating tourism enterprise zones, designating special economic zones, providing enabling legislation, or giving out economic land concession. Chapter 4 demonstrates how resort tourism in 'exotic' destinations has pushed some of the host countries beyond their ecological carrying capacity and triggered a 'foreignisation of space' (Zoomers, 2010) that is often being exacerbated by the advent of residential tourism. Chapter 5 examines cases of 'disaster capitalism' (Klein, 2007a), where corporations and governments have forged alliances to turn 'crisis into opportunity' and dispossess disaster-affected communities, e.g. following the 2004 Indian Ocean Earthquake and Tsunami and the 2013 super-typhoon Haiyan in the Philippines. Chapter 6 takes a critical look at the strategies that armed forces and occupying powers have played in using tourism as a tool of displacement and cultural domination. Chapter 7 explores the interface between wildlife tourism and conservation of vast tracts of land in the form of protected areas. Chapter 8 looks

into displacement and gentrification associated with cultural heritage tourism. Chapter 9 examines how large-scale tourism infrastructure projects for airports and mega-events have been used to legitimise forced evictions and involuntary resettlements. Chapter 10 assesses the potential of international legal frameworks and voluntary guidelines to better protect legitimate landowners and vulnerable communities from tourism-induced dispossession and displacement. Finally, Chapter 11 provides a few conclusions and recommendations for various stakeholder groups in the tourism sector.

Chapter 2. Tourism-Related Land Grabs: Actors, Drivers, Discourses, Mechanisms, Practices and Impacts

The following section 2.1 presents major actors related to the tourism sector and their motivation to get involved in the acquisition of land, even if it happens at the expense of rightful owners. Section 2.2 examines the various discourses and mechanisms that are employed by the diverse set of actors to appropriate land and other resources for tourism purposes. Finally, section 2.3 explores four major practices of dispossession and discusses their impact on the lives and livelihoods among affected local communities.

2.1 Actors and Drivers

Drivers of tourism-related land grabs are particularly complex and multi-dimensional and involve a myriad of actors. Tourism is a central strategy of economic growth pursued by many *governments in the Global South*, and the attraction of foreign capital for tourism development is often highly prioritised. For countries with limited resources to be exploited by traditional extractive industries – as is the case with many small island developing states (SIDS) or countries with extensive coastlines – sun, sand and surf tourism seems the obvious choice for attracting foreign direct investment (FDI) and gaining foreign currency revenues. Countries with abundant wildlife, e.g. those located in the savannah regions of eastern and southern Africa or forest-rich countries in South and Southeast Asia, aim at attracting safari tourists, adventure travellers and trophy hunters to generate foreign exchange and tax income (cf. Chapter 7). In these countries, tourism plays a major role in justifying conservation and the expansion of protected areas, even if it involves the eviction of indigenous communities from their customary land. *International conservation organisations*, such as the African Wildlife Foundation, Conservation International or the Worldwide Fund for Nature (WWF), may side with national governments to drive conservation- and tourism-related resettlements and/or provide the discursive legitimation by denouncing original dwellers in protected areas as eco-threats.

For many developing country governments tourism is a key strategy to achieve stability and consolidate state power, for example after civil conflicts, but this can come at the expense of the land rights of former enemies and defeated communities (cf. Chapter 6). For others, tourism development is chosen as a measure to rehabilitate and rebuild a country after a major disaster, such as an earthquake, tsunami or cyclone (cf. Chapter 5). The disaster event often generates a 'blank slate' or 'tabula rasa' where new opportunities arise for national and local governments to re-appropriate land and other natural resources and allocate them to various actors the *tourism industry*, often in opaque transactions that lack due diligence and accountability. Some governments are also motivated by the prospects of replacing subsistence livelihoods of pastoralists, fisherfolks or hunter-gatherer communities that are deemed 'primitive', 'backward' and 'environmentally destructive' by more 'modern' and ostensibly more remunerative forms of employment. Moreover, governments expect to gain better international reputation by presenting themselves as a country that is open for *foreign tourists*, many of

whom tend to look for a more 'imaginary' tourism experience in an all-inclusive and safe enclave, with pristine beaches during the day and exotic dance performances in the evening, rather than sharing their space with 'noisy' local communities and 'unsightly' indigenous people.

Tourism has become a favourite development approach for ***international financial institutions (IFIs)***, including the World Bank, the Asian Development Bank (ADB), the African Development Bank, the Inter-American Development Bank, the European Bank for Reconstruction and Development and the International Monetary Fund (IMF) and a major part of their lending portfolio has been dedicated to the tourism sector, including supporting infrastructure projects. IFIs also play a role in providing technical assistance and guidance to large-scale tourism infrastructure developers and legitimising displacements by weighing the 'costs' of resettling a relatively small number of people against the alleged 'benefits' of the tourism sector in terms of providing job opportunities, stimulating economic growth and alleviating poverty (cf. section 9.2 for the case of Luang Prabang's airport expansion).

Successful cases of tourism-driven growth are often presented as showcases of what is possible when the local real estate sector is opened up to foreign investment into tourism (Zoomers, 2010). For instance, the Cape Verde Islands off the West African coastline and Mauritius in the southern Indian Ocean (cf. Section 4.3) have rapidly risen on the Human Development Index from "low" to "medium" and "high" respectively. This motivates other countries to follow these 'role models', while overlooking the dark side of their success stories, i.e. massive outmigration of Cape Verde's original population and the expansion of squatter settlements in Mauritius due to excessive land prices that have become unaffordable for local residents.

International hotel chains are constantly looking for new, attractive locations to build large-scale tourism enclaves, particularly in places that have become enlisted as ***UNESCO*** World Heritage sites (cf. Section 8.1) or those featured as "the best places to visit" on the ***Lonely Planet*** website and are presented as major attractions in its guides. These hotel chains are rarely directly involved in the business of evicting local communities from their land but may be free-riders of state-driven dispossession and displacement. While some of the major chains have adopted a human rights policy (cf. section 10.5), these tend to be rather generic, focus more on the operational part of the hotel business and do not make explicit reference to land rights. ***Tour operators*** may also bear a share of the responsibility for the infringement on local people's land resource rights when they turn a blind eye on individual cases of land grabs and displacement by a particular hotel or resort or on the more systemic practices of militarisation and securitisation of holiday zones in post-conflict regions.

Actors that are usually not directly associated with the tourism industry have raised many concerns among civil society organisations and targeted communities in recent years. These are ***armed forces*** (military and police) and ***private security guards*** that in some countries have played an increasingly prominent role in the securitisation of the tourism sector as a whole or for a particular resort-complex or tourist zone. More disturbingly, military forces have also

taken a direct commercial interest in the tourism industry, often associated with dispossession and eviction of indigenous communities and ethnic minorities and sometimes former enemies (see sections 6.1 and 6.2).

2.2 Discourses and Mechanisms

Discourses and mechanisms in tourism-related land grabbing are often interwoven and are therefore discussed jointly in this section. Governments that are prioritising the tourism sector on the grounds of economic growth and poverty alleviation have often adopted a *'public interest' discourse* to justify small- and large-scale evictions and resettlements of communities from areas with high tourism potential, even if the tourism zone benefits only the interests of a certain elite rather than wider society (cf. section 3.1 for the case of the Philippines). Governments can invoke the concept of 'eminent domain' as a legal mechanism. Yet, international tourism industry watchdogs, such as Tourism Concern, have argued that the notion that land can be acquired 'for public purpose' through tourism should be refuted (IHRB & Tourism Concern, 2012). The justification of development-based evictions (including for tourism and sporting events) under the pretext of serving the 'public good' has also been dismissed by the United Nations' Special Rapporteur on adequate housing (ONHCR, 2007).

Another common narrative is the *'idle land' discourse* which suggests that the area to be developed for tourism purposes has no alternative value, as it is considered 'wasteland', 'degraded land' or 'underutilised land'. In such a discourse, the original land users are either branded as 'eco-threats' or as people that are not able to make productive use of their land. Yet, in many cases, the landowners that have been dispossessed or evicted were previously engaged in highly profitable or at least self-sustaining livelihood activities (cf. section 3.4 for the case of Cambodia and 9.2 for the case of India).

Harvey (2006) distinguishes four major mechanisms through which the global advance of neoliberalism has enabled 'accumulation by dispossession', i.e. the illegal, illegitimate and/or unethical appropriation of land and other resources in the hands of elites at the expense of the majority of the population. These four mechanisms are (1) privatisation, (2) financialisation, (3) management and manipulation of crises, and (4) state redistributions. In the following, the particular expression of these four mechanisms in the tourism sector is outlined with reference to the case studies presented in Chapters 3-9.

1. Privatisation
The privatisation and commodification of land and natural resources is a crucial step towards opening the door for land alienation. Commonly owned land is often seen as an impediment for investment and development. Most tourism businesses rely on secure, exclusive and alienable land rights that they can hold as private property and use as collateral for obtaining loans from the financial sector. Many governments in the Global South have followed advice from international legal experts to privatise land in order to provide incentives for domestic and

foreign corporations, including tourism businesses, to invest in land. This has often been accompanied by the rolling back of restrictions on land sales and of regulations with regard to environmental and social standards. Through privatisation of land that was previously held as public land or under communal management, the state actively transfers "assets from the public and popular realms to the private and class-privileged domains" (Harvey, 2016, p. 153). Proponents of privatisation argue that only land that is held as private property can be sold in a regular land market under a 'willing buyer, willing seller' arrangement. But they tend to overlook that many land sales in tourism zones are induced by excessively high land prices and/or are more accurately described as 'distress sales' (cf. sections 3.1, 4.1 and 4.3 for the cases of Philippines, Bali and Mauritius respectively). Even forced acquisitions are made much easier when the owner can be identified by a private land title. In some cases, the process of privatisation predates the tourism boom (cf. the case of Costa Rica in section 4.3), while in other cases privatisation has occurred as a direct impact of the tourism expansion (e.g. in the case of Honduras's North Coast, section 3.3). A peculiar case is Vanuatu, a small island developing state in the South Pacific, where private leases held by expatriate tourism investors have a much higher value as collateral than customary ownership of the indigenous people.

2. Financialisation
The tourism boom and its adverse impacts on the land rights of local communities in many countries of the Global South is fed with large amounts of capital from commercial banks (cf. the case of Honduras in section 3.3), national development banks (cf. the case of Cambodia's economic land concession in section 3.4 and Laos' airport expansion project in section 9.1) and international financial institutions (e.g., the funding of a regional connectivity project in the Chittagong Hill Tracts by the World Bank which will bring more visitors to tourist areas controlled by the Bangladesh military, described in section 6.2). In many places, the involvement of the global financial sector and local commercial banks in the provision of tourism infrastructure, building of mega-resorts, and support for conservation projects for the benefit of tourism has led to speculative land purchases and rapidly rising land prices that crowd out the local population from the land market (as evident from residential tourism development in Mauritius, section 4.3), and involuntary resettlement from tourism zones and wildlife reserves (cf. the case of tourism-focused wildlife conservation areas in Tanzania and tiger reserves in India, section 7.2 and 7.3). In Costa Rica, North American investors provide most of the financial capital that has driven the boom of resort and residential tourism in its northwestern coastal provinces (cf. section 4.3).

3. Management and Manipulation of Crises
Many tourism booms in the Global South have been precipitated by some form of crisis, and this has not always occurred by accident. Through creating, managing or manipulating crises, governments in alliance with the corporate tourism sector can easily construct a rationale for tourism development as a pathway out of the crisis. The government of Costa Rica considered the tourism sector as a new growth strategy when the agricultural sector got into a crisis (cf. section 4.4). Bali was promoted as a low-cost tourist destination following the 1997 Asian financial crisis (Benge & Neef, 2018). The Sri Lankan government employed tourism as a

strategy to recover from both the 2004 Indian Ocean Tsunami and the country's long civil war (cf. section 6.1). In Honduras, tourism was first promoted after the 1998 Hurricane Mitch and then a decade later as part of a post-coup economic recovery process (cf. section 3.3). In all these cases, the sudden prioritisation of the tourism sector as a crucial – if not the only – crisis management strategy has enabled governments to enact new, investor-friendly legislation and attract large flows of foreign capital into their countries' tourism industry, with little regard for the land and resource rights of local communities living in areas with high tourism potential.

4. State Redistributions

In order to boost tourism, governments employ a range of redistributive measures, often using taxpayers' money to subsidise tourism development through the provision of key infrastructure (roads, airports, ports, public water supply), as exemplified by the case of Labuan Bajo in Eastern Indonesia (section 4.1) and Goa in India (section 9.1), where – apart from the construction of airports and other transportation infrastructure that have led to displacements – water supplies have also been diverted from local users (farmers, urban residents) to the growing tourism industry. In other cases, governments forfeit tax revenues by providing generous tax breaks for domestic and foreign tourism businesses, as evident from the cases presented from Costa Rica and Mauritius (section 4.3). Sometimes, states are even directly redistributing thousands of hectares of 'public' land to foreign corporations, e.g. in the form of economic land concessions, as exemplified by the case of Cambodia (section 3.4). Governments may also redistribute control over land to state entities that traditionally have not been involved in the tourism industry, as exemplified by the case of military-driven tourism development and displacements in Sri Lanka (section 6.1) and Bangladesh (section 6.2).

In some cases, 'appropriation by dispossession' for tourism purposes combines several mechanisms. In the post-disaster case of Sicogon Island in the Philippines, discussed in section 5.3, the government shifted the responsibility for recovery to a large corporation that used this form of 'state redistribution' to manipulate the crisis for its own economic goals of turning the island into a prime tourism destination at the expense of the disaster victims.

2.3 Practices and Impacts of Tourism-Related Land Grabs

This section looks at the four distinct *practices of dispossession* introduced in section 1.4 and illustrates them with selected case studies in a tabular form to show typical patterns. These case studies will then be presented in more detail in Chapters 3-9.

1. Eviction

Land grabs for tourism purposes often lead to *forced evictions* which are defined as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and land which they occupy, without the provision of, and access to appropriate forms of legal or other protection" (OHCHR, 1997). Table 2.1 provides a compilation of some typical examples from the case studies.

Table 2.1. Practices of dispossession in tourism – *Eviction*

Case Study	Characteristics
Cambodia (Southeast Asia) *Section 3.4*	A large-scale tourism project by a Chinese corporation in Koh Kong Province forced hundreds of families from coastal land they had occupied for many decades; families were given no choice and only meagre compensation; resisting groups have faced violence by private security guards and the Cambodian military; families were resettled into the interior of the Botum Sakor National Park where illegal logging remains one of few options to sustain their livelihoods.
Bangladesh (South Asia) *Section 6.2*	Following a twenty-year civil conflict in the Chittagong Hill Tracts, the military has maintained a strong presence to 'securitise' the region for tourism but also controlling a large part of the tourism sector itself. Several hundred indigenous families from the Jumma, Mro and Marma ethnic groups have been forcefully evicted from their land to make way for military-owned tourist resorts popular with domestic tourists.
Tanzania (East Africa) *Section 7.2*	The expansion of national parks and wildlife sanctuaries for safari tourism and trophy hunting has forced thousands of pastoralist Maasai from their customary lands; military and police have used brute force for evictions; no compensation and no alternative settlement areas have been provided and there are no institutionalised grievance mechanisms in place.
Brazil (South America) *Section 9.1*	Two consecutive sport mega-events in Brazil (the 2014 FIFA World Cup and the 2016 Rio Summer Olympics) were used by the state government of Rio de Janeiro to legitimise the eviction of thousands of informal residents from the city's *fávelas*. It also deployed Police Pacification Units (UPPs) – co-financed by the private sector – to 'pacify' unruly neighbourhoods and regain administrative control over urban spaces.

According to the Commission on Human Rights, "the practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing" (OHCHR, n.d.). In most cases, forced evictions result in the violation of various civil and political rights, such as the right to security, the right of freedom of movement and the right to peaceful enjoyment of possessions. While not all evictions come with the use of direct force, there are other forms of physical displacement, such as involuntary displacement, resettlement under 'induced volition', or 'voluntary' resettlement based on deceit, false hopes or lack of alternative options. These may not always be categories in a legal sense, but the distinction between those concepts involves a number of ethical questions, such as who defines whether a person or community leaves a certain place out of their free will and what kind of information is available prior to the displacement. The immediate impact of physical displacement is in many cases a near-total loss of livelihood opportunities, although adequate compensation may provide support for the transition to other livelihood options.

2. Enclosure

Even when people are not physically displaced by a land grab and are allowed to stay on the land they occupy, they may face various forms of *enclosure* of land and resources that they could hitherto use freely. Table 2.2 shows some typical examples from the case studies.

Table 2.2. Practices of dispossession in tourism – *Enclosure*

Case Study	Characteristics
Philippines (Southeast Asia) *Section 3.1*	On Boracay Island (Western Visayas region) and in Hacienda Looc (Batangas province), the delineation of tourism economic zones and expansion of large-scale resort complexes has pushed indigenous and non-indigenous communities to the fringes and rendered coastal areas and fishing grounds inaccessible to subsistence farmers and fisherfolks.
Vanuatu (South Pacific) *Section 4.2*	In the South Pacific island Efate, part of the archipelago of Vanuatu, rampant leases of customary-owned coastal areas to expatriate tourism developers has restricted local residents' access to beachfront areas and made near-shore fishing – previously important for women's livelihoods – difficult or even impossible.
Mauritius (Africa) *Section 4.3*	In the Black River district of this small island state, rapid expansion of the residential tourism market has led to the enclosure of beach areas by large-scale tourism enclaves and gated communities that exclude local residents from access to affordable housing and evokes sentiments of foreign domination, reminiscent of the colonial era.
India (South Asia) *Section 7.3*	In the Similipal Tiger Reserve in the State of Odisha, communities that remained in the core zone of this wildlife sanctuary faced severe restrictions regarding their access to forest resources, particularly non-timber forest products (NTFPs); the ongoing enclosure of communally used resources by the park authorities is expected to 'motivate' tribal and indigenous peoples to leave the tiger reserve.

Tourism-related land grabbing may restrict people's access to a range of resources, such as the foreshore, near-shore fishing grounds or seaweed plantations, mangrove areas, communal pastures, and forests. Enclosures may also cut off people's access to roads, electricity, schools, markets or freshwater supplies. New land use regulations associated with the delineation of a tourism zone or a conservation area may also constitute a form of enclosure. In sum, enclosure of resources previously held in common by social groups have an adverse impact on people's livelihoods and can constitute a serious form of economic displacement.

3. Extraction

Despite its 'feel-good' image and an increasingly vivid international discourse around 'sustainable tourism', the tourism sector is in many ways an extractive industry. Several international studies have recently pointed to the enormous water footprint of tourism (e.g. Gössling et al., 2012; Becken, 2014). Tourism consumes high amounts of water both during the construction process and the operation of facilities and services, including swimming pools, golf courses, laundry, spas, gardens and catering. A study in the water-stressed island of Zanzibar, Tanzania, found that hotels' average daily water use per room was close to 1,500 liters, 16 times higher than the daily water consumption of local households (Tourism Concern, 2012). As the examples in Table 2.3 show, other resources that are often extracted to make way for tourism infrastructure or to build mega-resorts are fruit or timber trees.

Table 2.3. Practices of dispossession in tourism – *Extraction*

Case Study	Characteristics
Timor Leste (West Pacific) *Section 3.2*	Large-scale infrastructure projects for tourism development in the Oecusse-Ambeno enclave of Timor Leste have removed fruit trees, gardens and wells from the indigenous Meti people without proper compensation. In addition to the economic loss of timber and fruit from extracted trees, residents also lost important markers of their ownership claims.
India (South Asia) *Section 9.2*	Greenfield airport expansion in the southwestern Indian state Goa has led to the extraction of thousands of trees and the diversion of agricultural irrigation water to feed the airport's water demand. The construction work has removed reserved forests, infringed on wetlands and water bodies and destroyed archaeologically and religiously important sites.
Indonesia (Southeast Asia) *Section 4.1*	On Bali Island, Indonesia's prime tourist destination, and in emerging tourist centres in East Nusa Tenggara Province, the expansion of beach resort tourism has led to the extraction of massive amounts of water from aquifers that are under stress, thus compromising local residents' access to freshwater; water shortages place a disproportional impact on women.
Costa Rica (Central America) *Section 4.3*	Water demand of the rapidly growing resort and residential tourism sector in Guanacaste Province is inadequately recorded, but water extraction rates are increasing and have led to claims of water scarcity by residents in some places. In the Sardinal district, salinisation of aquifers has been reported, due to overexploitation by hotels.

While not explicitly mentioned in the case studies, sand mining has become a common extractive practice in tourism. In the Maldives, for example, luxury resorts on private islands have reportedly extracted sand from adjacent islands to beautify, stabilise and protect their beaches for tourists, while exposing islands inhabited by the local population to the risk of storm surges and rising sea levels (personal communication, Inaz Ahmad). Air and water pollution are also major features of tourism's extractive practices, with detrimental impacts on affected people's health and wellbeing.

4. Erasure

The final practice of dispossession discussed here and illustrated by a set of examples from the case studies is erasure. This practice is often at play when a dominant ethnic or political group in society or an occupying force instrumentalises the tourism sector for purposes of cultural domination, annihilation of specific cultural and religious practices or appropriation of cultural artefacts and archaeologically important places. Such processes of erasure through tourism are exemplified by several examples in Table 2.4.

Erasure can be a sudden or forceful event, e.g. when a tourist resort is built on the burial grounds of an indigenous group, but it can also be a slow process of cultural erosion. The continuous foreignisation of space that often occurs in the wake of residential tourism development is one example for a gradual erasure of local culture. Some tourism stakeholders may appropriate minority and indigenous cultures through some form of 'disneyfication' or 'museumification',

where certain cultural elements (e.g. exotic dances or traditional clothes) are displayed for tourism purposes, while other elements (e.g. certain spiritual practices) are denied or erased.

Table 2.4. Practices of dispossession in tourism – ***Erasure***

Case Study	Characteristics
Thailand (Southeast Asia) *Section 5.2*	Post-tsunami tourism development in coastal areas and consolidation of settlements of indigenous, formerly sea-faring people in marine protected areas in the Andaman region of southern Thailand have erased indigenous practices, such as traditional boat construction, commodified culturally important artefacts, and also prevented local communities from getting access to their ceremonial places and spirit shrines.
Sri Lanka (South Asia) *Section 6.1*	Sri Lanka's military has confiscated large tracts of land from the Tamil minority population during and after the long civil war. It has also transformed sites of victory over the Liberation Tigers of Tamil Eelam into monument sites and places of triumphalism that tell a one-sided story of the conflict and risk to erase Tamil cultural and collective memory in a process of 'Sinhalisation'.
Palestine (Middle East) *Section 6.3*	In occupied East Jerusalem, the Israeli government has not only appropriated important historical sites from the Palestinians but also attempted over the past two decades to expand archaeological-touristic parks that infringe on Palestinian residential areas. Tourism authorities tried to remove Muslim places of interest from tourist maps.
Mozambique (Southern Africa) *Section 7.2*	The establishment of the Limpopo National Park called for the 'voluntary' resettlement of thousands of people from areas with the highest tourism potential in the park's core zone. Authorities failed to consider less tangible losses, such as leaving cemeteries behind or losing access to traditional plants and animals, thus erasing cultural memory and indigenous knowledge.

A final type of erasure that is worth mentioning in this context is the deagrarianisation and depeasantisation of communities through tourism-related land and resource grabs. Agroecological practices and knowledges in indigenous and non-indigenous communities in the Global South are often deeply embedded in the local culture. Tourism-induced dispossession and the physical or economic displacement of farmers, fisherfolks, hunter-gatherer communities and pastoralists risk erasing invaluable indigenous and traditional knowledge in the domains of agriculture, fisheries and forestry and ultimately disconnect rural and coastal communities from land and natural resources. In the long-term, this can have major implications on food security and social stability not only at the local but also at the national level.

Chapter 3. State-Led Tourism Development and Tourism Zoning

One of the dominant discourses employed to promote tourism ventures is that tourism is an important driver of economic development through provision of jobs and as foreign exchange earner for the host country. Therefore, many national governments in the Global South have prioritised the tourism sector as an engine of economic growth and developed top-down tourism strategies, such as national tourism plans, government-developed infrastructure and incentives for the development of tourism facilities (Richter, 2008). The Philippines has a 50-year old history of declaring huge tracts of lands and entire islands as tourism zones. In post-coup Honduras, a new government declared the country 'open for business' and designated its North Coast as a tourism development zone. More recently, Timor Leste's government has attempted to centrally develop tourism, as the country – one of the poorest in the Pacific region – faces a major economic downturn with the depletion of its offshore oil and gas reserves. Large-scale economic land concessions for tourism purposes have been leased to foreign investors by the Cambodian government since the late 2000s.

3.1 Tourist Zone Development in the Philippines

The tourism sector is one of the largest foreign exchange earners in the Philippines, and consecutive administrations have pursued extremely proactive policy measures to attract investors into the tourism industry. The Tourism Act of 2009 established a new agency, the Tourism Infrastructure and Enterprise Zone Authority (TIEZA), under the Department of Tourism. TIEZA is in charge of promoting the establishment of Tourism Enterprise Zones (TEZs), which may fall under any of the following zone classifications: (i) cultural heritage; (ii) health and wellness; (iii) eco-tourism; (iv) general leisure; and (v) mixed use tourism. TEZs need to have a size of at least 5 ha and can be either brownfield (with existing infrastructure) or greenfield (with no or minimal infrastructure) developments. The minimum amount of investment is US$ 5 million, not including land acquisition costs. The operators of TEZs benefit from a range of fiscal and non-fiscal incentives, including multi-year income tax holidays, exemptions from taxes and custom duties on imports of capital investments and equipment, and tax deductions on costs incurred by environmental protection efforts, cultural heritage preservation activities, and sustainable livelihood programmes for local communities. As of January 2019, TIEZA administered eleven flagship Tourism Enterprise Zones and several other TEZs, such as Hacienda Looc (discussed in the next section). These are complemented by Tourism Economic Zones which are administered by the Philippine Economic Zone Authority (PEZA). As of 30 November 2017, there were 19 Tourism Economic Zones across the archipelago with a total approved investment of about US$ 900 million. Nearly all of them were under Filipino corporate management. One of these Tourism Economic Zones is located on Boracay Island (see below).

Tourism Enterprise Zone Development for the Elite in Hacienda Looc, Batangas Province

The Hamilo Coast project in Hacienda Looc is located in the Nasugbu municipality of Batangas province and can be conveniently reached from the Philippine capital Manila. It is being developed by SM Prime, a subsidiary of SM Investments Corporation (hereafter called SM), which is the largest conglomerate in the country. Hamilo Coast's master plan is being developed by IMA Design, Inc., which prides itself in having designed such international mega-projects as Disneyland Paris and Universal Studios (cf. Photo 3.1). With the planned development of a golf course, two marinas, a shopping mall, a ferry terminal, ten resorts and more than 3,000 dwelling units, its vision is to become the premier sustainable beach resort town of the Philippines (Atkins, 2016).

Photo 3.1. Pico de Loro Cove at Hamilo Coast

Source: https://www.hamilocoast.com/picodeloro/picodelorocove

Hacienda Looc extends over an area of 8,650 ha and comprises four village clusters (*barangays*) with a combined population of about 10,000 (Atkins, 2016). The area has a chequered legal history. It was once in the hands of a rich Filipino family which had to pass the ownership of the large estate to a state-owned development bank in 1973 when it was unable to repay a loan. In the 1980s, the estate was turned over to the Assets Privatization Trust, and subsequently a major share of the area was placed under the Comprehensive Agrarian Reform Program (CARP) (see Box 3.1), with several hundred farmers being the intended beneficiaries of land ownership certificates (APC & KMP, 2012). Yet, the suitability of Hacienda Looc for agricultural use was questioned by a government-commissioned feasibility study which recommended to convert the area into a tourism zone (Atkins, 2016). In the mid-1990s, a subsidiary of SM won the public bidding for those areas not covered by CARP and filed petitions to the Department of Agrarian Reform to cancel the land ownership certificates for the remainder of the estate (APC & KMP, 2012; Atkins, 2016). In 2007, the area was declared a Tourism Enterprise Zone by executive order of then President Macapagal-Arroyo.

Box 3.1. Pro-Poor and Indigenous Land Policy Programmes in the Philippines

The **Comprehensive Agrarian Reform Program (CARP)** was introduced by then President Corazon Aquino in 1988 after intense lobbying by peasant movements and land reform advocates. Intended beneficiaries were landless, including tenants and regular or seasonal farmworkers, and land-poor farmers owning no more than three hectares of agricultural land. Tools for redistribution included voluntary sales with a compensation premium, compulsory acquisition and distribution of stocks held in land-based enterprises. The program met fierce resistance by landlords, who challenged its legitimacy and tried to exploit various loopholes to prevent land redistribution and, in some cases, even to re-appropriate distributed land, e.g. by lease-back or 'joint-venture' arrangements. The slow pace of CARP has also allowed many landlords to forcibly remove tenants from their land in order to avoid having their land subjected to agrarian reform.

