Neo-extractivism, Development Pathways and Contestation

In recent years there has been, what commentators call, "a global surge in raw materials and the resulting dynamics of development"¹ where "due to international demand for raw materials, a resource-dependent development path is gaining momentum in ... regions of the global South"². In particular, the electronic sector is driving new demand for metals and minerals that were previously much less exploited. The term "(neo-)extractivism" (or even "extreme extraction"³) is becoming more widely used to describe growth-orientated development paths that are "economic models and sectors such as mining that revolve around the extensive extraction of raw materials and their export".⁴ The readings for this week examine a recent discussion of (neo-)extractivism in Latin America, and a discussion of the ways in which the extraction and export of raw materials may provide revenue to improve living conditions.


Human Rights and Climate Change

Climate change is increasingly recognized as raising multiple human rights concerns. This week, we look at this question, whilst also interrogating the representational problems in grappling with problems--such as climate change--that have multiple diffuse causes, where causality cannot be directly determined, and the violence of its effects is often naturalized.

- Jane McAdam and Marc Limon, Human Rights, Climate Change and Cross-Border Displacement: the role of the international human rights community in contributing to effective and just solutions (Universal Rights Groups, August 2015)

Climate Change and Governance of Fossil Fuel Resources

² Id. at., 468-9.
³ Ashley Dawson, Extreme Extraction, COUNTERPUNCH, September 2011.
⁴ Burchardt & Dietz, THIRD WORLD QUARTERLY, (2014),. 481.
Following on from the previous discussion on climate change and human rights, this week we ask what implications does this have for the extraction of fossil fuel resources. Can the extraction of fossil fuel resources itself be seen as a human rights violation?

- Leaton, James, 'Unburnable Carbon – Are the world’s financial markets carrying a carbon bubble?' (Climate Tracker Initiative, 2013)
- Klein, Naomi, *This Changes Everything: Capitalism vs. the Climate* (Simon & Schuster, 2014), Ch 10 “Blockadia: The New Climate Warriors”
- “Petition to the Commission on Human Rights in the Philippines Requesting for Investigation of the Responsibility of the Carbon Majors for Human Rights Violations or Threats of Violations Resulting from the Impacts of Climate Change” submitted by Greenpeace Southeast Asia and Philippines Rural reconstruction Movement, September 22, 2015

**The "Resource Curse"**

Scholars have tried to understand how and why it is that countries with more resources often do worse in development and good governance than countries with less and why it is that many resource-rich countries have struggled to generate self-sustaining economic take-off. This week's discussion looks at debates around the "resource curse" as well as the relationships between natural resources and conflict.


**Processes of Consultation toward Free, Prior and Informed Consent**

The right to consultation towards free, prior and informed consent is a key safeguard, especially for indigenous peoples in relation to extractive activities on lands they claim are theirs. This week engages with recent interpretations and discussion of this right, as well as critical analysis of how it is operating in practice.

- Pahuja, Sundhya, 'Laws of encounter: a jurisdictional account of international law' (2013) 1(1) London Review of International Law 63 (excerpts)

**Transnational Corporations and Environmental Rights**
The first session of the UN Intergovernmental Working Group on Proposed Business and Human Rights Treaty met 6-10 July 2015. This week engages with the debates around a new treaty for business and human rights.

  - Additional (not required reading) Concept note proposed under the responsibility of the designated Chair, Amb. María Fernanda Espinosa, Permanent Representative of Ecuador to the United Nations in Geneva

**International Investment Law and Natural Resource Governance**

International investment law and especially the process of investor-state dispute resolution (ISDR) are increasingly recognized as a site that impacts on the nation-states’ capacity to regulate their natural resources. There is also an increasing debate around the relationship between international investment law and international human rights. This week engages with these debates.

- United Nations General Assembly, “Promotion of a democratic and equitable international order: Note by the Secretary-General”, 70th session, Agenda item 73(b), A/70/285 (5 August 2015).

**Human Rights of Environmental Advocates**

Environmental advocates face many human rights violations, from restrictions on their freedom of expression or assembly, to at times being threatened or killed for their activism. This week we engage with a recent human rights report on this theme, as well as reflections on the legacy of one of the most famous "environmental martyrs."

- Ken Saro-Wiwa "Africa Kills Her Son".

**Green Grabbing: Environmental Measures as Rights Abuses**
The relationship between environmentalism and the human rights of local communities is not uncomplicated. There has been a long history of conflict between community rights to land and conservation projects. This week we engage with some critiques of "coercive conservation" alongside a discussion of current processes of what has been called "green grabbing."


**New Legal Models for Natural Resource Governance and “Green” Courts**

A legal model for natural resource governance is that of specialized “green” courts. Such courts and tribunals have been established in a number of countries, including Brazil, India, and the Philippines. This week discusses the possibilities and limitations of this model of resource governance.

- Nicholas S. Bryner, “Brazil’s Green Court: Environmental Law in the Superior Tribunal de Justiça (High Court of Brazil)” 2012 29(2) Pace Environmental Law Review 470

**Global Value Chains, Global Supply Chains, Global Logistics Chains**

- Cowan, Debrorah, The Deadly Life of Logistics: Mapping Violence in Global Trade (Minneapolis: University of Minnesota Press, 2014), Introduction
- Please also look at the World of Matter Multimedia project that provides an open access archive on the global ecologies of resource exploitation and circulation ([http://www.worldofmatter.net/](http