The **Indigenous Peoples Rights Act (IPRA)** of 1997 recognizes the rights of indigenous peoples to their cultural integrity and self-governance and certifies customary property rights to ancestral domains and lands. The Act requires a council of elders to formally represent the community in all dealings with government entities. The **Certificate of Ancestral Domain Title (CADT)** recognises indigenous communal land rights on formerly public domain land. The process of obtaining a CADT is expensive and time-consuming, due to the large amount of evidence that needs to be provided by the claimants. Besides, ancestral domain claims often overlap with land in the 'public domain', such as protected areas and government reservations, as well as concessions given for mining, tourism, logging, plantations, and energy projects, which are governed by other existing and often conflicting laws.

Sources: Hall et al., 2011; Neef, 2016

From the mid-1990s until the early 2010s, local communities together with a range of human rights advocacy groups staged public protests, organised media campaigns and launched court appeals. The case also featured in a 40-minute documentary "The Golf War" by filmmakers Jen Schradie and Matt DeVries. In response to fierce local resistance, Hacienda Looc experienced increased militarisation through national armed forces alongside private security guards employed by SM (Atkins, 2016). An NGO network led by the Asian Peasant Coalition (APC) and KMP reported a range of human rights violations against the protesters, including fatal shootings, death threats, burning of houses, destruction of crops, and farmers being prevented from accessing their fields (APC & KMP, 2012). Local people also complained about increased soil erosion, pesticide contamination, flooding and landslides as a result of the construction of a golf course in the area (APC & KMP, 2012).

In an attempt to make the land grab appear more legitimate and to co-opt local people into supporting its mega-project, SM has deployed a range of strategies. Through its corporate foundation, it launched a skills development programme and a livelihood project in the *barangays* of Hacienda Looc and built basketball courts and day-care centres (Atkins, 2016). The Hamilo Coast project has also engaged in a strategic partnership with WWF Philippines that includes the creation and management of three Marine Protected Areas (MPAs) along the coast and the rehabilitation of mangroves and hillside forests (WWF Philippines, 2017; The

Manila Times, 2018). Yet these measures of 'corporate greenwashing' have imposed serious restrictions on local people's livelihoods. Much of the waters off Hamilo Coast are now inaccessible for fisherfolks depending on nearshore fisheries, and charcoal making in the adjacent hillside forests – formerly an important source of income for landless people – has been banned since 2009 (Atkins, 2016).

Since the mid-2010s, local resistance against the Hamilo Coast project has become weaker, and several villagers have sold their land to SM and assumed low-wage employment on the company's premises (Atkins, 2016). Yet, some NGOs recently renewed their calls on the government to revoke the ownership rights of large, colonial-era estates, including Hacienda Looc, and redistribute the land to farming communities (Barahan, 2017).

Tourism Zoning and Rights of Indigenous Peoples on Boracay Island

Boracay – a tiny island of slightly over 10 km^2 in the Western Visayas region – has long been one of the prime destinations for international tourists visiting the Philippines for a beach holiday. Yet, the island got into the global limelight in 2018 when President Rodrigo Duterte announced a six-month closure of the island for tourists, calling it a "cesspool" that was in urgent need of a thorough clean-up. The tiny island had received 2 million visitors in 2017, extending by far its ecological carrying capacity; yet only a year before the presidential order to close the island and its about 400 hotels and restaurants, the Municipal Government of Malay in charge of governing tourism on the island under the Local Government Code of 1991 had mulled over the declaration of at least three more special economic zones to attract foreign and domestic investors to the world-renowned island (The Daily Guardian, 2017). Several studies conducted in the early 2010s already warned that Boracay had reached its ecological limits (e.g. Ong et al., 2011; Smith et al., 2011). A much earlier wake-up call – when a coliform outbreak was reported by the Department of Environment and Natural Resources – was also not heeded by the Philippine government and tourism operators (Trousdale, 1999).

The entire island had been declared a tourist zone (and marine reserve) and was placed under the management of the Philippine Tourism Authority by Proclamation No. 1801 under the Marcos dictatorship in 1978. The proclamation was a de facto dispossession of the indigenous Ati, a semi-nomadic hunter-gatherer group, who are the original settlers of Boracay (Baleva, 2019). After years of unplanned development, the Boracay Development Master Plan was formulated in 1990 to foster a more sustainable tourism development on the island, but the plan was never implemented as the responsibility for managing the island was transferred to the Municipality of Malay under a nation-wide decentralisation programme in 1991 (Ong et al., 2011). In the mid-2000s the mandate over the island shifted back to the national level, but this process was later reversed.

By the end of the 1990s, tourism development and the increased demand for land had pushed the indigenous Ati to the fringes of the island society and forced them to live scattered across

the island. In 1999, in preparation for a presidential visit, the Ati were relocated to a one-hectare piece of land, the so-called Bolabog Settlement where they faced harassment by private claimants (Baleva, 2019). A proposal by the Department of Tourism for an Ati housing project that would also serve as a tourist attraction was rejected by the Ati Tribal Council on the ground that this would be dehumanising. The local government and the Department of Environment and Natural Resources proposed a relocation to the mainland which was also dismissed, as the Ati emphasised their close ties to their ancestral land (Baleva, 2019). An offer of a one-hectare land donation made by a private real estate corporation in 2005 failed, as the parties could not agree on the terms. Meanwhile, a proclamation in 2006 by then President Macapagal-Arroyo – which classified Boracay into 400 hectares of reserved forest land and close to 630 hectares of alienable and disposable agricultural land – caused widespread confusion among land claimants on the island, particularly from the tourism sector (Tenefrancia, 2010).

In 2008/09, the National Commission on Indigenous Peoples (NCIP) attempted to obtain a presidential land donation of about 2.1 hectares of protected forest on behalf of the Ati community but to no avail due to opposition from the Department of Environment and Natural Resources (DENR). The Bolabog Ati Tribal Council had already submitted petition letters to the NCIP for the issuance of a Certificate of Ancestral Domain Title (CADT) (cf. Box 3.1) as early as 2000 and again in 2003 and 2006, but the process of consultation and data gathering took several years and was riddled with a series of delays and strong opposition from other government entities and private land claimants (Baleva, 2019). Eventually, the CADT was issued in January 2011 but the Ati could not take immediate possession of their 2.1 hectares of ancestral domain because the private claimants had illegally occupied the land. The Ati community began a gradual process of self-installation from April 2012 amidst harassments and threats of violence which culminated in the assassination of one of their spokespeople by a security guard of a hotel chain in February 2013 (Ranada, 2014). Subsequently, the Ati community faced multiple litigation cases relating to their ancestral domain (Baleva, 2019).

The unprecedented 2018 closure of Boracay Island by President Duterte appears to have led to a complete overhaul of the island's land legislation, including the legal status and the development prospects of the Ati community. Half way through the six-month closure, President Duterte announced unexpectedly that the entire island would be placed under land reform and that he would return the land to its 'rightful native owners' (Ranada, 2018a). A proposal was made by the Agricultural Secretary to turn the Ati's ancestral domain into an 'agro-tourism area' with "a vegetable production area using a solar-powered greenhouse and dairy goat milk parlor" and "an organic restaurant where indigenous food recipes could be offered to tourists" (Gomez, 2018). This top-down project proposal under the Department of Agriculture's 'Livelihood and Progress of Filipino Indigenous Peoples' programme bears an odd resemblance with earlier suggestions by the Department of Tourism to turn the Ati themselves into a tourist attraction. Another proposal – this time by the Department of Agrarian Reform – suggested that the indigenous Ati people should become coconut farmers after having qualified as land reform beneficiaries (Rivas, 2018).

Yet, shortly before the re-opening of the island to tourists, the Environment Undersecretary announced that only about eight hectares of land were available for distribution to the Ati for agricultural purposes (Ranada, 2018b). Nevertheless, President Duterte travelled to Boracay in November 2018 to personally distribute six Certificates of Land Ownership Award (CLOA) to 45 members of the Boracay Ati Tribal Organization (Domingo & Placido, 2018). Duterte alluded to the Ati's rights to sell this land off to "big businesses" on the island – contradicting his earlier statement that he would award the land to them to avoid that "those with money will take the land and build resorts" (Ranada, 2018a).

Both cases discussed above – Hacienda Looc and Boracay Island – show how public and private actors in the Philippines are interwoven in a complex and pluralistic legislative framework pertaining to tourism development and land rights, which can have detrimental impacts on marginalised rural communities, both indigenous and non-indigenous.

3.2 The Special Economic Zone of Social Market Economy in Oecusse, Timor Leste

Oecusse-Ambeno is a coastal enclave of Timor-Leste, located in the western part of Timor Island and separated from the rest of the country by West Timor, which forms part of Indonesia's Nusa Tenggara Timur Province. After the vote for independence from Indonesia in a UN-backed referendum in 1999, the enclave with a population of around 70,000 people of the Meto indigenous people was ravaged by an Indonesian Army supported militia which destroyed most of the enclave's infrastructure and displaced the majority of its population (Rose, 2017).

In early 2013, the government of Timor-Leste announced that Oecusse was to be developed into a tourism and investment hub under the official name *Zonas Especiais de Economia Social de Mercado - ZEESM* (Special Economic Zone of Social Market Economy), with an earmarked budget of more than US$ 4 billion over a period of 20 years (Meitzner Yoder, 2015). One of the major drawcards for tourism – aside from its pristine beaches and high-potential diving spots – is the fact that Oecusse enjoys a historical status as the first landing spot of the Portuguese, hence first results of the massive economic overhaul were to be expected by the time of the 500-year commemoration celebrations in November 2015. The high-profile character of the mega-project was underscored by the appointment of a former prime minister as its head and major champion. During public information sessions that were organised from 2013 to 2014 primarily in the Timor-Leste capital Dili as well as on brief tours throughout the predominantly rural district of Oecusse, futuristic landscape visions and design diagrams were presented (Figures 3.1 and 3.2) that had been developed by Portuguese development consultants and South Korean waterfront development firms (Meitzner Yoder, 2015).

It was obvious from the presentations by foreign consultants and government officials that the characteristics that were to determine whether a rural area would be designated as a tourism region, potential industrial processing site, or an agro-export production zone was purely based

on scientific and technical factors (Meitzner Yoder, 2015) and did not consider any socio-cultural aspects, including pre-existing legal claims to the land by the indigenous Meto people that are the dominant ethnic group in area (Rose, 2017). Two planned resort enclaves – featuring various hotels, golf courses and a waterpark – would be located on smallholder rice fields owned and planted by a large number of smallholder families and divert water from an ecologically fragile, water-scarce region (Meitzner Yoder, 2015).

Figure 3.1. Futuristic vision for Pante Makassar as a modern Oecusse city Source: La'o Hamutuk (2017)	**Figure 3.2**. Korean engineers' vision of Oecusse as a holiday paradise Source: Kunil Engineering (2014)
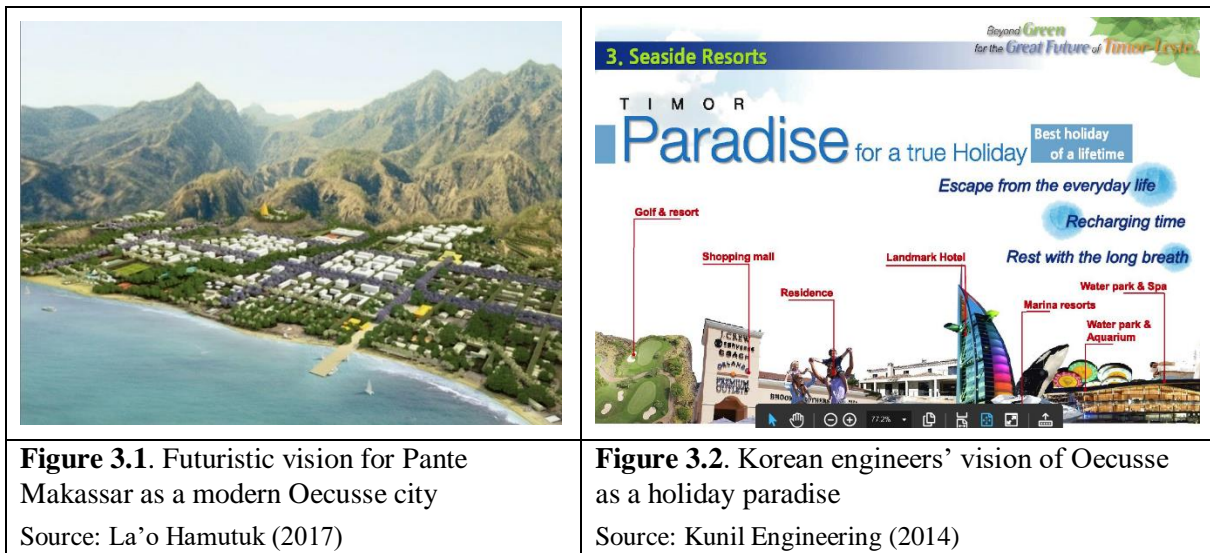
By mid-2016, construction of a bridge, a port, an international airport, a luxury resort, a historic monument park and a special clinic were in progress, while the district's main road was also being reconstructed (Rose, 2017; Meitzner Yoder, 2018). These infrastructure projects have consumed around US$ 500 million in public funds, mostly derived from the country's petroleum fund – a sovereign wealth fund fed by revenues from Timor-Leste's oil and gas fields that are expected to be depleted within the next few years (Davidson, 2017). While authorities claim that 70 per cent of the workers involved in infrastructure development are local, this figure is contested by a Dili-based NGO which suggests that virtually all workers at the Suai airport construction site are Indonesians (La'o Hamutuk, 2017).

The largest impact was felt by local residents on privately owned land along the road construction site who saw their fruit trees, wells, gardens and houses in the path of the road demolished by bulldozers with little warning and were forced to live in makeshift shelters, as the delivery of funds and materials for rebuilding homes was delayed (Rose, 2017). The cash payments that were eventually handed out only covered between 15 and 25 per cent of the cost for the construction labour (Meitzner Yoder, 2016). In another area, a hamlet of about twelve huts was completely removed to make way for a luxury hotel, with one technician being quoted as saying that these people were there "illegally" (Rose, 2017: 205). The majority of roadside families lost hundreds of dollars in timber and fruit from felled trees without receiving any compensation for these losses (Meitzner Yoder, 2016). Traditionally, trees in home yards have been used by the Meti people to mark their ownership claims for a particular area (Meitzner Yoder, 2011).

NGO representatives have criticised that the government-appointed ZEESM Authority is allowed to enact their own policies, regulations and executive orders for the enclave, including managing state-owned property and deciding on land use conversions and expropriations (La'o Hamutuk, 2017). In fact, legislation promulgated in 2014/15 effectively excised Oecusse from national governance structures and fiscal processes (Meitzner Yoder, 2015). Both local NGOs and foreign academics have criticised the ZEESM for focusing on promising possibilities for attracting hypothetical luxury tourists and use 'aspirational distractions of mega-projects' rather than building on the strengths and priorities of local communities (Meitzner Yoder, 2015; La'o Hamutuk, 2017). A World Bank report also questions the tourism potential of the area, referring to the absence of "world-class beaches" or other major tourist attractions and to insufficient "access to land" as major constraints (World Bank, 2016, p. 24). Meanwhile, throughout lowland Oecussi, residents continue to be extremely insecure about the rights to their remaining land and natural resources and the future viability of their livelihoods (Rose, 2017).

3.3 State-Driven Tourism Development and Livelihood Displacement among Garifuna Communities, Honduras

Towards the end of the 1990s, tourism in Honduras emerged as one of the most vital and continuously growing sectors of the country's economy. Development of the sector was prioritised in the *Master Plan for National Reconstruction and Transformation* (with its Spanish acronym PMRTN) which was drafted in the aftermath of 1998 Hurricane Mitch which wrought havoc across this Central American nation and its neighbours (cf. Section 5.1). Eco-tourism was presented as the most viable strategy of both boosting tourist numbers and preserving pristine nature in this poverty-stricken country. A military coup in 2009 caused a temporary decline of tourism numbers, but in 2011 the newly elected president announced in a high-profile international conference that "Honduras is Open for Business" and presented tourism as one of six key investment areas (Loperena, 2017). Major emphasis was now on large-scale tourism developments, and Tela Bay with its six Garifuna communities was selected as one of the focal sites. Back in 1998, the then Minister of Tourism had already identified the North Coast as a "tourist developer's dream" with its "600 kilometers of uninhabited beach" (quoted in Mollett, 2014, p. 37).

Since then, several tourist and real estate mega-projects have been planned within the buffer zones of Tela Bay's Jeannette Kawas National Park on the Honduran North Coast. The financial infrastructure for tourism mega-projects in Honduras is composed of capital from national elites, foreign investors and loans from the Central American Bank for Economic Integration and the Inter-American Development Bank. The Honduran state has played its part through enacting pro-tourism legislation, implementing neoliberal economic policies, creating special economic development zones, and providing the state-security apparatus in the form of its police and military forces. Through a special provision, the state has legalised foreign ownership in places like Tela Bay by declaring coastal land a 'tourism priority' and then classifying such land as 'urban', thereby opening the real estate market to foreigners (Mollett,

2014). This liberalisation of the land market has put enormous pressure on the Garifuna who fear the dismantlement of their ancestral, communally held territories (cf. Box 3.2). Despite being predominantly subsistence fishing and farming communities, the six Garifuna communities have been classified as 'urban' (Mollett, 2014).

Box 3.2. Garifuna Communities on the North Coast of Honduras: A Brief Ethno-Legal History

The Garifuna people are descendants of African slaves and two indigenous groups originally from South America—the Arawak and the Carib Indians. In 1797, the British colonial power deported 5,000 Garifuna, also known as Black Caribs, from the Caribbean island St. Vincent to another British colony Roatán, an island among the Islas de la Bahia archipelago about 65 kilometers off the North Coast of Honduras. From Roatán, the Garifuna people migrated to the Honduran mainland and across the Atlantic coast of Central America, including Nicaragua, Guatemala and Belize. In Honduras, the Garifuna established communities along the North Coast of Honduras in the early 19th century where they engaged in subsistence farming and fishing. Garifuna connections to coastal lands are grounded not only in their livelihoods but also in important cultural rituals, such as ancestor worship. Their distinct cultural traditions, including language, dance and music, were declared a Masterpiece of the Oral and Intangible Heritage of Humanity by UNESCO in 2001. Despite this global recognition of their culture, the Garifuna continue to face discrimination and harassment within the Honduran socio-political and economic system.

Traditionally, the Garifuna have only known collective land ownership, often vested in women due to the group's matrilineal and matrilocal customs. Historical documents show that Garifuna communities in Tela Bay had been in possession of registered *ejidal* (community) land in the early 20th century. Female land ownership and collective titles have been weakened by a World Bank instigated land registration programme that focused on the distribution on private land titles in disregard of the Garifuna's legal traditions. The Garifuna have suffered from various waves of dispossession, starting with the expansion of US-owned banana plantations in the late 19th century, which forced many Garifuna to abandon residential areas and agricultural lands. More recently, the Garifuna have faced pressure from the expanding tourism industry and the delineation of new protected areas.

Sources: Brondo, 2013; Mollett, 2014; Jubis, 2015; Loperena, 2016

One tourist mega-complex – inaugurated in 2013 – extends over 500 hectares along three kilometers of coastline and boasts an 18-hole golf course, several five-star hotels, an equestrian centre, 400 private villas, shopping centres, bars, restaurants, and pools (Mollett, 2014). The resort was funded through a public-private partnership between the National Institute of Tourism and the Tela Bay Touristic Development Society whose president is also the head of the Grupo Financiero Ficohsa – one of the largest financial institutions in Central America.

Prior to the establishment of the resort, neighbouring Garifuna communities possessed full ownership titles to their ancestral territories, although not all were fully recognised by the government. Research by the Council of Hemispheric Affairs found that the implementation of the 1992 Agrarian Modernization Law – backed by the US administration and the World Bank – led to the expansion of Tela's city boundaries and stimulated transactions of ancestral lands without consent of the Garifuna community members (Jubis, 2015). The municipality of Tela

sold a portion of the Garifuna ancestral territories to a corporation and later issued construction permits for the development of several large-scale tourist projects. In the midst of massive local protests and ongoing territorial disputes between the investors and the Garifuna communities, Honduran national police and military forces tried to violently remove the Garifuna from their lands in 2014. To date, the conflict has not been resolved, and Garifuna communities are shifting between resistance and acquiescence.

3.4 Concessional Tourism Development: A Chinese Mega-Project in Koh Kong Province, Cambodia

Koh Kong Province is located in the southwestern part of Cambodia and plays a major role for biodiversity and wildlife conservation as it accounts for 568,450 hectares out of 3.3 million hectares of the country's protected land area. Botum Sakor National Park extends over 171,250 hectares of land, with more than 50 per cent of its borders stretching along the Cambodian coast.

In May 2008, the Royal Cambodian Government, represented by the Minister of Environment, signed a long-term lease contract of 99 years with the Chinese corporation Tianjin Union Development Group Company Ltd (TUDG) for the construction of a large-scale commercial and tourism development zone, dubbed "Angkor Wat of the Sea". The project covers more than 36,000 hectares in two districts (Kiri Sakor and Botum Sakor) and involved investment capital of about US$ 3.8 billion. The leased land infringed on 12 villages in five communes and a large portion of the two districts' coastal areas, giving the concession effective control over 20 per cent of Cambodia's coastline. In August 2011, the government issued a sub-decree to reclassify an additional 9,100 hectares as a sustainable-use zone and granted a second land concession to TUDG to develop a water reservoir and hydropower plant. This meant that the overall size of the concession exceeded by more than four times the legally allowed maximum of 10,000 hectares. In order to circumvent the legal limits on foreign concession leases, the company temporarily disguised as a Cambodian-owned company. The original plans of the mega-project included a high-end tropical resort, landscaped luxury villas, a large golf course, a casino, a large water entertainment centre, an island park, and a cultural entertainment zone (Sao, 2015). Supporting infrastructure to be built include an airport and a deep-sea port.

The villages affected by the project had occupied this location for generations, deriving their livelihoods primarily from fishing, paddy rice farming and cashew nut production. According to the district officials involved in the assessment of the occupied land, the project affected a total of 1,163 families. The affected communities were reportedly not consulted about the project and its potential impacts but had noticed company representatives and governmental officials travelling throughout their communes and measuring land before the signing of the contract in 2008. The communities were officially informed of the project for the first time during a visit in November 2009 to Kiri Sakor district by officials from the Ministry of the Environment, Royal Cambodia Armed Forces, the Koh Kong provincial government and representatives of TUDG (Neef & Touch, 2015). Government officials informed them that they

were settling on state public land and were therefore legally obliged to relocate (Drbohlav & Hejkrlik, 2018). On the occasion of this visit, villagers also received a promise for compensation land in the area where they were to be relocated. In addition to the 1,163 families, at least one primary school and three Buddhist pagodas needed to be relocated (Neef & Touch, 2015). Negotiations for compensation packages were conducted in 2010, and about 1,000 families were resettled in 2011 (Drbohlav & Hejkrlik, 2018). Many relocated families reported that they had not received the negotiated compensation but much smaller amounts. Some families resisted relocation and had their houses knocked down by the company's security guards (Photos 3.2 and 3.3).

Photo 3.2. Abandoned coastal settlement after involuntary relocation
Source: Author
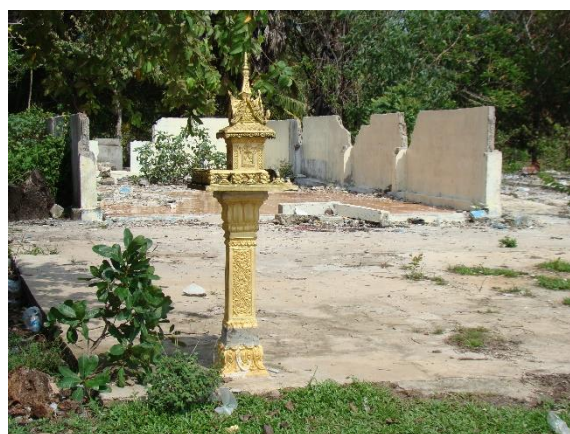
Photo 3.3. One of the houses that was knocked down by the company's security guards
Source: Author

The relocation site spreads over around 3,600 hectares of land located deep inside the Botum Sakor National Park in a distance of about 20 km from the coast. According to local authorities, the government issued a sub-decree to excise this forested area from the park for this purpose (Neef & Touch, 2015). TUDG assumed responsibility to provide basic infrastructure for the resettlement area, including schools, health centres and water wells. However, the health centre lacks qualified staff, and many of the water wells constructed by TUDG run dry during the extended dry season, while the roads and basic wooden houses provided by TUDG were also of very poor quality (Drbohlav & Hejkrlik, 2018). Seven years after the relocation, many houses have been partially damaged and numerous houses have been vacated (Photo 3.4), as many villagers decided to leave the area due to lack of livelihood opportunities. Village roads are often impassable during the monsoon season (Photo 3.5), compromising villagers' access to markets and health care and students' access to schools.

Many of the relocated families stated that their allocated farmland was not suitable for farming and for some households the fields were as far as five to six kilometres away from their homestead (Drbohlav & Hejkrlik, 2018). Damage to crops by wild elephants and other wildlife has also been a common problem. Reportedly, TUDG employees have made successful attempts to acquire land in the resettlement site, thus capitalising on the financial difficulties of the resettled households (Neef, forthcoming). Due to the lack of agricultural productivity and

other livelihood opportunities, many villagers are now engaged in illegal logging. They have to pay bribes to local officials who would then turn a blind eye on the illicit activity. The timber is sold to Vietnamese or Chinese middlemen who organise the transportation of the logs to Vietnam (Neef, forthcoming).

Photo 3.4. One of many abandoned houses in the resettlement site
Source: Author

Photo 3.5. Road condition in the relocation site during the monsoon season
Source: Author

By 2017, one resort and a golf course under the name "Dara Sakor Seashore Resort" were completed (Photo 3.6), along with a four-lane highway and two large water reservoirs. Yet, during a visit by the author to the site in late 2017, the entire resort area appeared to have been abandoned and a near-complete casino – originally designed as the tourism complex's centrepiece – was deserted and showed early signs of decay (Photo 3.7). A US-based think-tank has alleged that the mega-project now serves a more geostrategic purpose; in fact, it was officially incorporated into China's Belt-and-Road Initiative in 2016 by Chinese President Xi Jinping (Thorne & Spevack, 2017). In March 2017, the China Development Bank (CDB), a financial institution under jurisdiction of the State Council, announced that it had underwritten a US$ 15 million "Belt and Road" bond to support TUDG's building of a holiday resort on Cambodia's coast (Stabroek News, 2018).

Photo 3.6. Partial view of the 18-hole golf course
Source: Author

Photo 3.7. View of the decaying casino
Source: Author

Allegations have been raised that the mega-project has been turned into a "Chinese colony" and could even be part of a wider scheme of the Chinese government to establish naval bases throughout the region (Thorne & Spevack, 2017; Nachemson, 2018). Such plans have been denied by the Cambodian government as "fake news", although it has been confirmed that the construction of a port and airport are underway (Chheng, 2018). Regardless of whether Chinese intentions are purely economic or pursue a wider geostrategic purpose, there are well-grounded fears that Cambodian citizens are denied the benefits from coastal industries, such as fishing and tourism.

Chapter 4. Resort Development, Residential Tourism and Resource Grabbing

For most tourists staying in a luxurious beach resort on a paradisiac island, the idea that the place may be the site of previous dispossession and forced displacement seems very far-fetched. Yet small island settings and coastal areas are particularly prone to tourism-induced conflicts over land and other natural resources, as they face challenges of resource scarcity and limited carrying capacity. The following sub-sections examine various forms of resource grabbing and displacement induced by corporate resort and residential tourism development in Indonesia, Vanuatu, Costa Rica and Mauritius.

4.1 Resort Tourism and Resource Grabbing in the Indonesian Archipelago

Like many Southeast Asian nations, the Indonesian government has promoted tourism growth at any cost, leaving very little space for alternative visions. The aggressive pursuit of mass tourism has led to widespread land grabbing, dramatic rises of land prices and increased competition for natural resources (Cole, 2017; Rosenberg Colorni, 2018). Some of these processes are particularly prevalent in Bali and islands in Eastern Indonesia.

Land Grabbing and Bay Reclamation for Tourism in Bali

In the Indonesian island Bali, the dominant tourism sector has considerably changed property relations and dispossessed local people in several waves (Fagertun, 2017). Tourists have been lured into the 'exotic paradise' of Bali since the 1920s and 1930s when the island was part of the Dutch East Indies. The Dutch colonisers were the first to discover the island's economic potential of tourism and island was further popularised in Europe by a number of foreign-authored books and the works of visual artists that presented the island as a modern-day 'Garden of Eden' (Vickers, 2012; Cabasset et al., 2017). Due to the reorganisation of Balinese society under Dutch colonial rule, local elites were able to occupy powerful administrative positions and gained greater control over the island's resources, which can be described as a first wave of dispossession (Fagertun, 2017).

In 1969, Suharto's autocratic and repressive government opened up the island to international tourism with the backing of a Master Plan drafted with support from the World Bank and the United Nations Development Programme (Cole, 2012). Large-scale dispossessions and forced expropriations were instigated in the 1980s and 1990s by turning customary land into state property, which then could be allocated for ambitious tourism and infrastructure projects – such as Nusa Dua in Jimbaran Bay – in the name of 'national development' (Warren, 2009). This large-scale land conversion from small-scale farming to tourism mega-projects was the second wave of dispossession (Fagertun, 2017).

After the fall of Suharto and introduction of economic and administrative reforms in the late 1990s, local governments in Indonesia were able to impose and collect their own taxes; in Bali, land taxes have been based on the market value of a piece of land rather than its actual use (Cole & Browne, 2015). This regulation made land taxes unaffordable for farmers in the vicinity of tourist hotspots, thus forcing many of them into distress 'sales', which usually are in the form of 99-year lease contracts. Only few farmers have been able to resist the offers from the tourism industry, as the following quote shows:

> "I have been asked to sell. Everybody here has been asked to sell. There isn't one of us that hasn't. Some of us have sold in the past, but we have collectively decided that the rest of us are not going to." (Farmer in Bunutan, quoted in Rosenberg Colorni, 2018, p. 7)

Photo 4.1. Bali's iconic rice terraces, protected under UNESCO's World Heritage programme
Source: Author

Photo 4.2. Large tourist resort next to rice fields in Ubud, Central Bali
Source: Author

It is estimated that the small island lost nearly 25 per cent of its agricultural land – including its iconic rice terraces (Photo 4.1) – over the past 25 years (Rosenberg Colorni, 2018). This third wave of dispossession is still ongoing (Photo 4.2) and new mega-projects are being planned in some of the few remaining undeveloped areas of the island (Box 4.1, Figure 4.1).

The rapid transformation of Bali into Indonesia's prime tourism destination has placed ever greater pressure on land and water resources, leading to the rapid decline of traditional wet-rice agriculture and dwindling local control over resource governance. 85 per cent of the tourism industry is owned by non-Balinese, leading to a lack of accountability, gross power imbalances and a situation in which external investors can exploit natural resources without being directly affected by the negative implications of doing so (Cole & Browne, 2015).

Box 4.1. The Controversial Benoa Bay Reclamation Project

Until recently, Benoa Bay was one of the last remaining undeveloped areas in Southern Bali. In 2011, the bay – which covers a total area of 2,000 hectares and comprises 1,375 hectares of mangroves, five rivers, twelve village communities, and approximately 150,000 residents – was declared a maritime conservation area by presidential decree. Yet, in 2014, then President Yudhoyono revoked the protected status of Benoa Bay shortly before leaving office, thus annulling his earlier presidential decree and turning the area into a development and exploitation zone. Bali's former governor authorised the Indonesian developer PT Tirta Wahana Bali Internasional (TWBI) to develop an area of 838 hectares in Benoa Bay on a 30-year concession, extendable by another 20 years. TWBI had plans to develop the bay into a multi-billion US$ mega-tourism project, consisting of twelve artificial islands modelled after Dubai's Palm Islands. The developer's website brands the project as "[a] sustainable development project that integrates the origins of Balinese culture & traditional customs in the development of islands of resorts, theme parks, community areas, residential clusters to become the new iconic tourist-destination in Bali" (www.nusabenoa.com). Yet, in contrast to the claims of the developer that the project will 'revitalise' the bay and enhance the environment of the area through its 'eco-sustainable development concept', several studies found that the reclamation of Benoa Bay would have profoundly detrimental impacts on its fragile ecology and the local culture. Opponents have raised concerns that the project would lead to damage to coral reefs and mangrove areas, accelerate sedimentation of the bay, exacerbate water scarcity and pollution, and trigger widespread flooding of large parts of southern Bali.

Shortly after the reclamation plans became publicly known, opposition formed under the acronym ForBALI – The Bali People's Forum to Reject the Reclamation of Benoa Bay. This association brought together environmental activists, village leaders, politicians, journalists, academics, students, and artists and has become widely known by its slogan *Bali Tolak Reklamasi* (Bali Rejects Reclamation). Since 2015, the movement has organised protest marches, public fora and concerts to voice their determination to resist the project. It has also collated a map with 22 sacred Hindu sites which are deemed at risk of disappearing should the reclamation project go ahead.

The controversy surrounding the planned project took an unexpected turn when the location and building permit of TWBI expired in August 2018. Under Indonesian law, if a permit is not renewed after four years, it is automatically cancelled. The company never received government approval to extend its permit, as the Ministry of Environment had not approved the developer's environmental impact assessment. Activists have called on President Widodo to re-establish the bay's protected area status.

Sources: Cabasset et al., 2017; Ardhana & Farhaeni, 2017; Benge & Neef, 2018; Suriyani, 2018
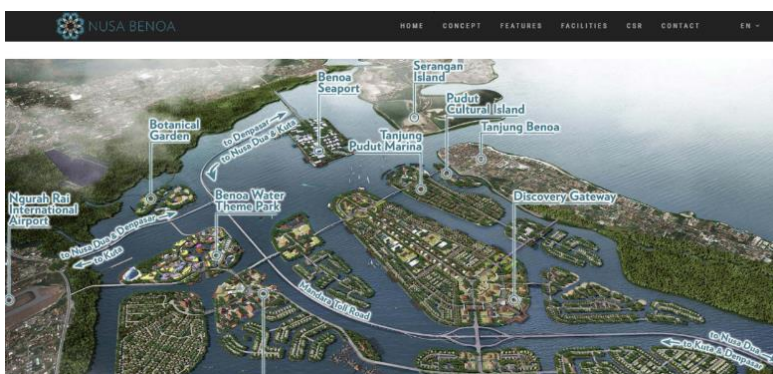
Figure 4.1. The dreamed-up vision of the Benoa Bay Reclamation Project with its many artificial islands

Source: Screenshot from www.nusabenoa.com

The island's long-standing water management crisis has also caused enormous environmental problems and social conflicts (Cole, 2012; see also Benge & Neef, 2018). The diversion of water from agricultural areas to tourism hubs has led to growing distributional inequity between the tourism industry and local farmers (IDEP, 2015). Coupled with the unregulated exploitation of groundwater, this has allowed the tourism industry to consume water at a rate faster than its ability to replenish (Cole, 2012).

Privatising Beaches and Constraining Women's Access to Resources in Nusa Tenggara Timur

Having stretched Bali's tourism sector beyond its socio-ecological boundaries, the Indonesian government has targeted numerous islands in its eastern provinces for further promotion of tourism as outlined in its Master Plan for Acceleration and Expansion of Indonesian Economic Development 2011-2025. Nusa Tenggara Timur (NTT) – one of the archipelago's poorest provinces – plays a particular role in reaching Indonesia's goal of welcoming 20 million tourists to the country. Provincial, district and municipal governments are encouraged to develop their long-term planning programmes with tourism as the leading sector alongside agriculture.

Labuan Bajo – situated on the western end of NTT's Flores Island – is undergoing a particularly rapid transformation from a once quiet port and fishing town to a bustling tourism destination. The main drawcard to this town is the nearby Komodo National Park, which is the habitat of the Komodo dragon, the world's largest lizard (Photo 4.3). The area also harbours some of the finest beaches and diving spots in Southeast Asia. The government has set a target of 500,000 visitors for the town by the year 2020, which is a fivefold increase compared to 2016 (Remmer, 2017).

Photo 4.3. One of the iconic Komodo dragons in Komodo National Park
Source: Author

Photo 4.4. Small islands in Komodo National Park
Source: Author

The town is primarily inhabited by migrants, and its population has increased from 10,000 in 2007 to 52,000 in 2014, with 80 per cent still living below the Indonesian poverty line (Cole,

2017). Due to the recent tourism boom, a large proportion of land in Labuan Bajo has been bought up by outside investors – from other parts of Indonesia or overseas – who control 70 per cent of the local tourism business (Remmer, 2017). The small islands around Komodo National Park (Photo 4.4) have been controlled by individuals and corporations that are part of national and international tourism business networks, some of which are foreign-owned businesses. Hence, the lion's share of the tourism revenues is leaking to areas outside of Flores Island. On a positive note, large-scale resort developments by transnational hotel consortia have not occurred yet.

In 2003, Manggarai Barat became an autonomous regency by Indonesian Law No.8/2003, with Labuan Bajo as its capital, thereby obtaining the authority to manage its own affairs, including the governance of the natural resources available in the territory (Cole, 2017). This provided the backdrop for a major local conflict around public beach access in the Mabar community of Labuan Bajo (Box 4.2).

Box 4.2. Conflict between Tourist Investor and Local Community around Public Beach Access in Labuan Bajo

In 2014, the former Provincial Governor of Nusa Tenggara Barat issued a permit to build a large hotel on a 4.2-hectare site by Pede Beach, the last remaining public beach in Labuan Bajo that local residents can access freely. The beneficiary of the 25-year land concession was a company owned by then Speaker of Parliament, Setya Novanto. The deal was later confirmed by the local government but ignited massive protests by local communities, student networks and church groups (the regency has a sizeable Christian population) from 2016 onwards. Despite sustained local resistance, construction of the hotel started in March 2017.

In May 2017, the Manggarai Student Alliance (AMANG) filed a complaint with the Corruption Eradication Commission against the Provincial Governor and the head of Manggarai Barat regency who allegedly issued the building permit amid financial irregularities. The allegations were that (1) the Governor violated the Autonomy Law No. 8 of 2003 which required the NTT Provincial Government to hand over its existing assets in Western Manggarai to the Manggarai Barat regency when it was established as an autonomous region and (2) funds from the company were not sent to the provincial government's bank account but directly to the personal account of the Governor. Speaking to local media, the students stated that the report was part of an effort to crack down on corruption in Nusa Tenggara Timur, one of the most corrupt provinces in the country according to the Indonesia Corruption Watch survey. In the meantime, the former Speaker of Parliament whose company obtained the contentious land concession on Pede Beach and who has been plagued by other allegations of corruption during his term has started a 15-year jail term in April 2018.

Sources: Dauth, 2017; UCANews, 2017; UCAN India, 2017

Aside from increased incidences of land grabbing and rapidly rising property prices and rents, stakeholders in Labuan Bajo are also concerned with dwindling freshwater resources. Tourism development is competing for water supplies with residential water users and farmers, pushing up prices beyond affordability and violating human rights (Cole, 2017).

Households in Labuan Bajo have been confronted with unregulated and unreliable water sources of doubtful quality for a long time (Remmer, 2017). Highly seasonal rainfall, irregular flows from local springs and salt water intrusion into household wells have been common problems, and less than 25 per cent of the population have access to piped water (Cole, 2017). Lack of regulation leads to uncontrolled and unmonitored withdrawal of groundwater (Remmer, 2017). Water is supplied to the piped water system from two local rivers, but this is prioritised to the hotel industry as the costs for pumping and purifying can only be recovered by charging business water rates (Cole, 2017). On average the accommodation sector in Labuan Bajo consumes 275 litres per day per bed (Remmer, 2017), which is completely unsustainable, particularly when considering future tourism targets for the town. To make matters worse, the chronically inconsistent pipe water supply in town has caused hotel owners to supplement it with tank water from trucks – affecting the cost and supply of this source for the community (Cole, 2017).

The cost for obtaining water from private sources is exceptionally high and places an enormous financial burden on Labuan Bajo's households (Remmer, 2017). Since Labuan Bajo is a highly patriarchal society, procuring household water is women's work. Women from poor households have to spend a huge amount of time and effort on collecting and carrying water from public water supply stations, which diminishes their opportunities to engage in remunerative work (Cole, 2017). In sum, Labuan Bajo's water shortage problem has been gravely intensified by tourism development and places a disproportional impact on women.

Another region where women's livelihoods and access to resources have been negatively affected is on Rote Ndao, a regency in NTT province, situated south-west of the western tip of West Timor. Bo'a Beach at the western side of Rote Island has been the venue of an international surf competition for several years, which has recently attracted a number of investors from other parts of Indonesia to raise the touristic profile of the island. In 2013/2014 access to the famous surf beach was blocked by a hotel development project of a company owned by the grandson of a former Indonesian president, which led to the relocation of the surf competition to another beach, Nemberela (Photo 4.5).

Photo 4.5. Fence constructed by a hotel to block public access to the beach in Bo'a village

Source: D. V. Sinlae

More importantly, the hotel construction reduced access to the beach for the local community living around Nemberala Beach which earned a decent income from near-shore seaweed production. Women in particular have been involved in this profitable local business (Photos 4.6 and 4.7).

Photo 4.6. Seaweed cultivation by women in Rote Ndao

Source: D. V. Sinlae

Photo 4.7. Woman carrying seaweed for drying on the beach in Nemberala village

Source: D. V. Sinlae

Several hotels breach Indonesian Law No. 1/2014 supported by President Regulation No. 51/2016, which prohibits construction within 100 meters from the highest tide point to the land in order to protect coastal ecosystems and communities from natural hazards and to provide space for public access to the beach. In fact, at high tide, the waves hit the fences built by hotels on the beach (personal communication, D. V. Sinlae). The local community vowed to resist the development of further beachside hotels and homestays and even threatened to take violent action against foreign tourists.

The communal land on which the hotel premises have been built was previously transferred by the local community to the local government, based on the understanding that it would not be sold to private corporations. In breach of the agreement, the local government privatised the land by selling it to the tourism developer. The local authority of Rote Ndao argues that it is difficult to solve the problem because the land ownership transfer occurred at a time when Rote Ndao was still part of Kupang Regency. Rote Ndao became an autonomous regency in 2002 under the Indonesian Law No. 9/2002 (personal communication, D. V. Sinlae).

The cases described above for various popular and emerging holiday destinations in Indonesia demonstrate how the decentralisation of tourism management and land regulations has actually aggravated infringement on customary rights of local communities. The cases also show the particularly adverse impact of tourism-related land and resources grabs on women, which still remains somewhat underexplored in the literature.

4.2 Tourism Enclaves and Proliferation of Land Leases in the Southwest Pacific – The Case of Vanuatu

Vanuatu is an archipelago of more than 80 islands located in the Southwest Pacific, about 2,300 km northeast of Sydney, Australia. Its population of over 200,000 inhabitants is divided into more than 100 distinct linguistic and cultural groups. During colonial times, Vanuatu was known as the New Hebrides and subject to a rather unique Anglo-French colonial rule established in 1906. Throughout much of the 20th century, the indigenous ni-Vanuatu people were dispossessed of a great share of their customary land by both British and French settlers and missionaries who also introduced competing sets of laws and legal institutions (Farran & Corrin, 2017). Independence from the so-called "condominium government" was only achieved in 1980, after demands for restitution of land alienated by the colonial powers for plantations, farms, settlements and churches could no longer be suppressed (Farran, 2010). Since gaining independence, Vanuatu has benefitted from the predominance of democratic rule and its economy has seen relatively steady growth rates, primarily due to a substantial rise in revenues from tourism (Méheux & Parker, 2006).

The tourism sector in Vanuatu is characterised by a 'dualistic' structure, where about one third of the foreign visitors arrive by air and stay in hotels, resorts and guesthouses for an average of 8-9 days, while two thirds of visitors arrive by cruise ship and stay only for one day without the need for accommodation in the country. Cruise tourists are primarily targeted by local tour and cultural show operators, who are mostly indigenous ni-Vanuatu whose small businesses are protected by the so-called "Reserved Investments" clause under the Foreign Investment Promotion Act. On the major islands, the hotel industry – which is much more capital-intensive – is dominated by foreigners, who benefit from favourable investment conditions, such as tax exemptions and relatively low lease rates for beachfront properties (MTICNB, 2013). Most tourists stay on Efate Island where the capital Port Vila is located (Photos 4.8 and 4.9).

Photo 4.8. Beach resort in the Pango district of Vanuatu's capital Port Vila
Source: Author

Photo 4.9. Cruise ship in Port Vila Harbour
Source: Author

The high demand for beachfront accommodation has led to a proliferation of land speculation among foreign investors. Land conflicts are increasingly common, particularly in the rural areas of Efate, where customary land ownership is often ambiguous (see Box 4.3).

Box 4.3. Customary Land Tenure System in Vanuatu: Strengthening Indigenous Ownership or Enabling Land Control by Foreigners?

In precolonial times, land on the various islands in what is today's Vanuatu was acquired by simple occupation and building of the first meeting house. Ownership was established through physical evidence, such as graves, boundaries or planted trees, and through oral evidence. Intergenerational transfer of land was matrilineal in some areas and patrilineal in others.

Under British and French colonial rule (from 1906-1980) indigenous land was allocated to settler plantations, churches and public/administrative purposes. The concept of freehold and leasehold was introduced during that time, and about two thirds of the land were in the hand of foreigners at some point. The 1980 Constitution restored indigenous land ownership across the newly independent country and provided that the rules of custom should form the basis for ownership, control and use of the land. Yet it was not always easy to identify the legitimate custom owners, and leadership claims were often disputed and the number of counter-claimants was high, particularly in areas that had been most impacted by colonial settlement. Chiefly leaders often play a triple role of being customary landholders, figures of authority, and adjudicator of disputes.

In the early years after independence land leasing activity in Vanuatu was rather modest, confined primarily to agricultural leases of 30 or 40 years. Yet with the advent of tourism and the associated diversification of the economy, non-agricultural leases with a longer duration (up to 75 years) were introduced. In 2013, the Vanuatu government introduced a new piece of legislation – the Custom Land Management Act – which was aimed at further strengthening customary land tenure and making it more difficult to alienate land through leases and sub-leases to foreign investors. However, the implementation of the Act has been constrained by a phase of political instability and the national disaster caused by Tropical Cyclone Pam in 2015.

Sources: Farran, 2010; Wittersheim, 2011; McDonnell, 2015; Farran & Corrin, 2017

Hierarchical structures and differential access to land are predominant in the communities, and benefits from the proliferation of land leases benefit only a few.

> "Many local people have sold [leased out] their land without thinking of the long-term consequences. The landowner is usually the main chief in the village and the benefit is meant to be spread evenly, but often that is not the case." (General Manager of luxury resort in northern Efate, December 2016)

> "The land ownership rights over the area where the resorts are located have been transferred to two families. They get most of the benefits from the resorts, the Council of Chiefs also receives some money, but the real customary owners do not receive anything." (Villager in southern Efate, December 2016)

Many ni-Vanuatu landowners face problems borrowing financial capital off their customary land, which makes it difficult for them to start their own tourism business (MTICNB 2014). Paradoxically, under a leasehold agreement, land can be subdivided, developed and even used as collateral for mortgage finance (Farran, 2012). By contrast, banks and other lending

institutions in Vanuatu are reluctant to accept customary land as collateral for loans for various reasons: (1) if the borrower is not able to repay the loan, the lender cannot liquidate the asset as customary land cannot be sold; (2) even when the lender leases the land to a third party (e.g. a foreign investor), this may cause social tensions in the community. Hence, land leasing to foreign investors offers the main mechanism by which local landowners can generate a large amount of cash, although the money obtained rarely reflects the real economic value of the land (McDonnell, 2015), let alone its less tangible but often more important cultural value.

Land leases are overwhelmingly the providence of the chiefs; in Northern Efate, for instance, 80 per cent of the leases that have been signed off by individuals list a local chief as the lessor (McDonnell, 2015). Hence, only a small minority of the local population can actually take advantage of the booming lease market, while many community members feel the negative impacts of the continuing alienation of customary land in the form of leases to foreign investors.

According to Vanuatu's Department of Land, 80 per cent of the coastal land on Efate Island has been leased (Wittersheim, 2011), primarily to Australians, New Zealanders and – more recently – New Caledonians. Land is not only leased for resort development but increasingly also for building second homes for residential tourists. Most of this land has been fenced off or wired up (Photo 4.10). The enclosure of beachfront properties and – in some cases – entire islands (Photo 4.11) has substantially reduced access of local people to the sea.

> "Today, we have to ask permission from the white men to access the sea, just like before independence." (Chief Roy Iasul, quoted in Wittersheim, 2011, p. 326)

Enclosure of coastal areas by tourism enclaves particularly affects women's livelihoods, as they engage mostly in fishing from the shore and on the reefs, while off-shore fishing is dominated by men (Government of Vanuatu 2015). Some of the local men are still able to negotiate access to the beach as they often know the hotel guards who hail from their own community.

Photo 4.10. Fenced-off expat property development in Southern Efate
Source: Author

Photo 4.11. Rules of exception on an island under foreign lease
Source: Author

In a 2016/2017 survey, communities complained about insufficient support from tourist resorts, the lack of transparency on lease agreements that were concluded several decades ago, and hotels taking a major share of the profit from local village tours. There was also a sentiment that the benefits from the leases are not spread evenly among the villagers.

> "We had demanded in several past meetings to see what the terms and conditions are like in the agreement that was signed back in the 1970s between our chief and the resort lawyer, but no one seems to know if there is any copy available. We wanted to review the terms and conditions with the resort." (Female elder and journalist during focus group discussion, June 2017)

> "The resorts take 50% of the profit from our tours, and they don't allow us to contact their guests directly. This is really not fair, they just want to maximise their own profits from tourism. […] In our village, there is a big gap between rich and poor, you can see it when you look at the differences between the houses. The rich ones are those who have sold off their land to the foreigners." (Community-based island tour operator, December 2016)

Some of the resorts have lease agreements that include clauses stipulating that the land-owning community should be given priority in hotel staff recruitments, but the majority does not have such obligations. Large hotels, in particular, were also quick to lay off their ni-Vanuatu staff after the 2015 Tropical Cyclone Pam which wreaked havoc on Efate Island and led to major damages to local communities and tourist resorts (Neef & Wasi, 2017). While many resorts offered short-term assistance to communities after the disaster, such as providing food, water and tools, only very few hotel businesses provided support for the long-term recovery in the communities from which they had leased land.

One of the hotel managers interviewed in our 2016/2017 post-disaster study suggested that, while some villagers have improved their housing infrastructure, they are now confronted with issues of land scarcity, as many have sold or leased out their land a long time ago.

> "The communities have improved their building infrastructure, so they are now better prepared if another cyclone hits the area. But now they face another challenge and that is the developers that are coming in, mainly for residential development. Many developers have bought land way back, but they are now coming to claim their land rights." (General Manager of luxury resort in northern Efate, December 2016)

Overall, the case of Vanuatu is a stark reminder that customary land tenure is not necessarily a strong defence against transnational land deals but can actually be an enabler. Although customary land is strongly protected by the country's legal framework and cannot be sold, Vanuatu has experienced a massive boom in the real estate market through long-term leases and sub-leases, primarily for resort development but more recently also for residential tourism projects. Reduced access to marine resources and coastal land is limiting the economic opportunities for most ni-Vanuatu who still depend on farming and fishing for their subsistence. The volatility of employment opportunities in the tourism sector has been demonstrated in the aftermath of Tropical Cyclone Pam, when many ni-Vanuatu employees in the tourism and hospitality sector were laid off (Neef & Wasi, 2018).

4.3 Residential Tourism and Transnational Land Investment in Central America and the Southern Indian Ocean

Residential tourism to developing countries, sometimes referred to as 'lifestyle migration' or 'retirement migration', is on the rise globally. In most cases, relatively wealthy citizens from Europe or North America – but more recently also from emerging economies, such as South Africa or Brazil – move temporarily or permanently to tourist destinations in developing countries where they buy or rent property and enjoy lower cost of living, better weather, beautiful scenery and/or a more relaxed lifestyle. Residential tourism implies the explicit granting of land concessions and tenure rights to foreigners. Both the number of residential tourists and the size of the related land investments keeps increasing in various countries in Asia, Latin America and Africa. There is also growing competition among the destination countries to ease access and conditions for residential tourists (Aledo, 2008; Van Noorloos, 2014; Bell, 2017). In Panama and Honduras, for example, governments have eliminated laws that once protected coastal lands from foreign ownership (Mollett, 2016).

Land Alienation through Residential Tourism in Costa Rica

Partly as a consequence of the political instability and violence in the region in the 1980s, tourism developed in Central America more slowly than in the nearby regions of the Caribbean and southern Mexico (Cañada, 2010). Costa Rica was a notable exception with its relatively stable government and close economic ties with the US. Residential tourism investment in Guanacaste and Puntarenas provinces on Costa Rica's Pacific coast increased dramatically following 2003, when the volume of real estate investment overtook tourism expenditures (Cañada, 2010). Guanacaste province has seen several phases of historical land grabs, most prominently (1) the Spanish conquest in the 16th century that wiped out the indigenous Chorotega civilisation, and (2) transnational land acquisitions for cattle farming by North Americans in the late 19th century, which led to massive deforestation and instigated the introduction of private property rights (Van Noorloos, 2014).

Following a major depression in the 1980s that affected the agricultural sector, the Costa Rican government invested heavily in improving its tourism infrastructure and tried to lure North American retirees into the country with generous tax incentives, which fuelled land speculation by foreign investors (Van Noorloos, 2011). Two thirds of the investments in the tourism industry are partly or fully financed by investors from the US and Canada, while collaborations between North American and Coast Rican investors are also common (Van Noorloos, 2014).

There is significant overlap between tourism, investment, and residency: short-term tourists often end up buying property and thereby become residential tourists on renewed visas; property owners rent out their property to short-term tourists, which turns many residential complexes into de facto hotels; shared ownership of properties is also common; and some investors buy properties without a single purpose, i.e. as holiday home, retirement property or

simply as speculative asset (van Noorloos, 2013). A number of multinational hotel chains, such as Hilton, Marriott and Sol Meliá have built a range of four- and five-star beach resorts with integrated leisure infrastructure to attract affluent tourists some of whom have turned into customers for second homes in the master-planned communities (Janoschka, 2009).

While the booming residential tourism industry has been a boon for the local real estate sector and speculative overseas investors, it is increasingly crowding out local small-scale tourism businesses, increasing low-paid employment and leading to greater inequalities. The global financial crisis of 2007/08 has also exposed the vulnerability of a sector that is highly dependent on North American economies and financial markets (Van Noorloos, 2014). In the post-crisis period, poverty and unemployment rates increased at a higher rate in Guanacaste province than in other regions; at the last national census of 2011, the poverty rates in the residential tourism hubs Guanacaste and Puntarenas were recorded at about 30 per cent, compared to the national average of 21.7 per cent (INEC, 2011).

For decades, Costa Rica has benefitted from strong and protective state institutions and laws, including a robust environmental legal framework. However, the implementation and control of environmental and spatial regulations have become more deficient through investor-led tourism development in Guanacaste (Janoschka, 2009). Lack of political will and inadequate human and financial capacities have triggered a host of socio-environmental problems, such as compromised conservation policies and coastal zone privatisation (see Box 4.4) as well as excessive water exploitation and small-scale displacement (Van Noorloos, 2014).

Box 4.4. Land Tenure and the Undermining of Coastal Regulations in Costa Rica

In contrast to most other countries in Central America, the majority of land in Costa Rica is private property. However, the law on the maritime-terrestrial zone (Law No. 6043, Ley sobre la Zona Marítimo Terrestre (ZMT), of 1977) stipulates rules for the use and protection of the first 200 meters of coastal land: the first 50 meters are inalienable public land, and the remaining 150 meters are a restricted zone. These 150 meters are government property; land concessions are issued (5-20 years renewable) and construction is allowed under strict conditions only. The ZMT law is meant to guarantee that coastal land is used for public benefit, that the socially and environmentally vulnerable coastal areas are protected, and that tourism is developed in a sustainable way.

However, reality shows a different picture: government regulations on the use of coastal land are not adhered to. A real estate market for coastal land has appeared; concessions are granted to foreign tourism companies and combining concessions increasingly leads to land concentration. Privatisation of the public inalienable zone (the first 50 meters) due to a complicated historical land tenure situation or entry barriers to public beaches is another growing problem. Coastal communities with land use permits are claiming more secure land rights, but these have so far been denied.

Source: Van Noorloos, 2015

While the agricultural sector remains the industry with the highest water consumption, the water demand of the resort and residential tourism industry is inadequately recorded. La Voz de Guanacaste, a local online service for local residents and international visitors, maintains that the wells registered for human use in the province have a capacity to supply nearly nine times more than the daily water needed for every resident of the province (García & Segnini, 2014). Yet, in some places, there have been reports of increasing water scarcity and fierce competition between the tourism industry and the residential sector over water use, such as in district of Sardinal where the Playa Panamá aquifer has been salinised as a result of overexploitation by hotels, which left the local communities without water supply (Cañada, 2018). While the majority of Guanacaste residents still appear to have a largely positive view of the impact of tourism on their quality of life, this sentiment could rapidly change if the unbridled expansion of the resort and residential tourism sector continues.

Booming Residential Tourism Industry and Rising Squatter Communities in Mauritius

The Republic of Mauritius is located in the southern Indian Ocean 800 km to the east of Madagascar and belongs geographically to the African continent. As a small, subtropical island, it has a land area of nearly 2,000 km^2 and is surrounded and protected by coral reefs. With a population of close to 1.27 million (625 persons per km^2), it is one of the most densely populated countries in the world.

The island country was under successive Dutch, French and British colonial rule which had a profound impact on post-colonial land rights. Mauritius has only two types of land tenure systems: one is freehold (private) land and the other is leasehold (government) land which may be leased upon application to the Ministry of Housing and Land Development (Olima, 2010). Land has always been a very sensitive issue in Mauritius, since most land is owned by the descendants of slave owners (mostly Franco-Mauritian), who until recently were running most of the sugarcane farms and processing factories in the country (UN Habitat, 2012).

With the island country's appeal to high-end tourists, Mauritius has made a quick transition from an economy based on a single agricultural commodity (sugar cane) to a diversified and booming tourism industry, catering to both short-term tourists and – more recently – to the rising residential tourist market (Wortman et al., 2016). A focal point of residential tourism development is the Black River District, one of the country's poorest districts. Because of its scenic beauty, the district has attracted keen interest from real estate promoters looking for prime sites for the development of enclave resorts and gated residential tourist communities. The region has experienced one of the highest increases in property development projects in Mauritius whereby the number of housing units rose by 43 per cent during the short timespan from 2010 to 2012 (UN Habitat, 2012). Over the same period of time, foreign direct investment into real estate more than doubled across the island country, according to the Bank of Mauritius (2019). France, the UK and South Africa accounted for the largest contingents of foreign investors. A local real estate company boasts that the district capital Tamarin, formerly a sleepy

fishing village, was searched on their website more than 485,000 times in 2017 compared to 356,000 in 2016, signifying a rise of 40 per cent (Lexpressproperty, 2018).

Box 4.5. The Integrated Resort Scheme (IRS) in Mauritius

The Integrated Resort Scheme (IRS) is an initiative of the Government of Mauritius and the sugar industry, overseen by the Mauritian Board of Investment, which provides non-citizens with the opportunity to purchase residential or resort-based property on the island. Prior to 2002, foreigners were not permitted to purchase property in Mauritius. The IRS promotes the construction of exclusive resorts and spacious gated communities comprising luxury, fully serviced properties along with a variety of high-quality amenities and facilities, such as marinas, golf courses, and wellness centres.

As per the IRS guidelines, the residential properties are sold for a minimum price of US$ 500,000 plus a fixed land registry charge of US$ 70,000, which comes with a right to residency in Mauritius for as long as they foreigner owns the property. A particular feature of the IRS is that resort developers are required to conduct a social needs analysis and a social impacts assessment, and divert a specified amount of money (around US$6,600) towards approved social projects in a one-off payment. Yet, there have been very studies that have examined whether these social projects have a sustainable impact on communities.

Source: Sharpley & Naidoo, 2010

Besides upmarket hotels, several Integrated Resort Scheme projects (Box 4.5) have been developed in the Black River district. This recent development, combined with the multiplication of new residential areas for the Mauritian upper class, has profoundly changed the social and economic structure of the region, which is raising concerns among district councillors, particularly with regard to rising land prices and increased numbers of squatter settlements, as the following quote shows:

> While the numerous Integrated Resort Scheme (a government initiative to promote investment in resorts and upmarket residential properties) projects in Black River are improving their immediate environment, they are also creating a tremendous rise in the price of private property in the district. During the same period, Black River has also witnessed the establishment of quite a number of squatter settlements, with all the accompanying environmental constraints and difficulties. (Krishna Rutnee, Chairman, Black River District Council; quoted in UN Habitat, 2012, p. 6)

An academic study by Wortman et al. (2016) identified the following areas of concern in relation to the residential tourism boom in Mauritius:

(1) *increased property prices and subsequent displacement:* since the rapid development of Integrated Resort Scheme and new private commercial property projects in the district, the prices of properties in the region have skyrocketed, and the number of squatter settlements has grown steadily, as many locals and migrant workers have not been able to afford regular accommodation. A field survey by UN Habitat (2012) found that the Squatting Unit of the Ministry of Housing and Lands was planning to relocate most of the squatters, whereby those considered as illegal would simply be evicted

without provision of alternative housing. District councillors find it increasingly difficult to identify land for social housing and recreational projects for the citizens.

(2) ***alienation caused by overdevelopment:*** coastal and rural land is rapidly transforming into constructions sites for residential tourism development. Local residents expressed fear of overdevelopment and overcrowding, as huge shopping centres replace local markets and gated communities crowd out traditional clusters of family homes. While many Mauritians remain largely positive about the increased investment flows, better infrastructure and more facilities through residential tourism, the sustainability of the current tourism development model seems questionable (Wortman et al., 2012).

(3) ***alienation due to the foreignisation of space:*** the feeling that 'foreigners were taking over the island' was expressed by many respondents in Wortman et al.'s study. The fact that most foreign property buyers are Caucasian causes frustration among impoverished locals and conjures up feelings of exclusion and foreign domination in a country with a long history of slavery and oppression by colonisers. Some respondents mentioned how they were offended by how gated communities were advertised as being conveniently fenced off against the locals, intensifying the feeling of 'us versus them' (Wortman et al., 2016).

It seems paradoxical and cynical that the European Commission is supporting upgrade programmes for mushrooming squatter settlements in one of Africa's richest countries, while EU citizens continue to roam Mauritius' real estate market website to secure their own slice of paradise.

5. Tourism Expansion and Land Grabbing in Post-Disaster Contexts

Many studies have focused on the positive role of tourism following a major disaster event, such as a hurricane, an earthquake or a tsunami. It is commonly believed that tourism has the potential to revitalise disaster-stricken communities and contribute positively to the recovery process (Marshall, 2015). Yet, in many cases, rapid and unfettered tourism development in the aftermath of a catastrophic event may allow rogue investors to prey on the plight of disaster-affected people and turn the disaster into an economic opportunity for their own benefit. Such cases are discussed in the following sub-sections.

5.1 Disaster Capitalism in Tourist Destinations

The term 'disaster capitalism' (cf. Box 5.1) was coined by Klein (2007a), making reference to the reshaping of the post-disaster landscape by private investors – often in conjunction with governments, donors and financial institutions –, while masking their real economic agenda with a discourse of rehabilitation and 'building back better'. Disaster capitalism – particularly when exercised by the tourism industry – has the potential to ignite a host of conflicts over post-disaster recovery processes and access to natural resources.

> **Box 5.1.** Disaster Capitalism
>
> Schuller (2008: 20) defines 'disaster capitalism' as "[n]ational and transnational governmental institutions' instrumental use of catastrophe […] to promote and empower a range of neoliberal capitalist interests." It refers to the use of disasters and acute crises as opportunities for the private and public sectors to capitalise on temporary or permanent vulnerabilities and to push for policies and practices that are likely to be rejected in times of social and moral order (Klein, 2007b; Pyles et al., 2017).

One of the first reported cases of disaster capitalism occurred in the wake of Hurricane Mitch which lashed the Central American countries Honduras, Guatemala and Nicaragua in October 1998 and killed more than 9,000 people. Only two months after the disaster, the Honduran congress passed several laws to facilitate the privatisation of airports, seaports, highways and parts of the water sector (Klein, 2007b). Further extraordinary judicial measures opened up opportunities for the tourism sectors, such as (1) a decree that permitted foreign investors to buy coastal property in urban areas for tourism development and (2) provisions under the 1999 Tourism Incentive Law that waived the income tax over a period of 15 years for new tourism establishments and exempted them from paying taxes and any other duties on goods and equipment imports during their construction and start-up operations (Loperena, 2017; see also Section 3.3).

Disaster capitalism reached another level following the 2004 Indian Ocean Tsunami, which claimed the lives of more than 227,000 people in 14 countries and displaced around 2.5 million

people throughout the region. The Sri Lankan government imposed a no-building zone of 200 meters from the high-water mark in the eastern and northern parts of the island country, but exempted resorts from the buffer zone regulation (Klein, 2007b). This measure prevented about 30 per cent of the tsunami-affected population from returning to their land, while opening ample opportunities for investors in the tourism industry (Cohen, 2011). Without consulting local governments and planning authorities, the government declared arbitrary setback limits with no consideration of local topography, while exempting hotels from the ban on building directly at the shoreline (Mulligan & Shaw, 2007). This led to allegations that policy making had been captured by elite interests and that the true purpose of the setback limits was the relocation of poor fishing families and squatter communities from prime beach locations to make way for tourism development (ibid.).

In Arugam Bay on Sri Lanka's east coast, a swiftly drafted resource development plan with support from USAID, World Bank, and the Asian Development Bank was aimed at transforming the coastal township into a high-end boutique tourism destination, much to the delight of hotel owners and investors who had previously been in conflict with local fishing families over the use of coastal resources (Klein, 2007b). More recently, some areas around Arugam Bay have piqued the interest of the economic arm of Sri Lanka's military forces (cf. Section 6.2).

Another country that was heavily impacted by the 2004 Indian Ocean Earthquake and Tsunami is Thailand. The following subsection discusses conflicts over access to land and other resources that affected indigenous communities along the kingdom's Andaman coast, facing the Indian Ocean. Another form of disaster capitalism is then examined drawing on the case of Sicogon Island in the Philippines, where a major land grab occurred following super typhoon Haiyan in November 2013.

5.2 Post-Tsunami Dispossession of Indigenous Seafaring People in Phang Nga and Phuket, Southern Thailand

Thailand's Andaman coast is home to three distinctive yet inter-related indigenous communities known collectively as *chao leh*, or sea people. The Moken, Moklen and Urak Lawoi who comprise the *chao leh* communities have a combined population of around 7,000 in Thailand. Until recently, they were seafaring communities with cultural identities and subsistence practices rooted in their nearby marine and coastal resources. Nearly all *chao leh* communities in Thailand were severely impacted by the 2004 Indian Ocean Earthquake and Tsunami which killed several thousand local residents and foreign tourists in the provinces Phang Nga, Phuket and Krabi. In the aftermath of the tsunami, the *chao leh* were confronted with a new brand of disaster capitalism, orchestrated by powerful public and private actors. The following subsections are based on the author's long-term research into the struggle of the *chao leh* against dispossession and displacement (Neef et al., 2018). Figure 5.1 shows the study sites and Box 5.1 presents a brief overview of the two indigenous communities.

Surin Islands
(Moken)

Rawai Beach
(Urak Lawoi)
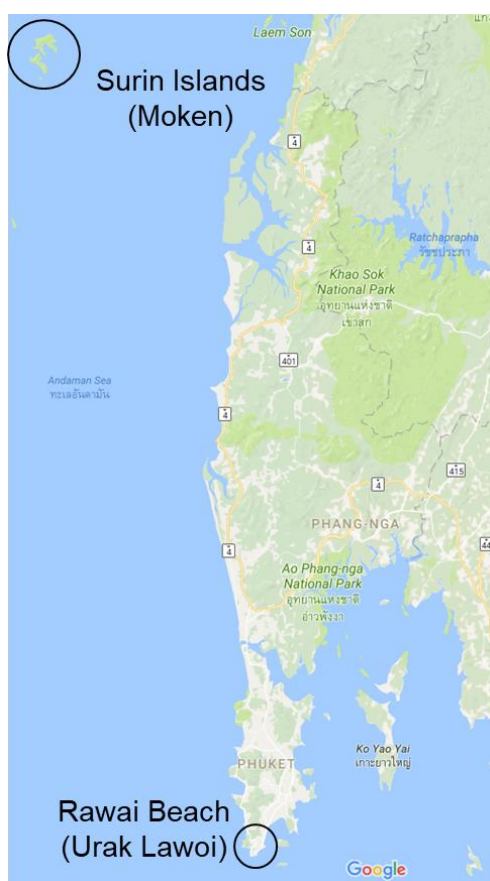
Figure 5.1. Map of the case study locations in Thailand

Source: Author, based on Google Maps

Box 5.2. Indigenous communities of the Andaman Coast, southern Thailand, in the aftermath of the 2004 Indian Ocean Tsunami

Moken
The Moken, who are the most 'mobile' of the *chao leh* communities, have used the islands of Koh Surin as their temporary settlements between sea travels for centuries. Their seasonal migration around Koh Surin had them classed as stateless and thus under the watchful eye of authorities who became even more vigilant of them when the islands collectively became a national park in 1981. Although the tsunami destroyed their entire settlement, the Moken were able to draw on traditional knowledge which warned them of the imminent natural disaster and saved all but one member of their community.

Urak Lawoi
Further south in Baan Rawai reside the Urak Lawoi. Unlike the Moken, Urak Lawoi communities have a longer history of living in 'semi-permanent settlement' along the coast. Given their location at the southern tip of Phuket Island, they were the least prone to the tsunami's ferocity. Though their customary land rights have never been formally acknowledged in the region, the Urak Lawoi have a long history in Baan Rawai dating back to at least the late 19th century.

The Moken and Post-Disaster Tourism in the Surin Islands Marine National Park

The Moken's informal residential rights have long been signified on Koh Surin by the presence of cultural artefacts predating the conversion of the islands to a national park. Near their settlements and cemetery grounds the Moken would erect *lobong*, or spirit poles, to demarcate both cultural and geographical space and held annual ceremonies to instil their spiritual significance (Photo 5.1). Although *lobong* were appropriated by the national park and commandeered as the park's symbol, the ceremonies were still respected and permitted by park authorities.

Following the tsunami, the relationship dynamic between the Moken and the park authorities changed dramatically. Post-tsunami recovery encouraged an inundation of tourism to Koh Surin, consequently causing authorities to tighten regulations over the Moken's settlements and drastically reduce their access to forest, coastal and marine resources. Under these new regulations the Moken were legally confined to a singular location in northern Koh Surin and denied of their migration practices. By demobilising the highly nomadic community they began to face issues of increased resource use and slower resource regeneration, and a concentration

of demand for employment. Post-tsunami relief attempted to address the latter issue by monopolising on the distinctive cultural element that the Moken had to offer tourism on Koh Surin. By commodifying the cultural practices and beliefs of the Moken, tourism development essentially turned the settlement into a human zoo, appropriating the profitable parts of their culture and heavily restricting their customary livelihood practices.

Photo 5.1. Moken spirit pole (*lobong*) on Koh Surin
Source: Author

Photo 5.2. Moken villagers on Koh Surin selling souvenirs to tourists
Source: Author

With strict legal regulations over resource use within the national park, the employment opportunities have drastically decreased for the Moken. Prohibited from felling trees for boat building or collecting sea-snails, the only options left for them are selling souvenirs (Photo 5.2) or working for the park – either instance forcing them into a dependency on seasonal tourist streams and the appropriation of their culture in order to make a living.

Recognising Customary Land Rights of the Urak Lawoi in Baan Rawai

The Urak Lawoi community present a very distinctive case from the previous one in both the impact they sustained from the tsunami and their capacity to respond to tourism development in their territory. Despite not being strongly impacted by the 2004 Indian Ocean tsunami, the Urak Lawoi still became the victims of a series of land grabbing attempts made against them by both local elites and external investors. In contrast to most *chao leh* communities in Phang Nga though, the Urak Lawoi were able to somewhat successfully exercise resistance against these land grabs. The rights over their territory are largely divided between two major parties with the western area being the interest of three local Thai business (wo)men, and the eastern that of a large tourism developer (Figure 5.2). Deprived of their customary ownership rights, the Urak Lawoi have been forced to concentrate their entire village of 2,000 people across little more than 250 houses resulting in extreme slum-like conditions.

Figure 5.2. Map of the disputed sites in Baan Rawai

Note: The boundaries of the disputed land plots are approximate and not meant to be interpreted or used in any legal sense.

Source: Author, based on Google Earth, satellite photo dated 16 April 2017, and on information gathered by Chumchonthai Foundation and Thailand's Department of Special Investigation (DSI)

In spite of their already marginal living conditions their situation was worsened when the three local business (wo)men began to assert their ownership in the eastern part of their territory and sue villagers for refusing to leave the area. To this end a total of 30 lawsuits have been filed which have impacted the lives of at least 121 villagers. Since 2017 however, this impact has not been as detrimental as originally feared on account of the following evidence that irrefutably proved the customary land rights of the Urak Lawoi over the territory:

- Human remains were discovered in an area being excavated for development that were forensically identified by the Thai Department of Special Investigation as an ancestor of members of their community. The remains were accompanied by items that were used in traditional burial ceremonies, further supporting their claims of customary occupation.
- School records and ID cards of Urak Lawoi proved their attendance of local schools and community life with some ID cards formally recognising their occupation since at least the late 19th century.

Given the insurmountable evidence six of the lawsuits have already been dropped and it is anticipated that the remainder will similarly be ruled in their favour. Yet, unfortunately for the Urak Lawoi, the recognition of their customary land rights has not been as easily recognised in the eastern part of their territory with a wealthy tourism developer (hereafter referred to as the "Company") claiming to have had legal right to the lands since 1965. The land in question is a

public land area that lies adjacent to their residential area and is intended to be developed into luxury beach villas through a total investment of about US$18.5 million.

The first claim the company made to the land was in 2015 when they illegally erected a seawall to bar villagers from accessing the beach and destroyed a local waterway, a village boat dock, and a spiritual shrine in the process. Although ordered by the Marine Department to be demolished, the order was undermined by the Deputy Governor of Phuket Province. Left without any support, villagers chose to remove the seawall themselves and rebuild their ceremonial shrine in its original location (Photo 5.3).

In 2016, the Company had two violent confrontations with Urak Lawoi villagers (Photo 5.4) disputing this same area of land, which eventually forced state agencies to intervene and protect the rights of the Urak Lawoi. Mediation processes attempted to remedy the conflict by offering villagers a nearby site for their ceremonial shrine and activities instead. The offer was refused and compelled community representatives to deliver a petition to the Minister of Justice, urging him to investigate the land attacks against them. On their part, the company filed a number of lawsuits against the community, most notably for illegal occupation of their territories, and for 31 million Thai Baht worth of damages. Every such case has been ruled in favour of the Urak Lawoi and upheld their rights to occupy their customary lands.

Photo 5.3. The shrine of Baan Rawai villagers

Source: Author

Photo 5.4. Boulders placed by company workers to block villagers' access to their ceremonial area

Source: Author

Similar to the previous case in the east of their territory, the forensic findings, old student records, and community ID's, all supported their claim to have settled in this area decades prior to the company receiving the official land title from the government. What made their case particularly compelling though were photographs and video recordings that had documented the late King Bhumibol Adulyadej visiting their very well-established village in 1959. As the kingdom was still mourning the loss of their revered King, his former support of the community had a monumental impact on the court rulings.

The legal recognition that the Urak Lawoi have achieved is but one improvement to the range of social determinants that negatively impact their health and wellbeing. Without decent economic opportunities and healthy living conditions their socio-economic and cultural situations are still far from improved.

5.3 Corporate Land Grabs on Sicogon Island in the Wake of Typhoon Haiyan (Philippines)

In November 2013, super typhoon Haiyan (known in the Philippines as 'Yolanda') struck around 117 coastal cities and municipalities in 14 provinces and six regions across the Philippines. The typhoon – one of the strongest ever recorded – killed at least 6,300 people, made more than 900,000 families homeless and displaced about 205,000 families from their land. It had a devastating impact on the survivors' livelihoods and the coastal environment, where coral reef areas and mangroves were destroyed (Calvan, 2015).

After the typhoon, then President Benigno Aquino III declared a no-building zone policy of 40 meters along the coastal zones of the country, including where people used to live. This triggered confusion and anger among local governments, civil society groups, and communities affected by typhoon Haiyan who wanted to return to their land (Manahan, 2017). Yet, the government could argue in terms of legal requirements, since Section 108 of the Philippine Fisheries Code of 1998 mandates the Department of Agriculture (DA) through the Bureau of Fisheries and Aquatic Resources (BFAR) to provide "safe and secure settlements" for fishing families near their fishing grounds. The government projected that nearly 25,000 ha of land were needed to accommodate displaced families and that the costs of resettlement would amount to more than US$1.7 billion (Calvan, 2015).

Since the reconstruction costs were deemed too high for the national government to shoulder them alone, it entered into a unique public-private partnership to support recovery efforts in the aftermath of the typhoon. For the first time in the history of the Philippines, it asked 20 corporations to spearhead post-disaster rehabilitation, giving them the opportunity to choose which islands they wanted to 'adopt' and rebuild (Ambrose & Majeed, 2018). Ayala Corporation, the oldest and largest business conglomerate in the Philippines with a market capitalisation of US$11.5 billion (as of June 2018), strategically chose the island of Sicogon. The clean slate left by the disaster in combination with government-imposed no-dwelling zones and legal provisions for relocation of communities to 'safe zones' provided a convenient opportunity for the company to grab formerly occupied land under the pretext of providing relief efforts and improving human security (Uson, 2017).

The small island of Sicogon is located in the central province of Iloilo and home to about 1,100 families who engage in artisanal fishing and backyard farming. A local elite family holds the ownership rights to 70 per cent of the island under the corporate acronym SIDECO and decided to engage in a strategic partnership with Ayala Corporation (Uson, 2017). The extremely

uneven land tenure system on the island is typical for many parts of the country, where the concentration of land ownership in the hands of a few influential families (known as the 'landed elite') has its roots in the colonial regimes of the Spanish and Americans (cf. section 3.1). The remaining 30 per cent of the island are public and forest land held by the state (Uson, 2015).

About 20 years before typhoon Haiyan ravaged the island, 335 hectares of land (about 40 per cent of the landowning family's land) had been earmarked for land distribution to about 250 local families under the Comprehensive Agrarian Reform Program (CARP) (Mahanan et al., 2015; Uson, 2017). CARP is one of two major 'pro-poor' land policy programmes in the Philippines, alongside the Indigenous People's Rights Act (IPRA) (see Box 3.1 in Chapter 3). The planned land redistribution under CARP was strongly opposed by the landowning family which used its connections to state officials and local business councils and referred to the alleged 'unproductivity of the agricultural sector' to make a case for excluding the island from CARP (Uson, 2015). Yet, despite the landowners' resistance and strong support from the then Minister of Tourism, the regional director of the Department of Agrarian Reform (DAR) issued a Notice of Coverage in July 2009, confirming that the 335 ha would be placed under CARP (Conserva, 2014; Uson, 2017).

The Ayala-SIDECO alliance used the desperate situation of the Sicogon residents for their perfidious plan to rid the island of its inhabitants and free its shores for their tourism development plans. A week after the typhoon, Ayala-SIDECO offered two options to the disaster-affected people: the first option was a PHP 150,000 (about US$ 3,200) cash payout if they would leave the island to a destination of their own choice; the second option was free housing, water and electricity provided by the corporate alliance on the mainland (Mahanan, 2017). Only if they accepted either of the two options, they would be allowed to receive disaster relief goods (Uson, 2017).

In return for accepting one of the two offers, the 'beneficiaries' had to sign a far-reaching agreement that contained the following:
　　(1) they acknowledge that the family firm is the registered owner of the 809 ha;
　　(2) they confirm that they have no right to stay on Sicogon island;
　　(3) they waive their rights to their land and all their cases against the landowner;
　　(4) they promise to destroy their house and permanently leave the island;
　　(5) they acknowledge that the market payoffs are the landowner's humanitarian support to their family;
　　(6) they withdraw their CARP application; and
　　(7) they confirm that they signed on their own volition and would not reclaim ownership of its property on the island (Uson, 2017: 423).

The majority of the Sicogon residents – most of whom were not eligible to receive land titles under CARP – accepted the offer out of desperation. Those who decided to stay and fight on faced harassment and encroachment by the corporate alliance's security guards and anti-reform government actors (Uson, 2017). Additional pressure was exerted by the no-dwelling zone

policy imposed by the government. Having no other alternatives, more than 200 remaining Sicogon families decided to settle in a portion of a 282-hectare public forest land area.

Five months after Typhoon Haiyan struck, a local resident and president of the Federation of Sicogon Island Farmers and Fisherfolk Association (FESIFFA) was quoted in an NGO report saying:

> "Up to today, we are still being forcibly prevented by SIDECO's private security guards from rebuilding houses that we, our families and other agrarian reform beneficiaries have been living in for decades. This is not helped at all by the no-dwelling zone policy of the government, which practically rendered more than 1,000 families homeless. […] With no options left to rebuild our communities, we are being forced by the government and by SIDECO to occupy public forest lands as a resettlement site, even without support and approval from official authorities. Because government agencies have systematically failed to protect our rights in the face of SIDECO's post-Yolanda land-grabbing efforts, we have nowhere else left to go" (Focus on the Global South, 2014).

After a one-year impasse, FESIFFA entered into a compromise agreement with Ayala-SIDECO in November 2014, with strong support from civil society groups. The Compromise Framework Agreement (CFA) provided that Ayala-SIDECO would prioritise local residents in employment for work in the resort and provide 30 hectares of land for residential area, 40 hectares of land for conventional farming, a livelihood support and capacity building fund of about US$846,000 and a US$1.7 million land development fund (Laiko, 2018).

However, none of the land reforms that were agreed upon in the CFA have been delivered yet, which has motivated FESIFFA to resume its advocacy work for their land rights. In April 2017, leaders went to the capital and organised a camp-out in front of the Department of Environment and Natural Resources (Manahan, 2017). Meanwhile, in August 2017, Ayala Hotels and Resorts Corporation – a subsidiary of Ayala Corporation – entered into a memorandum of agreement with SIDECO and an individual to develop Sicogon Island into a new leisure destination and bought land on the island at the price of US$ 6.2 million from SIDECO in September 2017 (Ayala Corporation, 2018). In the same month, the chairman and CEO of Ayala Corporation Jaime Augusto Zobel de Ayala was honoured by the United Nations as a 'pioneer of sustainable development'. At the occasion of receiving the award, he was quoted saying "I believe that now, more than ever, a deeper engagement with society is indispensable to the survival and success of private enterprises. From both a practical and moral standpoint, businesses cannot thrive in an environment rife with economic inequity" (Schnabel, 2017).

Meanwhile, the economic and social inequities on Sicogon Island continued. In December 2018, around 40 Sicogon farmers and fisherfolks held another camp-out in front of the Department of Agrarian Reform Central Office as part of their "Reclaiming the land, water and livelihood rights of Yolanda survivors in Sicogon Island" campaign and demanded the Issuance of a Cease and Desist Order (CDO) to stop the on-going construction of tourist facilities in the area as well as the reinstatement of land coverage under CARP (Laiko, 2018).

Chapter 6. Tourism in Conflict Zones and Post-Conflict Contexts

The notion that tourism, militarism and conflict can go hand in hand seems very far-fetched to most tourists. Yet, more recently, there have been a number of studies that look into tourism's controversial entanglements with war, conflict and militarism (Weaver, 2011; Lisle, 2016). War zones have often produced a particularly problematic brand of tourism, especially in tourist enclaves prepared exclusively for soldiers during their 'rest & recreation' phases, such as Thailand's Pattaya beach area for the US military during the Vietnam war (cf. Lisle, 2016). Today, the Thai military holds several properties across the kingdom that are used as recreation facilities for its armed forces and their relatives. In neighbouring Myanmar (formerly Burma), prior to the recent transition phase to a semi-civil government, the military owned or controlled the majority of tourism facilities in the country.

While tourism has a potential role to play in rehabilitating areas devastated by genocide, war, and other types of armed conflict, in many cases the military – aiming to sustain its economic interests and keeping its soldiers busy in more peaceful times – has played a much more controversial part, including the forceful taking of land from former adversaries in civil conflicts. This phenomenon will be more closely examined hereafter for the cases of post-conflict Sri Lanka and Bangladesh. The final case looks into the contentious role of tourism in the on-going Israeli-Palestinian conflict.

6.1 Military-Controlled Tourism Industry in Post-Conflict Sri Lanka

Celebrating 70 years of independence from the British Empire, Sri Lanka has been named Lonely Planet's top destination for 2019. According to the travel advisor's website its "endless beaches, timeless ruins, welcoming people, oodles of elephants, rolling surf, cheap prices, fun trains, famous tea and flavourful food make Sri Lanka irresistible" (Lonely Planet, 2019). There is no mention of the 2004 Indian Ocean Tsunami that devastated the southeastern parts of the island country nor of the horrors of the 26-year civil war between the Sinhalese majority and the Liberation Tigers of Tamil Eelam (LTTE) that came to an end in 2009. Yet, since the defeat of the LTTE, its former strongholds in the northern and eastern provinces have remained heavily militarised. Around three-fourths of Sri Lanka's 200,000 armed forces remain stationed in the northern province, where they build Buddhist temples and schools and operate the largest hotels and golf courses in the Jaffna area, often on land confiscated during or after the civil war (Draper, 2016).

According to the Sri Lanka Campaign for Peace and Justice (SLCPJ, 2019), many tourism companies in Sri Lanka are linked with individuals and organisations implicated in war crimes or serious human rights violations, while others are deemed problematic because they have been involved in the white-washing of human rights abuses. The northeastern sites of the final stages of the civil war have been transformed into places of triumphalism through the construction of military monuments as symbols of domination, often associated with eviction and repression

of the defeated Tamil minority population (Seoighe, 2016). It is alleged that "many of these monuments and information centres present a grossly distorted picture of the war; downplaying the scale of civilian casualties, neglecting to mention allegations of atrocity crimes, and promoting the military's favoured narrative of the final offensive as a 'humanitarian rescue operation'" (SLCPJ, 2019).

The Sri Lankan military owns a wide range of tourist facilities and launched its own resort brand, Laya (a Sanskrit word meaning 'rest and repose'), in 2012 (Seoighe, 2016). The Sri Lankan Navy offers whale watching tours and runs ferry services, while the Sri Lankan Air Force owns a commercial airline – Helitours – which according to its own website – "is the prime domestic airline operating in Sri Lanka connecting all the air fields within the country" and "stands as a dominant player in promoting the tourism in the country". Many resorts, hotels, restaurants and memorial sites were built on land that was forcefully taken from its previous owners. Hence, the 'corporate military' in Sri Lanka use the booming tourism sector in the country to provide employment opportunities for its oversized forces and thereby controls a major share of the country's economy, while dispossessing many Tamil citizens, cutting off their livelihood resources and systematically trying to erase their culture and collective memory (Seoighe, 2016).

A notorious and widely reported case of tourism-related land grabbing involving the Sri Lankan armed forces continues to unfold in the southeastern part of the country. 'Lagoon Cabanas' is a luxury resort in Panama, a small town with a surfing beach just south of Arugam Bay. It is part of the 'Malima' chain, which is owned by the Sri Lankan Navy. 'Lagoon Cabanas' is part of a wider tourism development programme in the area which, according to a report by the UK-based NGO Oxfam and records of the UN Refugee Agency (UNHCR) and Human Rights Watch, has seen the forced relocation of over 350 families from their homes without proper compensation (Piyadasa, 2016; Ratnayake & Hapugoda, 2017). In July 2010, one year after the official end of the civil war – masked and heavily armed men wielding weapons began attacking the villages and expelled the local residents (Perera, 2010). Following this incident, the land was confiscated by the army. Several residents who complained about the confiscation to a People's Tribunal in Colombo were subsequently threatened by the police. Many have continued their fight for justice while living in displacement camps and temporary shelters (International Tribunal on Evictions, 2017).

A guide to ethical tourism in Sri Lanka, published by the Sri Lanka Campaign for Peace & Justice (SLCPJ) in October 2018, lists 21 hotels and resorts, four restaurants, three golf courses, two whale watching tours, two airlines, one ferry service, one diving centre, and one nature reserve that are all owned by the Sri Lankan military (SLCPJ, 2018). A continuously updated website provides potential travellers with information about which tourism companies and facilities they should avoid if they want to make sure that their holiday does not benefit human rights abusers. Cases have also been examined and reported by Sri Lanka's National Fisheries Solidarity Movement (NAFSO) and the Sri Lanka Nature Group (2013) as well as the Swiss-based Society for Threatened Peoples (2015).

All studies are unanimous in their conclusion that the ongoing securitisation, militarisation and 'Sinhalisation' in the disguise of a booming tourism industry in Sri Lanka's northern and eastern provinces risks undermining the prospects of lasting peace in the country. Unless confiscated lands are returned to their rightful owners and local residents can benefit more substantively from the tourism sector and other economic activities, community resentments against the various branches of government are not likely to abate.

6.2 Military Securitisation of Domestic Tourism in the Chittagong Hill Tracts of Bangladesh

The Chittagong Hill Tracts (CHT) – which obtained their name under British colonial rule in 1860 – are a region in the southeastern corner of Bangladesh, inhabited by the indigenous Jumma people, which comprise several sub-groups, such as the Chakma, Mro and Marma. The Jumma have a long history of resistance against external forces, dating back to colonial times. In 1997, a twenty-year long armed conflict between the Government of Bangladesh and the United People's Party of the Chittagong Hill Tracts and its armed wing, the Shanti Bahini, over the issue of autonomy and land rights of the Jumma people finally came to an end. During this long civil conflict, the Bangladesh military had burned homes of the Jumma, carried out mass killings and strategically placed hundreds of thousands of Bengali settlers on Jumma land near their military bases (IWGIA, 2012; Ahmed, 2017). This strategy changed the demography of the CHT; where the Jumma people made up 98 per cent of the population in 1947, their share had dropped to 51 per cent in 1991 (Mohsin, 1997, cited in Ahmed, 2017).

Twenty years after the 1997 Peace Accord, the Government of Bangladesh announced 2016 as the "Tourism Year" and started a three-year promotional campaign for tourism, including in the CHT which has become a popular destination for domestic tourists (Ahmed, 2017). Under the Bangladesh Army Welfare Trust the military maintains a fair share of the tourism industry, owning Radisson Hotels in the capital Dhaka and the port city of Chittagong along with deluxe golf courses. It also holds a range of tourism facilities in the CHT. It is therefore not surprising that the military has not reduced its presence in CHT despite the Peace Accord, which promised to demilitarise the region (Ahmed, 2017). According to the IWGIA (2012), one third of the country's armed forces remained in CHT, despite its low population density. The military hence plays a dual function of running a major portion of the tourism sector in the CHT as well as securitising the region for visitors from other parts of the country. When middle-class Bengalis visit the area as tourists, their major concern is their own safety, hence they gladly accept a high level of securitisation by the military and the associated narrative of preserving Bangladesh's sovereignty and border security (Ahmed, 2017).

According to Jumma advocacy organisations, at least 688 ha of land have been allocated to build tourist resorts, resulting in the eviction of more than 700 Jumma families from 26 villages (Chakma & Chakma, 2015, cited in Ahmed, 2017). The process of forced land acquisition involves powerful developers with links to state authorities asking the District Commissioner

to declare the land as 'Khas' which means 'state-owned' (Adnan & Dastidar 2011, p. 141). The 'Khas' status renders occupancy by indigenous people illegal and frees the land for acquisition under private property laws (Chakma, 2017). Cultural erasure is also present, as local names for important places are changed into Bengali terms (Ahmed, 2017). One example of tourism development that has involved dispossession, eviction and other human rights violations is the Nilgiri Resort in the Bandarban Hill District. This is a luxury tourist resort on a mountain hilltop established and run by the Bangladesh military (IWGIA 2012). This development entailed the forceful displacement of about 200 Mro and Marma families by the military, which destroyed villagers' orchards that were their main livelihood source as well as several shops and a school (Chakma, 2017; Ahmed, 2017). Another military-run tourism facility is the nearby Nilachar Lodge, four kilometers from Bandarban town (IWGIA, 2012).

Ironically, an important source of capital for the business wing of the Bangladesh military, which runs the extensive tourism facilities, are funds earned from its UN peacekeeping missions (IWGIA, 2012). The World Bank is also playing its part through a proposed US$360 million sub-regional connectivity project between India, Nepal, Bhutan and Bangladesh (World Bank, 2016). The Ministry for CHT Affairs (MOCHTA) which was established through a provision under the CHT Accord with a mandate of implementing the Accord has become more involved in promoting tourism and cultural aspects related to the CHT and engaging in joint ventures with the Ministry of Civil Aviation and Tourism (Ahmed, 2017). Future plans are to attract more foreign tourists to the CHT, who thus far have been deterred by the various travel warnings that are in place due to the tense security situation.

The majority of Jumma people do not benefit from this military-led tourism development, as expressed by the following statement of a Jumma student activist:

> "You don't need a gun to kill me. […] You can kill me just through doing your form of 'development'. […] The kind of development you are doing through tourism has evicted Jumma people from their land. […] We want an end to this process. For us, each of the tourist spot [*sic*] is a weapon against us." (cited in Ahmed, 2017: 121).

To resolve the numerous cases of land disputes in the Chittagong Hill Tracts, the CHT Land Dispute Resolution Commission Act was promulgated in 2001, with further amendments by the government in October 2016. By the end of 2017, the reconstituted land commission had received more than 22,800 complaints, but has yet to solve any of the land conflicts due to a lack of human and material resources and the absence of any supplementary rules to the Act that would guide its implementation (Chakma, 2018). Meanwhile, in 2017, a total of 141 indigenous human rights defenders and indigenous villagers were reportedly arrested or detained by government forces (Kapaeeng Foundation, 2018).

In some cases, resistance by local people against destructive tourism developments have been successful, particularly when organised with the help of civil society groups in CHT and the capital Dhaka. Ahmed (2017) reports the case of the Alutila Special Tourism Zone which the Bangladesh Economic Zone Authority (BEZA) under the Prime Minister's Office had planned

on about 283 hectares of land in Khagrachari district. Although the government marked it as 'khas' (state) land, the area has been inhabited by more than 500 indigenous families in 21 villages for generations, which would have faced eviction (New Age, 2016). The families joined forces with two Jumma political groups and activist networks in Dhaka to protest the government's plan, which was eventually cancelled by MOCHTA in October 2016 (The Daily Star, 2016). Nevertheless, the indigenous people of the CHT continue to live in constant fear of eviction from their homes and ancestral lands.

6.3 Touristification and Displacement amidst the Israeli-Palestinian Conflict

Following the six-day Arab-Israeli war in June 1967 Israel annexed East Jerusalem, which had been under Jordanian rule, together with an additional 60 km^2 of land in surrounding areas of the West Bank (henceforth "East Jerusalem"). The annexation significantly expanded the municipal borders of the city. Most of the confiscated land had previously been under private Palestinian ownership but Israel froze the land regularisation and registration processes in East Jerusalem and the West Bank which had been established under Jordanian rule (Ir-Amim, 2015). This freeze related solely to non-Jewish property owners; in the new neighborhoods built on confiscated land, the registration of land in the name of the new (Jewish) owners was implemented in full. As of 2015, approximately one-half of the land in East Jerusalem was not registered in any form (Ir-Amim, 2015), and Palestinian residents face various challenges regarding their rights to residence and construction of homes (see Box 6.1). This legal situation provides the backdrop for a long-standing conflict between tourism, heritage, settlement and land rights in the village of Silwan.

The village of Silwan has a population of about 40,000 Palestinians and is located only a few hundred metres from the walls of Jerusalem's Old City and the Temple Mount (known among Muslims as Haram al-Sharif). Residents of the Al-Bustan neighbourhood have been involved in a decades-long struggle that began in the 1970s with the Israeli government's plan of building a national park in the area (Ma'an, 2017). Since 1997 – when the area was designated as an "open public area" (despite a proliferation of private housing) – no building permits have been issued in Al-Bustan (Ir-Amim, 2012).

The municipality began issuing demolition orders and indictments to Palestinian households in al-Bustan in 2005 as part of the Israeli authorities' plan to establish an archaeological touristic park called "The King's Valley" in Silwan and around the "Holy Basin," which includes several Christian and Muslim holy sites (Ir-Amim, 2012; Ma'an, 2017). The first two homes in Al-Bustan were destroyed later that year (Gadzo, 2017). Yet the planned evictions of some 100 Palestinian families met international criticism which contributed to temporarily stalling the process (Ma'an, 2017). An alternative plan for the neighbourhood developed by the residents of Al-Bustan with the help of local architects and planners was rejected by the District Committee in 2009 (Ir-Amim, 2012).

In the same year, the Jerusalem Municipality announced a plan to demolish 88 homes in Al-Bustan, which would have resulted in the displacement of some 1,500 residents (Ma'an, 2017). The plan was lobbied by the controversial settler organisation Elad (a Hebrew acronym for: "To the City of David") which in the 1990s was mandated to manage the City of David's national park and lead archaeological excavations in the "Holy Basin" (Ir-Amim, 2012). Subsequently, they started to pursue their self-proclaimed goal of taking control of Silwan, considered an important historical site, and strengthen its Jewish character (Freedman, 2008; Landy, 2017). After the residents' appeals to the relocation plan were rejected, the Jerusalem Municipality proposed that they voluntarily move to another Palestinian neighborhood of Beit Hanina, in northern East Jerusalem, but the residents refused (Ma'an, 2017).

In early 2010, the municipality unveiled a new plan for a "King's Garden" in Al-Bustan, which designated the neighbourhood as a mixed tourism-housing area, whereby 22 residential properties would be evicted, while other parts would be developed into hotels, restaurants, art shops and a park area (Ma'an, 2017; Gadzo, 2017). Despite allegations by NGOs and residents that 56 buildings – rather than 22 – were slated for demolition, the plan was subsequently approved by the planning authorities (Ir-Amim, 2012).

Since then, Israeli forces have regularly raided the Al-Bustan neighbourhoods and issued various demolition orders to residents (Ma'an, 2017). According to Ir-Amim (2012), a range of strategies have been employed to transfer ownership of properties in Silwan, including:
- "seizure of houses declared to be "absentee property" (based on a broad interpretation of the absentee property law generally opposed by attorneys in the past);

- the transfer of properties claimed to have been owned by Jews before 1948;
- purchase of properties in convoluted transactions; and
- the massive transfer of public properties and land to the exclusive control of Elad with no proper or transparent administrative process" (pp. 14-15).

At the end of 2011, the planning authorities recommended additional building projects in Silwan involving Elad, namely a visitor centre, a museum and additional excavation sites (Ir-Amim, 2012). In 2015, Elad together with the Israel Nature and Parks Authority began to close off large areas of the archaeological park with fences and gates, making it impossible for Silwan residents to enter the area after 5pm and on weekends and holidays (Hasson, 2017). In November 2017, Israel's High Court of Justice ruled that the authorities and Elad must first find alternative areas for the Palestinian residents, before denying passage into and through the enclosed sites (ibid). One month earlier, international media reported that eleven homes had already been destroyed to make way for the park since the first demolitions in 2005 (Gadzo, 2017).

Israeli authorities and Elad ensure that tourist experiences in the City of David area are not 'disturbed' by Palestinian residents. While previously tour groups visiting the archaeological sites had to return to the Old City through the Wadi Hilweh Street (a Palestinian residential zone), Elad has recently built an alternative uphill walkway that passes through well-maintained settler Jewish homes (Landy, 2017). Underground tunnels are also excavated to guarantee a 'Palestinian-free' passage, which in several cases have shaken the foundations of Palestinian houses and caused some of them to collapse (Miller, 2013; Terrestrial Jerusalem, 2018).

The village of Silwan is not the only battleground on which Palestinian residents clash with expansionist tourism and settlement plans of Jewish Israelis. Sheikh Jarrah is another contentious Palestinian neighbourhood in East Jerusalem, which is culturally and touristically significant because of its proximity to the tomb of Simeon the Just, a Jewish High Priest during the time of the Second Temple. In the early 1970s, Israel's Custodian General re-allocated the properties to two Jewish trusts, thereby forcing the Palestinian residents who had earlier been promised ownership to pay rent to Israeli landlords instead (Miller, 2013).

According to human rights group B'Tselem, Israel plans to develop eight 'national parks' that overlap with Palestinian neighbourhoods in East Jerusalem, most of them in proximity of the Old City walls (Gadzo, 2017). Hence, it seems obvious that the planning of archaeological parks and tourism facilities by the Jerusalem Municipality in collusion with right-wing settler organisations such as Elad does not only serve to protect cultural heritage assets but pursues the broader political goal of limiting the development of the Palestinian population, appropriating their land and bolstering Israeli occupation.

This goal is also reflected in the production of promotional tourism material. A critical and self-reflective exhibition "Welcome to Jerusalem" in the Jewish Museum in Berlin, Germany, in December 2018 showed a former city map of Jerusalem that had been produced by Israel's

Ministry of Tourism in 2016 (Photo 6.1). The 57 touristic sites depicted in the map include only one Muslim and five Christian places of interest. The area to the east of the Old City Wall is presented as an uninhabited, lush green hillside area, despite being a densely populated area, including the village of Silwan. The Israeli opposition criticised the map as a deliberate show of disrespect toward Palestinian, Muslim and Christian Jerusalem. A massive protest by churches and Palestinian organisations led to the publication of a revised edition (Photo 6.2).

Photo 6.1. Map of Old City of Jerusalem (produced in 2016)
Source: Taken on location by the author

Photo 6.2. Map of Old City of Jerusalem (revised edition)
Source: Taken on location by the author

In 2017, Israel's Minister of Tourism had to defend government plans to bar tour operators from taking visitors to Palestinian areas of the West Bank. The Jerusalem Post quoted him saying:

> "We are not preventing anything. But, of course, we give incentives and encourage those who sell Israel, not those who sell other products. […] We're responsible for bringing tourists to Israel, not to other places. And I do believe that the overall tourist experience for people staying in Israel is much better regarding every aspect, from nightlife to the quality of service to the personal security." (Schindler, 2017)

In sum, the Israeli authorities not only annexed significant archaeological sites and monuments and encroached on Palestinian cultural heritage in the name of tourism, thereby depriving Palestinians of potential benefits from foreign visitors (cf. Kassis, 2013). They have also instrumentalised international and domestic tourism to erase Palestinian presence at these sites, while presenting Israel as the sole guarantor of an authentic and secure visiting experience.

Chapter 7. Wildlife Tourism, Conservation and Green Grabbing

The world's 100,000 parks, or protected areas, cover 13% of the land surface of our planet. Commonly subsumed under the term "protected areas" are "all national parks, game reserves, national monuments, forest reserves and the myriad other places and spaces for which states provide special protection from human interference" (Brockington et al., 2008, p. 1). These parks have created leisure opportunities for hundreds of million tourists annually. Different forms of eco-tourism, adventure tourism and wildlife tourism have been proposed to serve as a central source of revenue to maintain protected areas and sustain wildlife conservation efforts. Yet most tourists seem completely unaware of the paradox of contained 'wilderness', managed nature, and wild animals subjected to human rules. Historically, protected areas have been associated with the large-scale removal of the original human population to create 'people-free' zones and sustain a 'wild' flora and fauna for exclusive, 'non-consumptive' use by privileged travellers. It has been estimated that about 130 million conservation refugees have lost their homes and livelihoods to parks (Survival International, n.d.).

The following section provides a brief overview of how evictions of indigenous peoples from protected areas have become regularised events since colonial times. This is followed by case studies on various forms of displacement from national parks and wildlife sanctuaries in eastern and southern Africa (section 7.2) as well as in India (section 7.3).

7.1 Protected Areas and Displacement of Indigenous and Forest-Dependent Peoples: A Brief Historic Perspective

The Yellowstone National Park in the United States was the world's first national park, established in 1872. Its creation cost the lives and livelihoods of many of the Shoshone, Bannock, Blackfoot and Crow peoples who had sustainably lived in the Yellowstone region for thousands of years before the Europeans arrived in the 'New World' (Quammen, 2016; Survival International, n.d.). This model of forced displacement and exclusion of indigenous and forest-dependent peoples for conservation and 'nature tourism' has since been exported worldwide, most often with devastating impacts (Survival International, n.d.). Colonial displacements from protected areas have often been driven by a colonial imaginary of 'wilderness' (Lunstrum & Ybarra, 2018). Many post-colonial governments then adopted this 'fortress conservation' approach and continued to evict indigenous peoples from 'ecologically sensitive' areas, often with the arguments that this will contribute to national and local development, preserve the country's natural heritage and also lead to improved security, as many protected areas lie in remote border regions. Protected areas have often played a major role in state territorialisation and nation-building. By removing 'messy' customary rights of indigenous peoples through the imposition of a uniform state property regime, nation states can consolidate their power of large tracts of land.

Opening these protected areas to domestic visitors and foreign tourism provides additional legitimacy for demarcating and securitising the areas and removing any former residents that are considered as 'eco-threats'. Most of the evictions from protected areas are highly racialised, as some of the examples in the following sub-sections will show. Reports about conservation-related human rights abuses – evictions, beatings, burning of houses – of indigenous peoples, such as the Baku pygmy people in Cameroon, the Maasai pastoralists in Kenya and Tanzania (see section 7.2 below), and the Kalahari Bushmen in Botswana recently made headlines in the international media and have been the subject of various academic studies (Vidal, 2016).

In many parts of Latin America, conflicts over conservation areas and tourism have pitched local communities against national governments and private sector interests. In Colombia's Tayrona National Park, a triple strategy of privatisation, ecotourism promotion and militarisation of tourist spots and travel routes has been employed by local elites and paramilitary forces to 'protect pristine nature' from the destructive action of 'invaders' and 'illegal occupants' who have been largely deprived of their customary access to the Park's resources (Ojeda, 2012). In Los Esteros del Iberá, Argentina's largest nature reserve, a private US American conservation enterprise acquired 150,000 hectares of old cattle ranches for conservation and tourism purposes, which raised questions among the indigenous communities why a foreigner was able to obtain such a huge amount of land in a sovereign state (Busscher et al., 2018). While some activists denounced this large-scale land acquisition as a neo-colonial green grab and suspected a hidden agenda (such as water grabbing or the start of a military base), other groups showed admiration for the ostensibly philanthropic intentions of the project (Busscher et al., 2018).

In recent years, the concept of blue or marine grabbing has been developed, referring to cases where the delineation of marine parks or other protected areas in coastal and ocean environments has led to the dispossession of previous customary users. McClanahan and Mangi (2000) identified a 60-80 per cent decline in the number of fisherfolks after the establishment of a no-take Marine Park at the Jomo Kenyatta Beach in Mombasa, Kenya's largest and most popular public beach. In Malaysia's Redang Island Marine Park, Hill (2017) found that the livelihoods of fishers became increasingly compromised by a no-take zone stretching two nautical miles from the coastline, which was established to promote nature-based tourism. Benjamin and Bryceson (2012) have described how marine conservation in the Mafia Island Marine Park in Tanzania dispossessed local inhabitants and shifted access to and control over marine resources from fishers and other customary users to more powerful actors, such as government officials, tourism operators and transnational conservation organisations.

7.2 Tourism-Driven Evictions from State and Privately Managed Protected areas in Eastern and Southern Africa

In Eastern and Southern Africa, the designation of wildlife reserves for safari and hunting tourism has displaced local communities from customary land on which they relied for their livelihoods. Research on community participation in eco-tourism planning in two protected areas in Malawi found that the distribution of tourism benefits was perceived as unfair and insufficient to compensate for the loss of access to natural resources, resulting in continuing human-wildlife conflicts (Bello et al., 2017).

Safari Tourism and Hunting Concessions in Tanzania

Land grabbing and land conflicts have a long tradition in Tanzania and most often involve pastoralist groups. After Tanganyika was handed over to Germany as its colony at the Berlin Conference of 1884-85, Maasai pastoralists were pushed from their traditional grazing grounds in West Kilimanjaro onto barren plains, as the Germans grabbed the most productive land for the establishment of plantations and hunting concessions. When the British took over as colonial power after World War I, they took the fertile land in the temperate slopes of Mount Kilimanjaro, hence the Maasai lost even more of their additional grazing grounds (Porokwa, 2018).
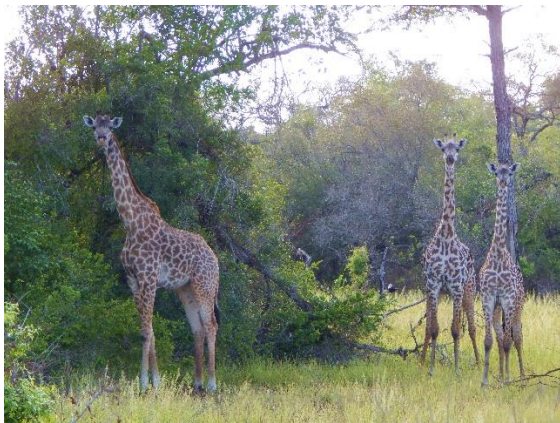
Photo 7.1. A group of giraffes in a Tanzanian wildlife reserve
Source: Author

Photo 7.2. A Maasai takes his livestock to a water hole
Source: Author

After Tanzania's independence, evictions continued under various governments. The dramatic landscape of Ngorongoro in Tanzania – roughly equally divided between the Serengeti National Park and the Ngorongoro Conservation Area – is one of the world's most famous conservation areas. Few visitors realise, however, that in the 1970s, evictions from the Serengeti National Park pushed thousands of Maasai and their animals into the Ngorongoro Crater, where they were not allowed to graze their animals and from where many were subsequently evicted again. The famous crater has now become severely degraded, and UNESCO has threatened to remove

its World Heritage status. In early 2010, the government responded by calling for the removal of the thousands of Maasai who live in the crater. Their fate is still undecided (Surival International, n.d.).

One of the most notorious conflicts between trophy hunting tourism and pastoralism has been going on for nearly 25 years in Loliondo, an area in proximity of the Serengeti National Park, where an investor from the United Arab Emirates obtained hunting rights in 1992 over an area inhabited by several Maasai communities that had been in possession of documented land ownership rights (for a brief discussion on trophy hunting, see Box 7.1). The Maasai strongly resisted the hunting concession and – to show their disapproval – they signed contracts with private tourism companies that organized photo safaris for foreign tourists (Gardner, 2012).

The collaboration of the Maasai with private tour operators in Loliondo were a thorn in the side of the Tanzanian government for a long time. The government formally holds the ownership and control over the country's wildlife, even if the land itself is controlled by communities through their village councils. The conflict escalated in 2009 when the government evicted about 200 Maasai families from the area, burned their huts and killed thousands of livestock. The eviction – while being a gross violation of human rights law – was made legally possible by the new Wildlife Conservation Act of 2009, which prohibits grazing animals in so-called Game Controlled Areas (Benjaminsen & Bryceson, 2012). The Tanzanian government discursively justified the forced relocation by the need for national development and the protection of wildlife, whose seasonal migration was deemed at threat by the pastoralists' herds (Gardner, 2012). As the violent relocation of the Maasai triggered national and international condemnation and risked damaging the Tanzanian government's and the UAE-based investor's reputation, the involved actors tried to establish a more peaceful relationship. For several years, the conflict seemed to have abated.

Yet, in August 2017, Loliondo was in domestic and international headlines again, when the Ngorongoro District Commissioner issued an order to evict Maasai from their legally-registered village lands in the so-called buffer zone of the Serengeti National Park. The eviction order was preceded by various statements of the then Minister of Natural Resources and Tourism, who called for the alienation of at least 1,500 km^2 of Loliondo (about 40 per cent of the entire Loliondo area and roughly the size of London), which has been occupied by the Maasai community for centuries. Authorities were given an ultimatum of five days for carrying out the order. The evictions affected about 350 Maasai families who saw their *boma* (traditional houses) burnt to the ground and most of their property destroyed, leaving them without shelter, food or water (Porokwa, 2018).

Following pressure from civil society organisations and international advocacy groups, the Tanzanian government halted the evictions in November 2017, followed by a statement from the new Minister of Natural Resources and Tourism that they had been illegally designed, without following proper procedures. Yet, the future of the remaining Loliondo Maasai still hangs in the balance.

Meanwhile, across Tanzania, the Ministry of Natural Resources and Tourism has established about 20 wildlife management areas (WMAs) on around 30,000 km^2 with technical and financial support of international donors, including the United States Agency for International Development (USAID), the German Agency for International Cooperation (GIZ), the German Development Bank (KfW) and the United Nations Development Programme (UNDP) (Bluwstein et al., 2018). The basic idea behind the WMA initiative is that communal land area is set aside across several neighbouring villages to support the movement of wildlife between protected areas. In these WMAs there are bans on farming and settlements, and such activities as livestock grazing, firewood collection and charcoal making are often heavily restricted. In return, villagers are promised to benefit from safari tourism revenues that they can gain from cooperating with tourism investors (Bluwstein et al., 2018).

While the WMA model adopts a language of participation and community-based conservation and appears like a triple-win arrangement for (1) wildlife conservation, (2) new livelihood opportunities for local communities, and (3) tourism businesses, in many instances the implementation of WMAs has triggered conflicts about land ownership and village boundaries and led to dispossession and evictions (Benjaminsen & Bryceson, 2012). Female-headed households that depend most on communal land resources for firewood and non-timber forest products have proven to be particularly disadvantaged by WMA establishment (Bluwstein et al., 2018). Maasai pastoralists have also not benefitted from WMA establishment, as at least half of their household income is derived from livestock, while conservation-related tourism accounts for less than five per cent (Burgoyne & Mearns, 2017). In the early days of the WMA programme, villagers had been promised hunting quotas and local control over trophy hunting,

but the hunting industry proved to be too lucrative for the Tanzanian government and remained under firm state control (Benjaminsen & Bryceson, 2012).

Transnational Sovereignty Grabbing and Evictions from the Great Limpopo Transfrontier Park for Wildlife Conservation and Tourism, Mozambique and South Africa

The ongoing establishment of the Great Limpopo Transfrontier Park – a transboundary conservation initiative between South Africa, Zimbabwe and Mozambique – has been hailed by many environmentalists as a bold and innovative model of preserving wildlife across international borders (see Box 7.2). The megapark has been marketed as "a kingdom of animals like no other in the world" by South Africa's Peace Parks Foundation, a major driving force behind the park's establishment, alongside the African Wildlife Foundation. Only two days after the signing of the international treaty in December 2002, a part of the boundary fences that separated the three countries was removed, and wild animals – such as elephants and other large mammals – were subsequently transferred from South Africa's Kruger National Park (KNP) into the Limpopo National Park (LNP) (Rodgers, 2009). All of a sudden, the land rights of the communities living within the LNP were in limbo.

Box 7.2. The Creation of the Great Limpopo Transfrontier Park

In the late 1990s, South African conservation officials began to meet with counterparts in Mozambique and Zimbabwe to discuss possibilities for joining South Africa's Kruger National Park with adjacent parks and lands in neighbouring countries. After successful deliberations, the tri-country Great Limpopo Transfrontier Park (GLTP) was established in 2002/03. While Zimbabwe had a pre-existing park (the Gonarezhou National Park) and two other conservation areas to bring to the table, post-conflict Mozambique had no formally protected areas to contribute. Hence, with strong pressure from South Africa, Mozambique transformed a defunct colonial hunting reserve – known as 'Coutada 16' – into the Limpopo National Park (LNP). The German Development Bank (Kreditanstalt für Wiederaufbau - KfW) provided the initial funding to the Mozambican Ministry of Tourism to instigate the creation of the LNP and support the process of 'voluntary resettlement' of local communities from the park.

Before the LNP's designation in the early 2000s, Mozambican officials had proposed that the reserve should become a multi-functional zone that would allow co-existence between wildlife and humans. The area of about one million hectares is inhabited by more than 31,000 people. South African state and environmental NGO officials, however, insisted that the core zone be declared a more restrictive protected area requiring the removal of resident communities. Their argument was that inhabitants would disrupt the feel of wilderness that could bring tourism revenues and that they would threaten wildlife in the Kruger National Park (whose last remaining residents had been forcefully removed under the apartheid regime in the late 1960s). After South African demands prevailed, Mozambican officials also began to justify the relocation of communities from the park but tried to legitimise them on the grounds that this was for their own safety, as the LNP was being restocked with dangerous wildlife from the Kruger National Park.

Source: Lunstrum & Ybarra, 2018

A large part of the original inhabitants of the area covered by the LNP had already been displaced by Mozambique's long civil war that lasted from 1977-1992, yet there remained a significant number of local settlements, particularly concentrated within those areas that promised the highest potential for tourism and wildlife protection (Rodgers, 2009). When the residents heard about the establishment of the new park, some reacted with threats of violent actions against wildlife and tourists. Mozambican park officials assured them that they would not be forced to relocate from LNP. Forced displacement was unacceptable to the major donors. Funding from the German Development Bank (KfW) was contingent upon the relocation process being entirely voluntary.

Yet villagers' main livelihood activities – farming, livestock rearing and hunting – were considered incompatible with the LNP's conservation objectives. Therefore, park officials had to look for more subtle ways to make people move out of the park. The strategy of choice was to gradually tighten park regulations in order to limit villagers' livelihood options and also remind villagers that they would have much better livelihood opportunities elsewhere and would be safe from dangerous wildlife if they moved (DeMotts, 2017). While many park residents were in fact concerned about the dangers posed by roaming elephants and other large wildlife, most park residents did not trust government officials due to prior experiences with forced displacement, and the resettlement process was delayed by several years.

In 2003, the LNP management commissioned a so-called 'Resettlement Policy Framework' which drew on international best practice, i.e. the World Bank's safeguard policy on involuntary resettlement, which includes such principles as (1) avoid or minimise involuntary resettlement, (2) pursue resettlement as a development project, (3) engage in extensive consultation with communities, and (4) establish fair and rigorous grievance mechanisms (Rodgers, 2009). Two communities were eventually resettled – one in 2009 and the other in 2011 – following a series of consultations and after giving informed consent as a whole community, although there had been individual voices of dissent (Otsuki et al., 2017). The resettlement action plans had foreseen adequate compensation for all material losses, but did not take into account less tangible losses, such as leaving graveyards behind or losing access to traditional plants and animals that were only found in the core zone of the park (Witter & Satterfield, 2014). While the agreement promised the provision of better housing, infrastructure and farmland – which was the main reason why the community gave their consent –, one of the communities had not obtained farmland nearly five years after the relocation and had to negotiate land access with a neighbouring community (Otsuki et al., 2017). The LNP management insisted that it was up to the respective district to provide farmland for the resettled people, while local government officials asserted that it was the community's own responsibility to make requests for land allocation to neighbouring communities. As a consequence, there was rising resentment within the community against the park and the local government (Otsuki et al., 2017). This case raises the questions whether one can speak of voluntary resettlement in a situation of limited choice and false promises.

7.3 Tiger Tourism in India: Precarious Livelihoods at the Human-Wildlife Interface

It is estimated that about one million people in India – many of them indigenous, tribal peoples – live in a large network of 657 protected areas, composed of 99 national parks, 513 wildlife sanctuaries, 41 conservation reserves and four community reserves, which cover about 5 % of the total land mass of the world's second most populated country (Mahapatra et al., 2015). Relocation of forest-dependent communities out of protected areas, particularly from national parks and wildlife sanctuaries, are a recurring issue although it barely makes it into the headlines of international media. A conservative estimation suggests that at least 100,000 people have been displaced from protected areas in India from the 1970s up to 2008 (Lascorgeix & Kothari, 2009).

There are about 50 tiger reserves in India visited by nearly 1.5 million people in 2014/15, accounting for 32 per cent of all wildlife visits in the country (Ayyar, 2018). As tiger tourism is good business, there is an ongoing construction boom of hotels, resorts and eco-lodges along the boundaries of tiger reserves which helps to fund conservation efforts but also raises concerns about encroachment of tourists on wildlife habitats. Yet, historically, conservationists and authorities in India have been much more preoccupied with the ostensibly negative impact of the original settlers on tiger habitats and called for their removal from the core zone of tiger reserves. 80 villages and 2,900 families have officially been relocated from tiger reserves since 1973, but the actual numbers are likely to be far higher (Hussain et al., 2016).

Prior to 2006, the relocation of indigenous and tribal peoples from tiger reserves was done without a clear legal framework, was rarely based on participatory processes and free, prior and informed consent (FPIC) and involved poor compensation packages (Shahabuddin & Bhamidipati, 2014). Yet in the mid-2000s, the Indian government introduced a number of changes to its national legislation related to wildlife conservation and resettlement, most notably the promulgation of the Forest Rights Act (see Box 7.3). Since then a number of studies have been conducted to examine whether the new laws and policies have led to better outcomes for communities relocated from tiger reserves.

A comparative study of the quality of resettlement and rehabilitation processes in seven tiger reserves after 2007 – i.e. following the promulgation of the Forest Rights Act and the amendments to the Wildlife Protection Act and the resettlement compensation package – found that at several sites people had not been told about the option of staying in the respective tiger reserve with certain forest and development rights (Shahabuddin & Bhamidipati, 2014). Administrators had ignored provisions in the Forest Rights Act; for instance, they declared that the communities caused irreversible damage to the wildlife without providing any evidence. Only in two out of seven tiger reserves the consent of individual families to the relocation had been recorded with due procedure and the resettlement had been acknowledged as voluntary. At the five other sites, there was at least some form of coercion or pressure from forest officials to relocate (Shahabuddin & Bhamidipati, 2014).

Box 7.3. India's Wildlife Conservation and Resettlement Laws and Policies: A Brief Overview

Until the late 1990s, India had no specific policies and legal frameworks for conservation-induced displacement. Hence, communities living within tiger reserves and wildlife sanctuaries were considered unlawful residents and were liable to eviction. Resettlement processes were managed according to the Beneficiary-Oriented Tribal Development (BOTD) scheme, which consisted of a standardised compensation package of a two-hectare piece of land and INR 100,000 (about US$ 2,200) for land development, building material, community facilities and some other livelihood support measures. This proved insufficient for rehabilitating livelihoods in the new site, hence nearly all of the earlier resettlement schemes led to the socio-economic deterioration of relocated households.

In late 2006, after years of indigenous activism, the historic *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA)* came into force. The FRA treats relocation for the cause of wildlife conservation as a last resort, to be carried out only after possible human-wildlife coexistence options have been considered. The FRA also requires that resettlement is conducted "on the basis of scientific criteria" and "after complete and just settlement of rights". The FRA coincided with substantive amendments to India's Wildlife Protection Act (WLPA), e.g. the inclusion of Section 38 which states, "No resettlement shall take place until facilities and land allocation at the resettlement location is complete as per the promised package." A revised Centrally Sponsored Scheme for Integrated Development of Wildlife Habitats prescribes a wider consultative process and free, prior and informed consent by village councils and individual families before relocation. Another significant improvement is a ten-fold increase of the compensation package to INR 1 million (about US$ 22,200), while the entitlement to the amount of land (2 ha) remained unchanged.

Sources: Shahabuddin & Bhamidipati, 2014; Dash & Bahera, 2018

One of the most extensively studied resettlement case is the Similipal Tiger Reserve (STR) in the state of Odisha (formerly Orissa). Similipal was declared as a 'Tiger Reserve' under the late Prime Minister Indira Gandhi's national flagship conservation program 'Project Tiger' in the year 1973. Six years later the Orissa state government declared it a wildlife sanctuary with a designated area of 2,750 km^2. In 2009, STR was included into the World Network of Biosphere Reserves by UNESCO. The 'core zone' of the STR (1,194 km^2) is a designated national park although the central government has yet to issue a final notification due to the fact that three villages have not been relocated to date (Dash & Bahera, 2018). There are 61 villages in the 'buffer zone' of the reserve where some forms of eco-tourism are allowed.

The majority of the forest-dwelling population in the STR belong to the category of 'scheduled tribes', a term that denotes indigenous peoples with a formally acknowledged status as 'historically disadvantaged groups'. Some of these groups are categorised as 'primitive' by the state government of Odisha (Dash & Bahera, 2018). Yet, the communities insist that their livelihood strategies are not a threat to the forest and its wildlife and that they can co-exist peacefully with nature.

> "We are doing no harm to the forest and wild animals. Rather we worship them. We are living in their home. So, we should love and respect them. However, the Government has always treated us as the enemies of nature." (Village head in the STR core zone, cited by Dash & Bahera, 2018, p. 332)

The three villages that remain in the core zone face a range of restrictions, including the prohibition to collect valuable non-timber forest products (NTFPs), which is their major livelihood source. While one community has been categorically opposed to relocation, another one was ready to leave the tiger reserve after forest officials showed them a proposed settlement area suitable for agriculture. Yet, after a while, villagers were told that this place was now earmarked for mining and were presented with an alternative site which was unsuitable for farming. Hence, they did not consent to the proposed relocation.

The last relocation of an entire indigenous community from the core zone occurred in 2010, in disregard of settlement claims that villagers had filed earlier. Villagers were presented with two options, as per the Forest Rights Act: option 1 involved the disbursement of the entire compensation package in the form of a one-off cash payment (without land provision and any further livelihood support), whereas option 2 required the Forest Department to relocate the villagers from the tiger reserve's core zone to a 'rehabilitation colony' located 50 km away from their original residential area (Shahabuddin & Bhamidipati, 2014). For the two-thirds of villagers who chose option 2 the relocation meant better access to infrastructure, such as education, electricity and health facilities. Yet, they suffered from high livestock mortality, lower agricultural productivity, reduced access to fodder, NTFPs and firewood, extreme heat conditions during summer, and a higher dependency on wage labour. Nearly all resettled villagers under option 2 reported negative impacts on their cultural values and community life (Dash & Bahera, 2018). The fate of the villagers who chose option 1 remains unknown.

Chapter 8. Heritage Tourism: Beautification, Gentrification, Eviction

There is no universally acceptable definition of 'heritage tourism', but most authors refer to such notions as cultural heritage and natural heritage as well as tangible and intangible heritage that attract visitors. The United Nations Educational, Scientific and Cultural Organization (UNESCO) listed more than 1,000 properties as world heritage sites as of February 2019, out of which the organisation classified 845 as cultural heritage, 209 as natural heritage and 38 as mixed cultural/natural heritage (https://whc.unesco.org/en/list/). The International Work Group for Indigenous Affairs (IWGIA) and the Forest Peoples Programme (FPP) have criticised the differentiation between cultural and natural heritage as "artificial and problematic in the case of World Heritage sites located in indigenous people's territories, because the lives, cultures and spiritual beliefs of indigenous peoples are inseparable from their lands, territories, and natural resources" (IWGIA & FPP, 2015, pp. 5-6). Indigenous peoples have also expressed their concerns over the "lack of regulations to ensure meaningful participation and free, prior and informed consent of indigenous peoples in the nomination and designation of World Heritage sites" (ibid, pp. 10-12). Similar concerns have been raised about the nearly 700 biosphere reserves located in 122 countries, which are designated by the UNESCO as "learning sites for sustainable development" (UNESCO, n.d.).

Apart from the lack of local participation in heritage development, a second problem that is typical for World Heritage sites is the imposition of an international legal regime on national and local legal frameworks. World Heritage designations by the UNESCO come with the prerequisites that the state bears the responsibility for (1) the enactment of protective legislation, (2) the establishment of permanent boundaries around the site and (3) the definition of meaningful buffer zones, which can result in overruling the customary or formalised rights of residents in World Heritage sites (Gillespie, 2009). The following sections will examine the effects of cultural heritage tourism on indigenous and non-indigenous people's rights and livelihoods in China and Guatemala (section 8.1), land grabbing and resettlement in the Angkor Heritage Park in Cambodia (section 8.2) and gentrification and eviction processes in urban heritage sites in Argentina and Peru (section 8.3).

8.1 Impacts of Cultural Heritage Tourism on Land Rights and Livelihoods in Mainland China and Guatemala

Cultural Heritage Tourism in Mainland China, Community Resettlement and Livelihood Restrictions

As of 2018, Mainland China hosted 52 properties listed as world heritage sites by the United Nations Educational, Scientific and Cultural Organization (UNESCO), most of which attract a large number of domestic and foreign visitors (Wang & Yotsumoto, 2019). World Heritage listings in Mainland China are often associated with the relocation of populations and/or

restrictions on certain livelihood activities. Many of them have also been the source of intense conflict between government, corporate interests and local communities (Zhang et al., 2015).

Mount Sanqingshan National Park in Jiangxi Province – designated as a World Heritage site in July 2008 primarily due its uniquely shaped granite pillars and peaks – is one example of a 'natural heritage' that triggered the resettlement of communities. Over the first five years following its designation, tourist numbers more than quadrupled and about 1,300 residents living in close proximity to the national park were relocated and most of their agricultural fields were acquired by the state for tourism site development (Su et al., 2016). While traditional (pre-resettlement) livelihood activities had been diverse and composed of crop cultivation, animal husbandry, forestry and migration, tourism-related activities became by far the most dominant livelihood source in the village after the relocation (Su et al., 2016). While tourism has brought short-term economic benefits, it also made resettled communities more dependent on a single source of income, which may jeopardise their long-term livelihood sustainability (Su et al., 2016).

Another World Heritage site that was listed by UNESCO at the same time as the Mount Sanqingshan National Park is the Hongkeng *tulou* cluster in Fujian Province. The *tulou* (earth buildings) are large multi-story buildings with tall fortified mud walls that were originally built for defensive purposes and can provide home for a few hundred people (Wang & Yotsumoto, 2019). In order to obtain world heritage status, the county government demolished modern houses, expropriated land and prohibited the building of new houses without providing suitable alternatives to cope with high population growth. Many villagers lost up to 70 per cent of their farmland in the process with very little monetary compensation (Wang & Yotsumoto, 2019). The building ban imposed severe restrictions on young people who mostly prefer modern houses over traditional ones. Following the World Heritage designation, street vending – the major alternative to farming – was prohibited in the name of 'beautification' for tourism, and the ban was enforced by damaging or confiscating vendors' stands (Wang & Yotsumoto, 2019).

Guatemala's Maya Biosphere Reserve: Between Border Securitisation and Eco-Cultural Tourism

The Maya Biosphere Reserve (MBR) is located in Petén in northern Guatemala which was identified by the state-run Guatemalan Tourism Commission as "The Heart of the Mayan World" for two major tourism campaigns starting in the early 2000s. The MBR was established in 1990, covers an area larger than El Salvador (Guatemala's neighbour to the south) and provides livelihoods for an estimated 180,000 people (Cuffe, 2016). Most residents were not even aware of the creation of the MBR until after the laws were enacted (Lunstrum & Ybarra, 2018). The MBR is home to several hundred archaeologically important sites, including the UNESCO World Heritage Maya site of Tikal, which receives hundreds of thousands of visitors every year (Devine, 2017). While UNESCO has recorded negative impacts of tourism on Tikal, such as waste management and vandalism, other sites remain virtually unexplored due to

accessibility and security issues. Yet, the government of Guatemala plans to expand tourism into these largely unvisited areas, through such initiatives as the Four Jaguar Eco-Tourism Project which ran from 2008 to 2012 (Devine, 2014). However, the promotion of cultural and eco-tourism for economic growth appears to be only part of the government's agenda. Another major goal is to securitise the area which has allegedly been a site of illicit timber extraction, poaching, drug trafficking and antiquity looting and whose borders with neighbouring Belize and Mexico still remain contested (Devine, 2017). The military plays a major role in this effort, and several military outposts have been established since 2008 in the Mirador Basin, which has been the focal area of new tourism development, oftentimes by evicting village communities that are branded as insurgents and eco-threats (Devine, 2014). Some indigenous communities were framed as "forest-eating 'termites'" by non-indigenous elites (Lunstrum & Ybarra, 2018, p. 119).

Different stakeholder groups (archaeologists, local communities, private corporations, government officials and environmental NGOs) have diverging opinions on how to move forward with tourism, development and conservation in the MBR (Cuffe, 2016). Several village cooperatives inside the biosphere's buffer zone depend on collectively managed forest concessions for their livelihoods (Devine, 2014). A leading international archaeologist has proposed to substitute logging-based livelihoods through the development of cultural tourism and pharmaceutical industry bioprospecting (Cuffe, 2016). His Mirador Basin Project is backed by Pacunam, a Guatemalan corporate foundation which includes a powerful cement company, multinational corporation Walmart and several banks and agro-industry companies, and by the US-based NGO "Global Heritage Fund" which claims on its website that slash-and-burn agriculture and clear-cut logging has already destroyed 70 per cent of the Maya Biosphere Reserve.

Local communities and community tourism organisations argue that if the forest concessions did not exist, the whole Mirador Basin would already be destroyed. This view is supported by the National Council for Protected Areas (CONAP) and several environmental NGOs who maintain that the communally managed forest concessions provide a buffer against the expansion of farming and cattle ranching (Cuffe, 2016). A recent academic study also confirmed that communities involved in forest concessions have a genuine interest in maintaining intact forests to sustain their income from wood, non-timber forest products and community-based tourism (Bocci et al., 2018). Community tourism representatives strongly oppose Pacunam Foundation's plan to connect Mirador with other Mayan sites in the MBR through improved road infrastructure to facilitate mass tourism, as they believe that this would jeopardise community-based tourism activities (Cuffe, 2016).

The case of MBR shows how contrasting visions about tourism, heritage conservation and environmental protection can lead to entrenched conflicts between communities and other actors, in this case archaeologists, corporations and the national government. Unless the actors engage in a dialogue that is based on mutual respect and a level playing field, chances are slim that these conflicts can be resolved.

8.2 Heritage Preservation, Land Grabbing and Resettlement in the Angkor Archaeological Park, Cambodia

The Angkor Archaeological Park is situated in Cambodia's Siem Reap Province on the northern shores of the Tonle Sap Lake, which is Southeast Asia's largest freshwater lake and has been described as the country's 'beating heart'. It is a place of exceptional archaeological significance, with magnificent monuments (Photo 8.1) such as Angkor Wat, Angkor Thom, Bayon and Ta Prohm, dating from the 9th to the 15th century when the Angkor region was the capital of an expansive Khmer empire (Gillespie, 2009).

Photo 8.1. Historic monuments at the Bayon Temple in Angkor Archaeological Park (AAP)
Source: Author

Photo 8.2. Shops and street vendors in a village inside the core zone of the AAP
Source: Author

The Angkor Archaeological Park (AAP) was listed as a "World Heritage in Danger" by UNESCO in 1992, a year after the 1991 Paris Peace Accord, which brought relative political stability to post-conflict Cambodia. The AAP was subsequently subjected to a zoning process, with Zone 1 defined as a core zone with the highest level of protection and Zone 2 described as a buffer to protect the core zone. Regulations regarding these two zones have strong implications for the more than 120,000 residents divided into over 100 villages and hamlets (Photo 8.2), most of which had occupied the land prior to the World Heritage designation (Gillespie, 2009).

A 1995 Law – further backed by a 1999 Law – assigned the management authority of the AAP to the *Autorité pour la Protection du Site et l'Aménagement de la Region d'Angkor* (APSARA), i.e. the Authority for the Protection and Management of Angkor and the Region of Siem Reap. It also established a so-called 'Heritage Police' in 1997, under the authority of Cambodia's Ministry of Interior and trained by French police forces (Miura, 2011a). While the AAP is formally under the status of 'state public property', the customary land rights of residents in Zones 1 and 2 are also recognised. Villagers are entitled to remain in those zones as long as they do not expand their properties and do not sell their land to outsiders (see Box 8.1). However, in the early years, the zoning laws were not sufficiently made publicly known and the boundaries remained largely unclear to many residents. This uncertainty was exploited by some Cambodian authorities – other than APSARA – to issue permits to build tourism facilities

in the protected zones (Miura, 2011a). The national government also supported the expansion of hotels since the early 2000s, as its stated aim was to benefit economically from the commodification of the AAP for tourism purposes (Heikkila & Peycam, 2010). At the same time, the Heritage Police – often without consulting APSARA – imposed bans on many traditional practices of local residents and collected fines from street vendors and rice farmers for allegedly illegal activities (Miura, 2011a).

Box 8.1. Rights of residents to their own land in Zones 1 and 2 of Angkor Archaeological Park

1. The villagers, who have homes and have lived in the Angkor Heritage Park for ages, can continue to live there without being forced to leave the village.

2. The villagers can demolish their old houses or build new ones with authorisation from APSARA Authority.

3. The villagers have the right to manage their own lands such as: transferring land possession to their relatives – parents to children, or selling land to their neighbours to obtain money for living expenses. However, it is forbidden to buy and sell land for the purpose of making profitable business for companies or individuals to build hotels, restaurants, KTV (karaoke venues), etc.

Source: http://apsaraauthority.gov.kh/?page=front&lg=en

Many incidences of evictions, house demolitions and harassments have been reported in the context of the AAP in the early 2000s (e.g. Miura, 2011b). More recently, in 2017, more than 500 'illegally' constructed houses inside the AAP were demolished by police upon order of APSARA and pressure from UNESCO's Cambodia representative (Pech, 2017). APSARA argued that these buildings were hastily erected in the lead-up to Cambodia's communal elections held in June 2017 and that their construction was unlawfully authorised by village and commune leaders (personal communication, senior APSARA official, Feb 2019). In another case, one village in the vicinity of the AAP was asked to give up their rice fields in order to make way for a resettled community, but several households continue to resist this dispossession (Photos 8.3 and 8.4).

Photo 8.3. Community members guarding their rice fields against dispossession by APSARA
Source: Author

Photo 8.4. Police on patrol around the village facing dispossession of their rice fields
Source: Author

While forced evictions from the AAP have been infrequent in recent years, younger residents in particular are encouraged to move out of the two inner zones. In the late 2000s, APSARA created an 'eco-village for sustainable development' on an area of roughly 1,000 hectares in order to reduce the population pressure in the AAP. The eco-village named Run Ta-Ek was designed by a Canadian architect and also features a scenic lake, a Buddhist pagoda and homestay-style bungalows for tourists (Photos 8.5 and 8.6). APSARA provided free land (and free housing materials for the first 100 families) to entice inhabitants of the AHP to move to this area which is located a few kilometres off the northeastern corner of the Park's Zone 2. As of February 2019, only about 50 households were living in Run Ta-Ek, but there are plans to move an additional 800 families over the next few years (personal communication of APSARA senior official, Feb 2019). APSARA insists that the buildings are kept in a traditional way and that the land may never be sold to maintain a 'sense of permanence' (Miura, 2011b).

Photo 8.5 Lake-side pagoda in Run Ta-Ek Eco-Village

Photo 8.6 A tourist bungalow in Run Ta-Ek Eco-Village

Meanwhile, land speculation in and around the AAP is booming. As land prices in Siem Reap Town are rapidly rising, tourism investors are increasingly looking for land closer to the AAP. A senior APSARA official expressed his frustration with these land grabs:

> "Government authorities work only eight hours a day, but land investors work 24 hours a day, so how can we stop land speculation? Villagers are lured into selling their land due to the high land prices and some of them sell at night to avoid being fined. The commune leaders also do not respect their role but sign papers that allow outsiders to purchase land. Even the banks recognise such land as collateral. Cambodian people participate in the destruction of their own culture."

There are no signs that the tourism boom and the associated land speculation will subside any time soon. In 2018, record numbers of international visitors of the AAP were counted (2.59 million), a more than five per cent increase to the previous year (Cheng, 2019). The AAP also remains very popular with domestic tourists who regard the monuments as both a symbol of national pride and a place of religious devotion.

8.3 Gentrification in Urban Heritage Sites: Global Overview and Examples from South America

Tourism gentrification is a worldwide phenomenon and has particularly been noted in cities. It refers to the sudden and/or gradual displacement of original inhabitants that occurs when new touristic 'spaces of consumption' are created that increase land values and rents (Logan & Molotoch, 2007) and that provide strong incentives for local governments and/or tourism investors to evict 'unwanted' urban residents or grab land from urban dwellers. There is evidence that tourism gentrification is particularly prevalent in developing countries and emerging economies that rely on foreign visitors for economic growth and development (Cocola-Gant, 2018).

Box 8.2. Gentrification

While there is no unified definition of 'gentrification', there is a consensus that it involves the displacement of a poorer or socially marginalised group by a wealthier stratum of society that also tends to exhibit different cultural characteristics. Gentrification can be driven by local governments through the change of zoning laws or simply the demolition of poorer or informal neighbourhoods that are deemed an 'eyesore', a security threat or a hindrance to modern urban development. It can also be a market-driven process by capitalist accumulation of real estate property and increase of land/property prices and rents. Most gentrification processes are marked by a combination of the two drivers.

Tourism gentrification can cause three forms of displacement: (1) residential displacement, (2) commercial displacement, and (3) place-based displacement. The latter form refers to the loss of a sense of place and belonging experienced by residents when their customary spaces are increasingly invaded and consumed by tourists.

Source: Betancur, 2004; Gaffney, 2016; Cocola-Gant, 2018

Yet, there are also numerous cases of tourism gentrification in the Global North. In Germany's capital Berlin, for instance, rising visitor numbers have contributed to widespread evictions and an increase in rents that made housing increasingly unaffordable for lower-income residents (Füller & Michel, 2014). In the southern US city New Orleans, tourism growth led to an escalation of property prices and the conversion of relatively affordable family homes into high-end condominiums, thereby pushing out poorer residents (Gladstone & Préau (2008; Adams et al., 2009). *Airbnb* has also become a major factor of tourism gentrification by substituting long-term tenants with short-term visitors and by taking housing units off the real estate market, which has been empirically shown for the case of Barcelona, Spain (Cocola-Gant, 2016). In the Portuguese capital Lisbon tourism growth was regarded as a major solution to recover from the 2008 financial crisis, while the EU-enforced liberalisation of the housing market resulted in widespread housing rehabilitation efforts, whereby local residents were evicted for the opening of new hotels and short-term rentals for tourists (Cocola-Gant, 2018).

Many Latin American cities have instigated major projects of redeveloping their historical centres for cultural heritage tourism, often combined with sustained efforts of displacing classes

of low social status (Betancur, 2014). Notable examples are Mexico City, Santiago de Chile, and Lima, whereby IFIs, such as the Inter-American Development Bank and the World Bank, often played a primary role by offering generous financial packages for these controversial projects. In several instances, the discourse employed by project implementers was to rescue the cultural urban heritage from lower classes and regain moral authority over historically important spaces, as in the case of Puebla in Mexico (Jones & Varley, 1999).

The Case of Cuzco, Peru

Cuzco (or Cusco) is a major Peruvian city in the southern Andres, located at an altitude of 3,400 meters above sea level (Photo 8.7). Its proper name 'Qosqo' in the Quechua language means 'the navel of the world' which reflects its importance as the centre of the Inca Empire in the 15th century. Following the Spanish conquest in the 16th century, the urban structure developed by the Inca was mostly preserved, while baroque-style churches, monasteries and manor houses were built over the existing pre-Colombian buildings, turning Cuzco into a hybrid product of Inca imperial heritage and Hispanic colonial legacy (UNESCO, n.d.).

The 'City of Cuzco' obtained World Heritage status in 1983, together with 'The Historic Sanctuary of Machu Picchu' which many tourists that visit Cuzco also have on their itinerary. The Ministry of Culture and the Provincial Municipality of Cuzco bear primary responsibility for the preservation of the city's cultural heritage programmes and the management of the World Heritage property and perform regular urban assessments, registration, protection, and control works. The Municipality has made extensive efforts towards creating a clean and safe environment for tourists (Steel, 2013). Cuzco's historic center has been transformed from a residential zone into a huge commercial center dedicated to international tourists who are able to pay the steep prices of the luxury hotels, restaurants and souvenir shops (Chion, 2009). While UNESCO regards new tourism development as a threat to the preservation and functional capacity of ancient buildings, Cuzco authorities clear the city of 'urban undesirables', such as beggars, street vendors and the urban poor, in order to provide tourists with a sense of comfort and security (Steel, 2013; Photo 8.8).

Photo 8.7 Panoramic view of the City of Cuzco in the Southern Andes region of Peru
Source: J. Neef

Photo 8.8 The gentrified centre of the City of Cuzco as a 'safe tourist space'
Source: J. Neef

As local investors are increasingly unable to buy property in the historic centre and local residents are unable to afford the excessively high rents in central parts of the city, impoverished quarters in the city's outskirts are rapidly expanding. Displaced urban residents are joined in these neighbourhoods by scores of rural migrants who came to Cuzco in the hope of finding new livelihood opportunities in the tourism sector, only to be confronted with the harsh reality of being offered only low-paid, precarious jobs or finding no employment at all (Steel, 2013). In these crowded informal settlements, access to water, electricity, public transport as well as sanitary and health services is extremely limited, which contrasts starkly with the amenities that are provided for globally connected tourists in Cuzco's historic centre.

The Case of La Boca, Buenos Aires, Argentina

La Boca is a southern neighbourhood in Argentina's capital Buenos Aires. Historically, this was a port of entry for Italian and other European immigrants and therefore emblematic for the formation of Argentina's urban working class (Rodgríguez & Virgilio, 2016). It is also considered the birthplace of tango which put Buenos Aires on the world's cultural map and contributed to the city's self-proclaimed image as Latin America's 'cultural capital'. The first urban renewal project in La Boca was undertaken by the city government in 1993 around the construction of coastal flood-control measures with a US$ 120 million loan from the International Development Bank (Herzer, 2010). This was followed in the 2000s by further investments in neighbourhood beautification and tourism development (Rodríguez et al., 2011).

Until the late 1990s, tourism in La Boca had been concentrated on the *Caminito* enclave as other areas were deemed unsafe for tourists due to the neighbourhood being one of the poorest in the city. After 2001, the municipal government tried to expand the tourism zone westwards by refurbishing historic façades, improving lighting and providing stronger police presence with the aim to include the many art studios that had previously been avoided by visitors due to security concerns (Wong, 2017). In 2012, legal provisions were enacted (Law N° 4353) to create a new arts district with 20 new cultural spaces by integrating sections of La Boca with its northern neighbour San Telmo, thereby establishing a cultural and touristic corridor that would link 180 sites of cultural consumption for visitors (Legislatura de la Ciudad Autónoma de Buenos Aires, 2012; Gobierno de la Cuidad de Buenos Aires, 2017).

This cultural mega-project developed as a public-private partnership triggered massive urban land speculation, forced evictions and homelessness (Sequera & Rodríguez, 2017). In 2016 alone, at least 1,100 residents were displaced and 96 eviction trials were negotiated in city courts according to the International Tribunal of Evictions (2017). There were also reports about fire incidents in buildings, which were attributed to arson attacks allegedly instigated by urban investors (Sequera & Rodríguez, 2017; Rodríguez & Di Virgilio, 2016). While tourism still remains in its enclave form in La Boca and the poorer classes are being pushed from their original neighbourhood, the major winners of this process of 'forced gentrification' are Buenos Aires's middle and upper classes who can enjoy more diverse and much safer cultural spaces where they can socialise and entertain themselves (Wang, 2017).

Chapter 9. The Displacement Effects of Sporting Mega-Events and Large-Scale Tourism Infrastructure Development

International sporting mega-events, such as the FIFA Men's World Cup, the Commonwealth Games and the Olympic Games, attract hundreds of thousands of spectators and generate increased economic investments and tourism revenues (Maharaj, 2015). The scale of such events demands large amounts of scarce public resources and wields enormous transformative power on the urban built environment and residents. Similarly, large-scale development of tourism infrastructure, such as airport constructions and upgrades, can have profound impacts on local people and the environment. In the following section 9.1, the adverse impacts of sporting mega-events on the land and housing rights of poor and marginalised groups are examined, drawing on a brief global overview and more detailed analysis of recent mega-events in South Africa and Brazil. Section 9.2 explores the physical and economic displacement effects of airport constructions and expansions in India and Laos.

9.1 Sporting Mega-Events: The Darker Side of the Global Spectacle

International sporting mega-events have become an important force in global urban development and are often associated with mass urban renewal schemes and large-scale displacement of people (Porter, 2009; Davis, 2011; Müller & Gaffney, 2018). Displacement of urban residents through such mega-events is not a new phenomenon and is certainly not confined to countries in the Global South. One of the earlier and probably most notorious examples is Nazi Germany which hosted the Olympic Games in 1936 and cleared Berlin of its homeless people and informal residents to provide a 'clean' image to the world (Newton, 2009). The City of Atlanta deported about 25,000 homeless people and closed most of the city's facilities for the homeless ahead of the 1996 Olympic Games (Worrall, 2016). The London Olympics in 2012 were associated with the forced removals of several hundred low-income households and small businesses (Raco & Tunney, 2010; Watt, 2013).

Emerging economies in Asia displaced hundreds of thousands of urban residents in the context of sporting mega-events, although these were not the only drivers at the time. 700,000 residents in the South Korean capital Seoul were relocated in the run-up to the 1988 Olympic Games and more than a million residents had to make way for the 2008 Beijing Olympic Games as part of larger urban redevelopment strategies (Porter, 2009; Müller, 2015). About 200,000 residents were evicted from Delhi's vast informal settlements, about 35,000 families were removed from public property and over 300,000 street vendors lost their livelihoods in preparation for the 2010 Commonwealth Games (Maharaj, 2015).

In addition to forced removal of urban residents, for example through expropriation or violent evictions by state forces, population 'redistribution' in the context of sporting mega-events can also occur through market mechanisms in the absence of public policies that guarantee the right to affordable housing (Müller & Gaffney, 2018). Lenskyi (2002) demonstrated how the 2000

Sydney Olympics exacerbated the housing gap and intensified homelessness and housing problems through changes in property values and urban land grabbing (cited in Newton, 2009).

The upcoming 2020 Tokyo Olympics are a stark reminder that mega-events organised in the Global North can have significant social and ecological ripple effects on the Global South. The Rainforest Action Network (RAN) asserts that significant volumes of rainforest wood are being used to build Olympic facilities, including Tokyo's new National Olympic Stadium (RAN, n.d.). The timber was ostensibly supplied by a Malaysian logging company with a proven history of rainforest destruction, illegal logging and human rights abuses. Together with 46 other civil society organisations, RAN delivered an open letter to the International Olympic Committee (IOC) and Tokyo 2020 Olympic authorities, at the start of the IOC Executive Board Meeting in Lima, Peru, in September 2017. The letter reiterated concerns about the legitimacy and accountability of IOC sustainability commitments and the reputation and credibility of the Olympic Games. It further criticised the Olympics "for knowingly exploiting tropical forests and potentially fueling human rights abuses in the construction and implementation of the games". Finally, it urged Olympic authorities "to adopt robust social and environmental safeguards or face further criticism for fueling rainforest destruction, illegal logging and human rights violations". RAN also accuses one of the major sponsors of the Tokyo 2020 Olympics, Nissin Food, of not taking sufficient steps to avoid the use of so-called "Conflict Palm Oil" in its food products, such as cup noodles. The NGO urges the company "to strengthen its commitment to protect rainforests and peatlands and uphold human rights including land rights of Indigenous and local community and labor rights" (RAN, n.d.).

Sporting mega-events in low-income countries with high incidence of poverty have also triggered land grabs and dispossession. When Laos hosted the Southeast Asian Games in 2009, much of the infrastructure was built with financial and technical support from the Chinese and Vietnamese governments and development banks as well as other Asian nations. The debt of a US$80 million loan from the China Development Bank for building the national stadium was paid through a 300-hectare land concession in a biodiversity-rich marshland in the outskirts of the Lao capital Vientiane (Stuart-Fox, 2009; Radio Free Asia, 2016). The That Luang marsh did not only provide valuable agricultural land to its former beneficiaries, but was also of crucial importance for flood control and natural wastewater treatment services in the capital (Schuettler, 2008). Such a 'land-for-capital' deal was also negotiated with a Vietnamese real estate company which contributed to building the US$ 19 million athlete's village for the Games and was granted a 90-year land concession of 10,000 hectares in one of Laos' southern provinces (Fuller, 2009).

Over the past decade, displacement through sporting mega-events was most pronounced for the 2010 World Cup in South Africa, the 2014 FIFA World Cup in Brazil and 2016 Rio Olympic Games (Cummings, 2015; Müller & Gaffney, 2018). These cases are discussed in more detail hereafter.

The 2010 FIFA World Cup in South Africa: Rendering Poverty Invisible by Demolishing and Upgrading Informal Settlements

The 2010 FIFA World Cup was proclaimed by the South African government as a motor of economic growth and an opportunity to change the African continent's persistent international image as a region of poverty and crises (Steinbrink et al., 2011). South Africa spent about US$ 3 billion for hosting the World Cup, slightly less than Germany which hosted this prestigious football event four years earlier but carried a relatively lower financial burden in relation to its much higher gross domestic product. An additional challenge for South Africa in organising this mega-event was that it has been ranked the world's most unequal country in terms of income distribution. South Africa has also been plagued by a persistent housing crisis, where millions of people continue to live in informal squatter settlements.

In the run-up to the World Cup, many informal settlements in several of the host cities were demolished and extensive upgrading processes were instigated to 'beautify' the urban centres for the much-anticipated event (Steinbrink et al., 2011; Maharaj, 2015). A major flagship project that coincided with the acceptance of South Africa's bid for the 2010 World Cup by the FIFA was the N2 Gateway project in Cape Town, which had the objective to redevelop a 10-km long squatter strip along the N2 motorway connecting the international airport to the city centre (Newton, 2009). Thousands of residents were relocated from these informal settlements, such as the *Joe Slovo Settlement*, to so-called 'temporary relocation areas' in the impoverished city outskirts, which have been described as overcrowded refugee-style camps without electricity and only shared sanitary facilities (Steinbrink et al., 2011; Maharaj, 2015). While most relocated residents were initially given the prospect to return to a redeveloped settlement and be provided with subsidised housing, it later emerged that there were not enough housing units and that the majority could not afford the high rents in the newly built houses (COHRE, 2009).

Johannesburg – another 2010 World Cup venue and the city with the highest income inequality in the world – also saw major eviction and 'upgrading' projects. A large-scale urban renewal project around the Ellis Park Stadium, the so-called 'Greater Ellis Park Development Plan', excluded affected residents from any decision-making process and resulted in the forced eviction of many of the area's former inhabitants (Steinbrink et al., 2011). These processes went along with a major effort of 'securitising' this mega-event (Cornelissen, 2011). In compliance with FIFA requirements, hundreds of informal traders or street vendors were expelled from the 'exclusion zones' of the two stadiums, Soccer City and Ellis Park (Steinbrink et al., 2011). Such forms of economic displacement were also recorded from other venues. Altogether, it was estimated that about 100,000 mostly female street vendors temporarily lost their livelihoods during the 2010 FIFA World Cup (Maharaj, 2015).

The 2014 FIFA World Cup and the 2016 Rio Olympics in Brazil: Exclusion Games, Evictions and Forced Gentrification

Similar to the case of South Africa and the 2010 FIFA World Cup, Brazil regarded its successful bids for the 2014 FIFA World Cup and the 2016 Summer Olympic Games – shortly after hosting the Pan American Games in 2007 which resulted in the removal of informal settlements (*fávelas*) around the athletes' housing complex (Gaffney, 2016) – as a major opportunity to showcase an emerging powerhouse (Brazil) and a world-class global metropolis (Rio de Janeiro) to the rest of the world. But like in South Africa, these two mega-events primarily benefitted the elites and exacerbated the plight of the poor and marginalised groups that suffered from forced displacements, loss of livelihoods and serious violations of human rights. One study maintains – based on official data provided by the city administration – that more than 22,000 families or approximately 77,000 people have been relocated in the city of Rio de Janeiro during the period 2009-2015 (Comitê Popular, 2015). In almost half of these cases, the official discourse was that these communities were 'at risk' from natural hazards, such as flooding and landslides (McGuirk, 2016).

In 2008, a few months after winning the bid for the 2016 Olympic Summer Games, the state government of Rio de Janeiro instigated a highly controversial programme of occupying dozens of *fávelas* within the Olympic clusters with so-called *Unidades Pacificadoros Policiais* (UPPs) or Police Pacification Units, in a co-funding arrangement with private investors (Gaffney, 2016). The obvious aim of this measure was to 'pacify' unruly parts of the urban population and establish complete control over urban spaces that were deemed essential for a smooth organisation of the upcoming mega-event. One of the side effects of the UPP programme was the opening of backpacker hostels, nightclubs and adventure tours in these 'pacified *fávelas*', which intensified gentrification pressures and instigated conflicts between original inhabitants and developers (Gaffney, 2016).

The preparations for the 2016 Rio Olympics entailed profound changes to the mega-city's infrastructure, including the building of two Olympic parks and the Olympic village, the construction of four new rapid transit bus lines, and an extension of the metro (Müller & Gaffney, 2018). Several *fávelas* were demolished to build this expansive Olympic infrastructure. Even settlements where residents had formal land entitlements were not safe from the bulldozers; Vila Autódromo, a settlement of several hundred families with long-term leases granted earlier by the state government of Rio de Janeiro, lost 97 per cent of its residents to the construction of the International Broadcasting Centre and associated parking lots and road works (Silvestre & de Oliveira, 2012; Müller & Gaffney, 2018). Only 20 families that succeeded in resisting eviction were eventually accorded the right to stay in their community in August 2018 as part of the first-ever collectively negotiated rehousing agreement in Rio de Janeiro (Talbot, 2018).

Other communities that were facing eviction lived in close proximity to the Tom Jobim International Airport which underwent a major expansion ahead of the 2016 Rio Olympics.

Thousands of families had earlier been evicted from sites of airport upgrading and expansion projects in the 2014 FIFA World Cup venues Porto Alegre and Curitiba (Maharaj, 2015). This brings us to the issue of large-scale tourism infrastructure development discussed hereafter.

9.2 Large-Scale Tourism Infrastructure Development: Airport Constructions in India and Laos

In a 2016 press release, the International Air Transport Association (IATA) announced that it expected 7.2 billion passengers to travel in 2035, a near doubling of the 3.8 billion air travellers in 2016 (IATA, 2016). According to the IATA's projection, the five fastest growing markets in terms of additional passengers per year over the forecast period would be China, the United States, India, Indonesia and Vietnam. Much of this growth will be driven by tourism.

In December 2018, the Chinese government announced that the country will build 216 new airports by 2035, bringing the total number of airports in the country to 450 (Tourism News Live, 2018). Earlier in 2018, India's State Minister for Civil Aviation had stated in an interview that India plans to build 100 more airports for one billion flyers by 2035, with most of the US$60 billion financial capital needed to be provided by the private sector (Nikkei Asian Review, 2018). These massive infrastructure projects are expected to be associated with substantial environmental and social costs, including the forced relocation of thousands of people from the new airport construction sites.

Controversial Greenfield Airport Development in Goa, India

In India, greenfield airports play a significant role in accelerating the urbanization of the country and increasing domestic and international tourist numbers (Dalei & Singh, 2015). The Indian federal government established a national Greenfield Airport Policy in 2008, when it put in place a more liberalised approach to airport construction and promoted more private participation and public–private partnerships (PPPs) in greenfield airport development (Nielsen, 2017). Yet, searching for suitable sites for greenfield airports poses particular challenges in a country with a population density of 382 people per km^2, more than eight times the global average. On paper, land acquisition for the greenfield airport projects has become more difficult in the light of the new land acquisition act (Dalei & Singh, 2015). Yet, in fact, infrastructure projects that are in the interest of national development (which includes growth within the tourism sector) are being fast-tracked under the government of Prime Minister Narendra Modi (see Box 9.1).

In 2014, Modi launched the 'Make in India' programme which promoted India as the world's topmost greenfield foreign direct investment (FDI) destination for 2015 and allows 100 per cent FDI for greenfield airport projects (Nielsen, 2017). In the same year, it was announced that 10-15 greenfield airports were in the planning stage (Firstpost, 2014). Only one year later, 14

greenfield airports received in-principle approval from the Indian government, with the planned Mopa Airport in Goa requiring the second highest investment (Sen, 2015). The 'Make in India' programme encourages Indian airports to adopt the special economic zone (SEZ) 'Aerotropolis model', whereby an airport is at the centre of surrounding facilities, such as luxury hotels, shopping and entertainment facilities, convention, trade and exhibition complexes, golf courses, and sport stadiums (Nielsen, 2017).

Box 9.1. Greenfield Development and Land Acquisition by the State in India

Greenfield development refers to infrastructural developments in areas previously used for agriculture, forestry or rural amenity conservation. It evokes images of emptiness and opportunity and fosters visions of starting large infrastructure projects on 'virgin' lands. Yet, in reality, very few such projects are able to be built entirely on empty lands, or in political or historical vacuums. Rather, greenfield project developers have to deal with "social and natural environments that are already inscribed with human and non-human history, habitation and activity" (Nielsen, 2017: 844).

In colonial India, the category of 'wasteland' had emerged by the 18th century as a key discursive tool through which 'idle' or 'unproductive' land was refashioned as 'untapped land', i.e. land that has yet to be tapped for its commercial potential (Bennike, 2017). This category was later adopted by the post-colonial state and employed as a land classification technique (Baka, 2013). Classifying land as 'wasteland' makes it much easier for the Indian federal government, local administrations and private investors to justify their land acquisition for major infrastructure project. This logic of capturing the potential of ostensibly marginal, virgin and idle land ties in well with the global land grab discourse (Neef, 2014; Nielsen, 2017).

In most cases, greenfield developments and other large infrastructure projects in India involve *land acquisitions by the state*. Until 2013, land acquisition and takeovers of land by the state for "public purpose" invoked the principle of "eminent domain" and was governed by a legal instrument from colonial times, the Land Acquisition Act of 1894. It was replaced by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (LARR 2013), which came into effect on 1 January 2014. The act introduced a number of safeguard mechanisms for farmers at risk of displacement and more generous compensation and resettlement packages for the displaced. Yet, amendments to the act under the Modi government have watered down some of its central clauses (Neef & Singer, 2015). The amendments include "a fast track process for defence and defence production, rural infrastructure including electrification, housing for poor including affordable housing, industrial corridors and infrastructure projects" (Government of India, 2014).

All greenfield airport developments in India include processes of enclosure, eviction and environmental transformation but also of protests and resistance. The largest greenfield airport project, the Navi Mumbai Airport, set to open in 2019, required the displacement of around 2,700 families from ten villages and the destruction of ecologically important mangrove areas.

Another major greenfield project has been planned since 1999 in Goa, the smallest and richest state of India. Goa's primary industry is tourism, with the state accounting for 12 per cent of international tourist arrivals in India (GoG, 2015). According to Goa's Department of Tourism, the state welcomed nearly 5.3 million visitors in 2015, double the number of tourist arrivals in 2010. Construction work on the new greenfield international Mopa Airport in Goa began in

2017, following a decade-long land conflict centred on the state government's acquisition of around 800 hectares of land on which the airport will be constructed and the social and environmental implications of the airport project (Nielsen, 2017). In the 15 months from April 2017 to June 2018, the Forest Department granted permission to fell more than 21,000 trees at the Mopa airport construction site (The Economic Times, 2018). This is remarkable because the Government of Goa's Environmental Impact Assessment (EIA) draft report of 2014 stated that "land in the project site is largely uncultivated with sparse vegetation" (GoG, 2014, p. 37). Several photos in the EIA report depict the site as barren wasteland with only a few shrubs here and there.

Environmental groups and human rights advocates criticised that the EIA report – prepared by a public-sector consulting company – was an obvious attempt to downplay the environmental and social consequences of the project. In fact, the report claimed that "a very small percentage of the total working population in the North Goa district [the airport site] engaged in agriculture" (GoG, 2014, p. 39). While the EIA report indirectly acknowledged that nearly 7,300 people in six villages had been affected by compulsory land acquisition, it emphasised that "these six villages form just around 1 % of the total district's population" (ibid). At the time when the EIA report was published, all land had already been acquired from the previous landowners by the government (Nielsen, 2017). The EIA report implied that the resettlement would actually bring "more benefits for the local people" through "employment opportunities for local skilled and unskilled people, development of infrastructure, communications facility, drinking water supply, health" as well as unspecified "social and cultural development" (GoG, 2014, p. xi).

The mandatory public hearing of the draft EIA report in February 2015 was attended by various groups opposing the airport construction and heated debates ensued which at some point required the intervention of the police force (Nielsen, 2017). Submissions critiqued the alleged manipulation of social and environmental data in the EIA draft report, questioned the plans of the authorities to use agricultural irrigation water as water supply for the airport and referred to painful experiences with earlier resettlements from mining sites (Bharat Mukti Morcha, 2015). Hundreds of signed statements detailed their historical connection to the place and highlighted its ecological diversity, its importance for food production and other essential livelihood activities, and the prevalence of various religious sites that would be destroyed by this greenfield development project (Nielsen, 2017).

The revised EIA report (GoG, 2015) acknowledged that "forests [are] the predominant land use [in] the area" (p. iv) and included a table with "environmentally sensitive areas" (p. 8) including reserved forests, wetlands, water bodies and archaeologically important places, but reiterated that the Mopa Airport would have "significant positive impact on employment and occupation" (p. x) and "that the airport development will not only increase and support tourism, but also accommodate the projected growth in business travel and cargo movements in Goa" (p. 106).

This example shows how the Mopa Airport has been promoted by authorities and consultants as both a necessity and an economic boon for the state by emphasising how it serves "both the tourism and business markets and keeping pace with the growing air travel segment in India" (GoG, p. ii). Instead of scrutinising the socio-ecological viability of the project and making sure that environmental and social safeguards are adhered to, the EIA process rubber-stamped a project that had already been approved in principle by the government and employed a rhetoric of 'greenfield development' that in fact will have a massive impact on the local environment.

Airport Expansion and Resettlement in Luang Prabang, Lao PDR: The Problematic Involvement of National and Multilateral Development Banks

Lao PDR is a relative newcomer to the international tourism industry. The socialist country has officially welcomed international tourists only since 1989 under its economic reform programme. By the mid-1990s, tourism had become a major priority for economic development and by 2005 it reached the 1-million international visitor mark (Harrison and Schipani, 2008). With growing opportunities from tourism, a small elite has enriched itself from the construction of golf courses, casinos and integrated resort facilities (Sims & Winter, 2015).

As a UNESCO World Heritage Site, the town of Luang Prabang is Lao PDR's key northern node for increased regional connectivity and one of the country's most popular tourist destinations that has seen rapid investments in new hotels, restaurants, and other hospitality services. Yet, it is also a city that cannot be reached through a one-day road trip from other major cities in the Greater Mekong Subregion (GMS) and hence is heavily dependent on its small airport for most of its tourism and trade flows. In order to upgrade and expand the existing airport facilities, the Government of Laos requested a loan of US$ 57.8 million from the Export-Import Bank of China (cf. Box 9.2), while China CAMC Engineering Co Ltd was responsible for the survey, design and construction of the rebuilding project (Dreher et al., 2017). Meanwhile, the Asian Development Bank (ADB) – an international financial institution that is committed to enhancing regional economic integration in the GMS (cf. Box 9.2) – provided important discursive justification for the project through the provision of a controversial technical assistance report (ADB, 2008; Sims, 2015).

The Technical Assistance Report (TAR) anticipated an increase of 125 per cent of foreign tourists within the first three years of the completion of the airport upgrade and expected the expansion of its size to enhance employment, stimulate trade, promote tourism, and diversify livelihoods (Sims, 2015). Yet, the TAR also conceded that the upgrade would directly affect a total of 814 households (132 of them headed by females) through loss of land and/or assets of which 424 households needed to be relocated to a new site (ADB, 2008). The airport upgrade would not only lead to the demolition of private homes, but also destroy businesses (including shops and brick factories), schools and other educational facilities, religious sites, agricultural plots and fruit trees (Sims, 2015). The costs for resettlement compensation and environmental improvements at the relocation site were estimated at approximately US$ 14.5 million (ADB,

2008). As the TAR recognised that the relocation carried the risk of undermining local livelihoods, the ADB developed a 'comprehensive land acquisition and resettlement action plan' that provided detailed guidance on how the resettlement process should be conducted (Sims, 2015). Provided that the action plan were to be implemented, the social and economic impact of the relocation was expected to be 'minor' and that project-affected residents would be 'fully resettled and compensated' (ADB, 2008).

Box 9.2. The Asian Development Bank and the Export-Import Bank of China as Funding Institutions for Tourism Infrastructure Development

The ADB is an international financial institution (IFI) that targets development and poverty alleviation. In one of its mission statements, ADB affirms its commitment to "achieving a prosperous, inclusive, resilient, and sustainable Asia and Pacific, while sustaining its efforts to eradicate extreme poverty." Established in 1966, ADB is owned by 67 members, of which 48 hail from the Asia-Pacific region. In 2017, ADB operations totalled 32.2 billion, including $11.9 billion in co-financing. One of ADB's foremost strategies for poverty alleviation is increased economic regionalism through regional cooperation and integration which are considered to be 'critical for Asia's march towards prosperity' (Sims, 2015). ADB regards tourism as a pro-poor strategy in Lao PDR and has provided substantial funds to the so-called Mekong Tourism Development Project in the early 2000s. A strong emphasis of the project has been on (1) building or improving roads and airports; (2) development of pro-poor, community-based tourism; and (3) improving cross-border tourism facilities in this landlocked country. In October 2018, ADB and the Lao government signed a US$48 million grant agreement for the Second Greater Mekong Subregion (GMS) Tourism Infrastructure Project, which aims at supporting road access, improving tourism-related services and enhancing sustainable tourism management.

The Export-Import Bank of China is a state-funded and state-owned policy bank with the status of an independent legal entity. It is a bank under the direct jurisdiction of the State Council and dedicated to supporting China's foreign trade, investment and international economic cooperation. In 2017, its foreign trade loans amounted to nearly US$145.7 billion, while its overseas investment loans totalled about US$38.1 billion. The bank's main emphasis overseas is on supporting large-scale infrastructure projects, such as a bridges, roads, airports, ports and dams. Yet, it has recently broadened its portfolio to strengthen its investment in the tourism industry. In Southeast Asia, one of the bank's investment groups is currently preparing to launch a fund of up to US$3 billion that will not only target infrastructure and telecoms but also travel businesses.

Sources: Sims, 2015; Export-Import Bank of China, 2018; Harrison & Schipani, 2008;

What was largely left out from this account were the following factors:

- the negotiated compensation funding provided by Export-Impact Bank of China was more than US$ 10 million less than the expected resettlement costs;
- the Lao Government – which implemented the relocation process – had little knowledge of and lacked interest in applying ADB's resettlement guidelines;
- relocated agricultural households would face difficulties in re-establishing rice fields, gardens and fruit trees in the new location (Sims, 2015).

At the relocation site, almost all resettled families received a 10 x 18 m^2 land parcel, as opposed to the minimum of 400 m^2 outlined in the ADB's resettlement policy and regardless of how much land they had previously owned (Sims & Winter, 2015). Land was allocated on a lottery basis, and most families were relocated before they had the opportunity to build new homes and had to temporarily live in makeshift tents (Sims, 2015). The provincial government which managed the resettlement process provided no compensation for fruit trees and other lost assets or for the income opportunities lost due to the need to rebuild homes at the new location (Sims & Winter, 2015). In contrast to the ADB resettlement plan which recognised that water and electricity should be in place prior to relocation, it took two months for these services to be supplied, and several households who had made an unlucky draw regarding their plot in the new site were still without piped water and electricity one year after the relocation (Sims, 2015).

Resettled residents complained that their new plots of land were substantially smaller than their former landholdings and less suitable for agriculture and that their compensation payments were insufficient to rebuild their homes in the same quality as their former ones (Sims, 2015). Vocational training and food provisions – as recommended in the TAR – were not given to the resettled people, despite the villagers' urgent request for food aid in the first year after the resettlement. While the ADB cannot be held accountable for the poor implementation of the resettlement process, the example questions the pro-poor rhetoric of tourism infrastructure development that is common among international financial institutions and national development banks. The enhanced mobility of foreign tourists and domestic elites contrasts sharply with the drastically reduced physical, social and economic mobility of those people that have to move out of tourism development's way.

Chapter 10. Assessment of Existing Instruments and Guidelines for Land Rights Governance and Protection from Dispossession and Displacement: Potential Applications in the Field of Tourism

This chapter looks at existing frameworks and guiding principles that have some potential of being applied to strengthen land and resource rights and protect both indigenous and non-indigenous communities from tourism-induced land grabs and displacement. While the first three sections examine international human rights law and the particular rights of indigenous and tribal peoples, the final three sections explore the potential of voluntary guidelines and corporate codes of conduct.

10.1 Tourism-Related Land Grabs and International Human Rights Law

Tourism is linked to a wide range of human rights. Several human rights principles as enshrined in international human rights frameworks pertain to land and other natural resources. Tourism-related land grabs directly affect these rights as presented in Box 10.1.

Box 10.1. Key Human Rights Principles and Issues in Tourism

Directly Related to Land and Other Natural Resources:

- The right to own property, including land
- The right to adequate housing
- The right to protection from forced displacement
- The right to food
- The right to water and sanitation
- The rights of indigenous peoples

Indirectly Related to Land and Other Natural Resources:

- The right to life and health
- The right to dignity and privacy
- The right to protection from economic and cultural exploitation
- The right to participation and self-determination
- The right to be protected from child labour and sexual exploitation

Sources: Tourism Concern, 2014; Roundtable Human Rights in Tourism, 2013

Yet, there are also a range of human rights that may be indirectly impacted by tourism-related land grabbing. Forced eviction and involuntary resettlement, for instance, often have adverse effects on health and self-determination, affect the right to non-interference with privacy, family and home, and may expose evicted or resettled people to economic exploitation after the relocation.

The Right to Property, Adequate Housing and Protection from Displacement

The *right to property* has remained somewhat controversial among international human rights lawyers. Yet, Article 17 of the Universal Declaration of Human Rights (UDHR) holds that 'no one shall be arbitrarily deprived of his property' and Article 25(1) of the UDHR guarantees the *right to housing* and *prohibits forced evictions*. Both articles can be interpreted as an international and legally binding recognition of land grabbing, including for tourism purposes, as a violation of these basic human rights. The UN Guiding Principles on Internal Displacement (UNGPID) build on these human rights principles and maintain that the prohibition of arbitrary displacement includes 'large-scale development projects, which are not justified by compelling and overriding public interests' (Principle 6.2.c). They further hold that 'prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether' (Principle 7.1). The UNGPID also make provisions for 'full information on the reasons and procedures for [people's] replacement', call for 'the free and informed consent of those to be displaced' (Principle 7.3.b/c) and urge authorities to 'involve those affected, particularly women, in the planning and management of their relocation' (Principle 7.3.d). Principle 9 is particularly pertinent for tourism- and conservation-related displacement as it puts 'states are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands' (Principle 9). Remarkably, the UNGPID also provide for internally displaced persons' 'right of access to the grave sites of their deceased relatives' (Principle 16.4), which is a right that has often been ignored in tourism- and conservation-related evictions and resettlements. Two problems arise in the application of UNGPID to the tourism sector: first, the principles – while directly drawing on international human rights law – are not legally binding, and, second, tourism tends to feature less prominently in the international debate on the rights of 'internally displaced people' than the traditional extractive industries or wars and conflicts.

Right to Food, Water and Sanitation

The *right to food* is enshrined in the 1948 Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which explicitly recognises 'the fundamental right of everyone to be free from hunger' (Art. 11(2)). The ICESCR obligates states to take appropriate measures, either in their individual capacity or through international partnerships, to address all forms of food insecurity (Dhanarajan, 2015). In many of the case studies presented in chapters 3-9 it has become evident that most tourism-related land grabs had immediate and adverse impacts on the food security (and the food sovereignty) of evicted and resettled people. Yet, the advocates of tourism development often argue that food insecurity will only be transitional and that a tourism project, a conservation zone or a major infrastructure project like an airport will provide future income opportunities for displaced communities. Unfortunately, several of the case studies presented in this report and many other studies have shown that such hopes and promises have rarely materialised for the direct victims of development-induced displacement (cf. Price, 2015).

The human *right to water and sanitation* as a prerequisite for leading a life in human dignity and for the realisation of various other human rights has been explicitly recognised through the legally binding UN Resolution 64/292 (28 July 2010). In the context of tourism-related land grabbing, violations of this fundamental human right may stem from: (1) diversion of freshwater supplies to tourism businesses at the expense of providing drinking and irrigation water to other stakeholders, such as small-scale farmers, fisherfolks or pastoralists; (2) contamination of freshwater sources through pesticides, e.g. from golf courses; and (3) evictions of communities from areas with adequate water supply. Several examples of how the human right to water has been disrespected by various stakeholders in the tourism sector's supply chain have been discussed in the previous chapters. In the future, it will be an important task of human rights advocates and international human rights lawyers to acknowledge and raise awareness that the tourism sector is not only an extractive industry with an enormous water footprint, but that many tourism stakeholders are also actively engaged in grabbing water resources at the expense of local communities' enjoyment of this fundamental human right.

10.2 The ILO's Indigenous and Tribal Peoples Convention

The 1989 Convention (No. 169) *Concerning Indigenous and Tribal Peoples in Independent Countries of the International Labor Organization* (commonly referred to as ILO 169) was written to pressure governments to enact special legislation for the rights of "indigenous and tribal peoples" to land, bilingual education, political and economic autonomy, and fair labor practices. ILO 169's definition of the groups protected by the convention is relatively loose, applying to tribal peoples, indigenous peoples, and peoples present prior to colonisation who have continued to retain "traditional" cultural institutions (ILO, n.d.).

Land rights are central to the ILO 169, since without control over territory, indigenous and tribal peoples have no control over their own development. ILO 169 also recognises that land is tied to maintaining cultural identity. The second part of the convention (Articles 13–19) deals explicitly with indigenous land rights. Article 13 declares that governments need to respect the cultural and spiritual value that indigenous peoples attach to their lands, territories, or both and, in particular, the collective nature of that relationship. The remaining articles make it unequivocally clear that indigenous peoples have be afforded their rights not just to land occupied by them, but also to areas that they had traditionally accessed for subsistence and other activities. Governments are required to safeguard and guarantee the protection of indigenous rights to ownership and are called upon to adopt "adequate procedures within the national legal system to resolve land claims by the peoples concerned" (ILO, n.d.).

ILO 169 is potentially a powerful legal framework to protect indigenous and tribal peoples from tourism-induced land grabs. Yet, it suffers from a very modest uptake by the international community, with only 23 nation states having ratified the convention to date. Most of the signatories to ILO 169 hail from Latin America, a region in which the potential for applying the convention currently appears to be the highest. When applied to the tourism industry, it requires

any tourism stakeholder that wants to acquire land – including government bodies – to pre-obtain the free, prior and informed consent (FPIC) of local communities. However, some tourism watchdogs have argued that a major weakness of ILO 169 is that injured parties, including indigenous peoples, have no right to veto land acquisitions (IHRB & Tourism Concern, 2012).

10.3 The UN Declaration on the Rights of Indigenous Peoples

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was negotiated between nation states and indigenous peoples over a period of twenty years before being adopted by the UN General Assembly in 2007. The Declaration features 46 articles covering a wide range of human rights issues (United Nations, 2008). By 2016, nearly all UN Member States supported the Declaration, following initial opposition by several settler colonial states, including the USA, Canada, New Zealand and Australia. The UNDRIP has been hailed as a landmark achievement by indigenous peoples in obtaining international recognition of their rights to self-determination and right to land and other natural resource rights. While building on international human rights law, as a General Assembly Declaration the UNDRIP is not a legally binding instrument nor does it create a new set of rights for indigenous peoples. Rather, the declaration builds on existing human rights standards and applies them to the particular situation of Indigenous peoples, with emphasis on the recognition of collective rights to indigenous territories (see selected articles in Box 10.2).

Box 10.2. UNDRIP Articles with Particular Relevance to the Protection of Indigenous Peoples' Collective Rights to Land and other Natural Resources

Article 10
Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 25
Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26
1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. […]
3. States shall give legal recognition and protection to these lands, territories and resources. […]

Source: United Nations, 2008

The UNDRIP provides nation states with a comprehensive framework to reduce inequality and provide remediation when indigenous peoples' rights have been violated. A major strength of the Declaration as a tool of protection from tourism-related land grabs is that it denounces all forms of forced relocation of indigenous peoples, emphasising the explicit need for FPIC and just and fair compensation. Yet, the Declaration does not define the term 'indigenous peoples', which limits its application in country contexts, where governments do not acknowledge the concept of indigeneity for its own groups and have developed alternative classifications, such as ethnic minorities, hilltribes, ethnic nationalities or scheduled tribes.

Box 10.3. The Six Principles of the 2012 Larrakia Declaration

1. **Respect for customary law and lore, land and water, traditional knowledge, traditional cultural expressions, cultural heritage that will underpin all tourism decisions.**
2. **Indigenous culture and the land and waters on which it is based, will be protected and promoted through well-managed tourism practices and appropriate interpretation.**
3. Indigenous peoples will determine the extent and nature and organizational arrangements for their participation in tourism and that governments and multilateral agencies will support the empowerment of Indigenous people.
4. Governments have a duty to consult and accommodate Indigenous peoples before undertaking decisions on public policy and programs designed to foster the development of Indigenous tourism.
5. The tourism industry will respect Indigenous intellectual property rights, cultures and traditional practices, the need for sustainable and equitable business partnerships and the proper care of the environment and communities that support them.
6. Equitable partnerships between the tourism industry and Indigenous people will include the sharing of cultural awareness and skills development which support the wellbeing of communities and enable enhancement of individual livelihoods.

Source: PATA & WINTA, 2015, p. 13

Building on the UNDRIP, the Pacific Asia Travel Alliance (PATA) in association with the World Indigenous Tourism Association (WINTA) have developed their own set of principles of how indigenous peoples want to engage with the tourism sector. The first two of the six principles make explicit reference to indigenous rights to land and natural resources (Box 10.3).

While it is important to acknowledge the particular need for protection of indigenous peoples' land in the context of tourism development, it needs to be recognised that non-indigenous communities can also have a deep connection with and dependency on their land and other communally shared resources and may be similarly at risk of displacement from tourism-related land grabs as indigenous communities, as has been shown in several examples in this study. The following two subsections look at two sets of voluntary guidelines that are broader in scope and address the vulnerabilities of both indigenous and non-indigenous populations.

10.4 The FAO's Voluntary Guidelines and their Implications for Tourism-Related Land Grabs

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) were drawn up by the Food and Agricultural Organization of the United Nations (FAO) and adopted by the Committee on World Food Security (CFS) in 2012. Their aim is to achieve 'food security for all' and to promote 'responsible governance of tenure of land, fisheries and forests, with respect to all forms of tenure: public, private, communal, indigenous, customary, and informal' (FAO, 2012). These aims are grounded in fundamental human rights frameworks.

What makes the VGGT distinct from previously established international land governance frameworks is that they call for the recognition and protection of 'legitimate' tenure rights, which include all forms of customary, informal and subsidiary rights, even if they are not (yet) acknowledged and protected by statutory law (FAO, 2015; Hall & Scoones, 2015). This recognition is also extended to publicly owned lands, which is particularly significant for tourism zone development and large-scale tourism infrastructure projects (such as airport constructions and expansions), where public land may overlap with customary rights of long-established communities that tend to be delegitimised by government actors and project developers (see Chapter 3).

The VGGT also make explicit reference to pastures, fishing grounds and forests that are used and managed communally rather than by individual owners or custodians. Such 'commons' tend to be targeted by many private tourism investors, as communal rights are often not legally recognised by national governments or given much less priority in legislative frameworks than private and state property. Communally owned and managed pastures and forests are also at high risk of expropriation when states aim to expand their protected areas for both wildlife conservation and eco-tourism, as exemplified in Chapter 7.

Finally, the VGGT call for redistributive reforms to provide wider and fairer access to resources for men and women equally. This principle is of relevance for regions and countries with a particularly skewed distribution of land and other natural resources, often as a consequence of their colonial history, such as in Asia (e.g. Philippines, Indonesia and India), several Latin American countries (e.g. Honduras, Peru and Brazil) and a number of African nations (e.g. Tanzania, Mozambique and South Africa). In many of these countries, unfettered tourism development and expansion of protected areas have exacerbated historically determined distributional inequity, while communities and civil society groups have advocated for land reform, redistribution and restitution for decades.

A major shortcoming of the VGGT is the absence of provisions for water rights which has been criticised by development practitioners, academics and civil society groups alike (e.g. Brüntrup et al., 2014; Paoloni & Onorati, 2014). This is particularly problematic for the resort tourism sector, whose water demand is often several times higher than other sectors (cf. sections 2.3,

4.1 and 4.3), possibly with the exception of farming. Another limitation is that the principle of Free, Prior and Informed Consent (FPIC) – which is explicitly addressed in relation to indigenous peoples in the VGGT with reference to the UNDRIP – is not extended to non-indigenous social groups (Paoloni & Onorati, 2014). This poses challenges for human rights groups that advocate for FPIC among non-indigenous communities (for example, in the context of urban and peri-urban land grabs, e.g. for sports mega-events and urban tourism attractions, as outlined in Chapter 8), but also for 'indigenous peoples' that are not officially recognised as such by their governments, for instance in Tanzania, Laos, Indonesia, Thailand and India.

Another shortcoming of the VGGT is that they do not categorically oppose controversial land deals but leave some room for diverging interpretations. Governments, investors and bilateral or international agencies can make references to certain elements in the text to justify their focus on national economic growth and to emphasise the public benefits of land deals. This is particularly common in national and international tourism discourses, where the tourism sector is presented as an inherently benign, non-extractive and even peace-making industry (see Chapter 1).

A promising development is that the United Kingdom, the USA, Germany, France, the African Union Land Policy Initiative and the Food and Agricultural Organization of the United Nations (FAO) have jointly developed a land investment due diligence framework based on the VGGT and other international standards, to guide private sector investments under their New Alliance for Food Security and Nutrition. Yet, while the VGGT are gradually being adopted by an increasing number of stakeholders at government, donor and corporate levels, they remain a soft law instrument that can support a range of human rights advocacy measures and raise further awareness among various stakeholders, but do not enable the victims of tourism-related dispossession and displacement to take legal action against governments or corporations.

10.5 The UN Guiding Principles on Business and Human Rights and their Relevance to Land Acquisitions by the Tourism Industry

The UN Guiding Principles on Business and Human Rights (UNGP) were adopted by the UN Human Rights Council in 2011 and are arguably the most authoritative and internationally recognised framework for business and human rights, since they are backed by UN member states and are the outcome of extensive consultations with many stakeholders over a period of six years. The UNGP have also been referred to as the UN's 'Protect, Respect, Remedy Framework', with three pillars – namely the state's duty to protect against human rights abuses, the corporate responsibility to respect the human rights of all peoples, and the contractual parties' obligation to ensure access to effective remedy when protection fails (cf. Box 10.4).

While the UNGP do not comprise obligations under international law, they have special significance for respecting human rights in tourism, as they are increasingly becoming a concrete reference framework on the obligations of states and the responsibilities of businesses.

The application of the UNGP is particularly pertinent when businesses operate in countries where adherence to international human rights norms and standards in the tourism sector are weak due to lack of government will, capacity or resources, or because of on-going or recent violent conflict – which applies to such destinations as Sri Lanka, Palestine, Bangladesh or Honduras (IHRB & Tourism Concern, 2012).

Nevertheless, the international implementation of the UNGP in the nation states has proven difficult. The EU Commission has asked its member state governments to prepare action plans for the implementation of UNGP, and 16 of its 28 members have produced one as of January 2019. Internationally, only five other countries (Norway, Columbia, Switzerland, USA and Chile) have developed their own national action plan, while a range of other countries, including in Africa, Asia and Latin America, have committed to draft an action plan or have taken first steps in the development of such a plan. The UK's and France's national action plans make specific reference to large-scale land acquisitions, but the tourism sector is not mentioned in either of them. Hence, while the UNGP are gradually being incorporated into government policies and hard law, it is obvious that tourism to date has escaped the same levels of human rights scrutiny as other sectors (IHRB & Tourism Concern, 2012). It will be important to put tourism on the agenda of the UNGP implementation process and emphasise the responsibility of the various tourism businesses with regard to respecting land rights of indigenous and non-indigenous peoples as essential human rights.

Box 10.4. The Three Pillars of the Guiding Principles on Business and Human Rights

1. The state's duty to *protect* against human rights abuses:
States must guarantee protection against human rights violations committed by third parties, such as businesses, within their territory. This calls for appropriate measures to prevent, investigate, prosecute and compensate for human rights violations.

2. The corporate responsibility to *respect* human rights:
Businesses should respect human rights and avoid negative impacts that are caused directly or through their business relations. In order to assume responsibility, businesses should possess corresponding principles and procedures and act with due diligence.

3. the contractual parties' obligation to ensure access to effective *remedy* when protection fails:
States must take adequate measures to provide access to an effective remedy and appropriate compensation for the affected parties. In addition to judicial mechanisms, states must also provide non-judicial grievance mechanisms. Moreover, businesses should also provide effective grievance mechanisms at an operative level, or participate in such mechanisms.

Source: OHCHR, 2011

A major weakness of the UNGP is that they do not develop duties for individual states to monitor and regulate the human rights impacts of their home business enterprises beyond national borders (i.e. extraterritorial obligations - ETOs). Hence, foreign tourism companies can easily refer to weaker human rights standards and less stringent social and environmental standards in the host countries, without being subjected to any punitive measures from their

home governments. This is unsatisfactory as ETOs are internationally recognised in other areas, such as sex tourism (Van Huijstee et al., 2012). However, there are a number of encouraging developments, such as a study commissioned by the European Parliament's Sub-Committee on Human Rights which focuses on access to legal remedies for victims of corporate human rights abuses in third countries.

There are various other codes of conduct that are closely related to UNDG. More than 5,000 global corporations have joined the UN Global Compact, which calls on businesses to "support and respect the protection of internationally proclaimed human rights" (principle 1), "make sure that they are not complicit in human rights abuses" (principle 2) and "support a precautionary approach to environmental challenges" (principle 7). Several multinational hotel chains, such as InterContinental Hotels, Hyatt and Shangri-La, have also started to explicitly recognise their human rights obligations and have implemented measures such as human rights policies, reporting on human rights issues, providing ethics training for their staff and signing up to the UN Global Compact (Bauer, 2016). However, human rights policies focus predominantly on the operational part of the tourism businesses (once their construction has already been completed), hence they do not make explicit reference to respecting land rights prior to and during the implementation of the business. There is a need to hold hotel operators accountable for land grabs committed prior to the establishment of the tourism premises and for taking advantage of an unjust legal environment.

10.6 Environmental and Social Safeguards of International Financial Institutions and their Relevance for Tourism-Induced Displacement and Resettlement

Several international financial institutions (IFIs), such as the World Bank and the Asian Development Bank, have recognised the drastic impact that evictions and displacements induced by infrastructure and other development projects, including tourism, can have on certain people. The World Bank was the first multilateral development agency that adopted guidelines on involuntary resettlement more than 35 years ago, and it has since made some important contributions to the overall understanding of the multiple risks associated with evictions and proposed a set of mitigation measures – so-called environmental and social safeguards – to minimise harm. These safeguards have formally been adopted by a substantial number of other IFIs, private financial institutions and corporations, yet this has not reduced the high number of forced evictions and involuntary displacements that occur each year. A major reason is that the call for foreign direct investments (FDIs), including in land and other natural resources for tourism development, are still seen as a major growth strategy and a prerequisite for poverty alleviation in less developed countries. IFIs and commercial banks have repeatedly called for a further liberalisation of land markets to allow foreign ownership, which aggravates the problem of tourism-related land and resource grabs. In addition, IFIs use an increasing number of complex financing modalities, such as multi-purpose financing facilities, financial intermediary projects and finance projects with multiple subcomponents, whose displacement impacts emerge only after the project has already been approved (Price, 2015).

Another problem is that non-traditional donors and development banks from emerging economies, such as China, Brazil, India, and South Africa, are creating new modalities of operation and different transparency and safeguards standards which make development-induced displacement and resettlement even more ambiguous (Price, 2015). For instance, the China-led Asian Infrastructure Investment Bank (AIIB), which began operations in January 2016, is poised to have an enormous impact on Southeast Asian countries by funding major infrastructure projects under China's ambitious Belt and Road Initiative. The AIIB has developed its own social and environmental safeguards that, among other principles, require its borrowers to conduct 'free, prior, and informed *consultation*' (FPICon; emphasis added) with – rather than to obtain 'free, prior, and informed *consent*' (FPIC; emphasis added) of – indigenous peoples facing loss of customary ownership of land and other natural resources and/or relocation. This appears to be in gross disregard of the UN Declaration on the Rights of Indigenous Peoples and falls short of existing international standards as enshrined, for instance, in the Equator Principles approved by international financial institutions in 2013 (see section 10.7).

10.7 Equator Principles: Holding the Corporate Financial Sector Accountable to Tourism-Related Land Rights Infringements?

The Equator Principles provide a comprehensive set of guidelines to both borrowers (i.e. project developers) and lenders (i.e. financial institutions) on how to assess the environmental and social impacts of projects and incorporate safeguards into project and loan agreements. They were established in 2003, have since been revised twice and have been valid in their current form of EP III since 2013. As of January 2019, more than 90 private and public financial institutions in 37 countries have voluntarily adopted the Equator Principles (EPs) and committed themselves to incorporate them into their own policies (www.equator-principles.com). The EPs are modelled after the International Finance Corporation's (IFC's) Performance Standards on Environmental and Social Sustainability, which came into effect in 2012 (cf. Box 10.5). The IFC is the private lending arm of the World Bank and its relatively high environmental and social risk management standards have been globally recognised. The supporters of the EPs maintain that the principles are a rare example of financial market self-regulation and represent substantial progress in raising financial institutions' performance in addressing social and environmental risks of development projects, including tourism. Yet, it has been argued that the EPs rely solely on voluntary reporting and therefore are not a sufficiently strong hedge against dispossession and displacement in weak regulatory environments and authoritarian political settings (Wright, 2012; Price, 2015).

A recent study commissioned by the United Nations Environment Programme (UNEP) on the adoption and implementation of the EPs by selected financial institutions found that the two major motives of project financiers for adopting the principles have been to (1) increase their reputation and (2) serve them as guidelines for risk management strategies (Weber & Acheta, 2016). Another important finding from the study was that the EPs did not effectively change

the way how environmental and social issues in project finance are assessed nor did they lead to a rejection or modification of projects with regard to their environmental and social impacts. Even more concerning is the finding that in some cases financial institutions that have signed up to the EPs did not even comply with their own voluntary guidelines and that most of them did not actually disclose their projects in their reports which makes it near-impossible to assess their social and environmental impacts (Weber & Acheta, 2016).

Box 10.5. IFC's Performance Standards on Environmental and Social Sustainability on which the Equator Principles are based

- Assessment and Management of Environmental and Social Risks and Impacts;
- Labour and Working Conditions;
- Resource Efficiency and Pollution Prevention;
- Community Health, Safety and Security;
- Land Acquisition and Involuntary Resettlement;
- Biodiversity Conservation and Sustainable Management of Living Natural Resources;
- Indigenous Peoples;
- Cultural Heritage

Source: IFC, 2012

At the time of writing of this study, the EPs are going through a revision process and proposed draft changes to the EP text have been developed for the several areas, including social impacts and human rights. Some critics have advocated for independent external assurance of financial institutions' EP disclosures rather than just self-reporting (Macve & Chen, 2010). It has also been proposed that EPs implement enforcement mechanisms that could include monetary fines or exclusion from the EP association, if members do not comply with some of the principles (Weber & Acheta, 2016). With regard to land acquisition and involuntary resettlement, EP member institutions could be obligated to disclose which alternative options to these measures have been explored and why these were not selected. In the meantime, stakeholder pressure through media reporting, independent research and NGO advocacy appears to be the most promising way to hold financial institutions accountable for their project impacts, as they face considerable reputational risk if they do not comply with the social and environmental safeguard principles they have committed to.

Chapter 11. Conclusions and Recommendations

This chapter provides a brief summary of the analysis and major findings and formulates a set of recommendations for various stakeholder groups.

11.1 Concluding Remarks

This study has discussed 25 case studies of tourism-related land grabs and displacements in various regional contexts. These cases – along with references to many other studies that could not be presented in more detail – have shown that land grabbing, dispossession and involuntary relocation in holiday destinations in the Global South are pervasive and often systemic phenomena, involving complex alliances of government and corporate actors. Host governments prepare the ground for domestic and foreign tourism investors through tourism zoning, infrastructure development and generous tax incentives. National and local legal frameworks and social standards are either redesigned or reinterpreted to facilitate land acquisition and involuntary resettlement of local communities. Examples from the case studies provide evidence that tourism-related land grabs and displacements happen across the political spectrum – in democratic systems, semi-authoritarian regimes and countries under authoritarian rule. The existing tenure legislation also does not seem to make a strong difference; land grabs can occur in countries with a predominantly private ownership system and under customary, communal forms of land and resource tenure.

Dispossession and displacement are discursively justified by emphasising the 'public purpose' of tourism development, e.g. for economic growth and job creation, preservation of natural and cultural heritage, post-conflict rehabilitation or post-disaster recovery. Poverty, lack of political voice and legal literacy, and harassment by tourism investors and government bodies drive local people into distress sales and the acceptance of resettlement terms that are often based on incomplete or false information. Very few cases are reported where resettled communities have been able to restore their livelihoods. Nevertheless, commercial banks and international financial institutions continue to finance large-scale tourism projects and sporting mega-events that lead to involuntary resettlement of indigenous and non-indigenous communities.

As several of the examples presented in chapters 3-9 have shown, tourism-related land grabbing and displacement do not always occur as sudden and openly violent events, but can also take more subtle forms, such as gradual gentrification and economic and cultural displacement. Communities may be deprived of the spiritual and cultural connection to their ancestral land and lose invaluable local knowledge that has been transferred over several generations. Tourism zones may gradually deplete local water supplies and enclose coastal or forest resources, often with disproportionate impacts on women. Beyond these direct adverse impacts, tourism-related land grabs and displacement can have a range of indirect effects, such as further social marginalisation, economic exploitation, and reduced self-determination and political participation of affected communities and individuals.

As discussed in chapter 10, international legal frameworks and guiding principles can be employed by advocacy groups to call for the strengthening of local resource rights and the protection of vulnerable communities from tourism-induced land grabs and displacement. The following recommendations are addressed to various stakeholder groups in the tourism sector with the aim of providing guidance on how to prevent the tourism industry's further infringement on land and resource rights of local communities in the Global South.

11.2 Recommendations for Different Stakeholder Groups

Tourism businesses

- Hotels, tour operators and other tourism businesses need to respect the legitimate rights to land and other natural resources of all stakeholder groups (e.g. indigenous peoples, local communities, customary landowners), even when these rights are not (yet) codified by national legislation.

- Tourism businesses have to be accountable to those groups whose access to land and other natural resources and whose rights to property and housing may be directly or indirectly impacted by the instalment of their business and/or their long-term operations.

- Tourism businesses must support appropriate remedial action for all social groups that have been adversely affected by their activities, e.g. by land restitution measures, compensation payments and other forms as required by national or international legal frameworks and voluntary guidelines.

- Human rights abuses (i.e. forced displacement, land dispossession, infringement on local water supplies) by tourism operators cannot be offset by corporate social responsibility practices or good-will measures in other areas of their business operations.

Governments

- Governments should implement their fundamental duty and international legal obligations to protect the rights of their citizens to land, property, housing and access to water and sanitation for essential livelihood needs. This includes protection against infringements by tourism businesses, tourism infrastructure and tourism zoning.

- Governments should not prioritise tourism development over local livelihoods derived from agriculture, fisheries and forestry. They should provide a clear regulatory framework to ensure that tourism planning is done with the active involvement of all relevant stakeholder groups, including indigenous peoples and marginalised groups.

- Governments need to ensure that tourism businesses operating overseas and/or locally respect human rights, including the rights to land, property, housing and water, in accordance with such frameworks as the UN Declaration of Human Rights and the UN Guiding Principles on Business and Human Rights.

- Governments are encouraged to acknowledge, respect and formalise indigenous and customary land rights in ways that are inclusive of local conceptions of resource ownership, including such notions as the inseparability of people and land among many indigenous groups.

Commercial Banks and International Financial Institutions (IFIs)

- Commercial banks and IFIs should refrain from financing any tourism business or infrastructure project that leads to forced displacement and dispossession of legitimate landowners.

- The financial sector should assume the responsibility to monitor adherence of its clients to international human rights standards, to offer legal guidance and to withdraw funding when the clients fail to respect social and environmental safeguards in their project.

- The financial sector should adhere to international best practice environmental and social standards, as laid out in such frameworks as the Equator Principles and IFC's Performance Standards on Environmental and Social Sustainability. Such principles and standards should become mandatory and accompanied by appropriate enforcement mechanisms.

National and International Civil Society Organisations

- Civil society organisations at local and international level should sensitise government stakeholders, tourism businesses and tourists about the high risk of unfettered tourism development to infringe on the rights of local communities to control and access land, water and other natural resources as well their rights to property and housing.

- Civil society should promote rights-based and participatory approaches to tourism planning and development and empower local communities (both indigenous and non-indigenous) by strengthening their legal literacy and advocacy skills.

Individual Tourists

- Tourists who aspire to travel as ethically as possible should favour small family-run or community-based tourism business over large-scale, enclave-style hotel and resort complexes. They should be aware of the fact that such labels as 'eco-tourism' or 'cultural heritage tourism' do not guarantee that the environment, culture and rights of indigenous groups and other local communities are respected by tourism operations.

- Tourists should be particularly conscious of possible land rights and displacement issues in countries with weak/bad land governance and in post-conflict countries or regions where the military or paramilitary forces may have a stronghold in the tourism sector. Tourists are encouraged to gather information from reliable sources about land rights concerns associated with particular holiday destinations or certain tourism businesses.

Local and International Tourism Organisations and Associations

- International tourism organisations, such as the World Tourism Organization (UNTWO) and the World Travel & Tourism Council (WTTC), should promote a rights-based and inclusive approach to tourism development as a crucial prerequisite to support the 17 UN Sustainable Development Goals.

- National, regional and local tourism offices and associations should sensitise tourism stakeholders along the supply chain about the risks that unfettered tourism developments and operations pose for the rights of indigenous peoples and local communities to their land, water, environment, property and housing.

- National and international tourism organisations and associations should foster initiatives that promote respect for local communities' rights to land and natural resources and for each individual's right to property and housing.

- Tourism associations should strongly encourage their members to align their operations with the UN Guiding Principles on Business and Human Rights. Members that have been found responsible for human rights abuses (e.g. land grabs, evictions) in their operations should be excluded from the association.

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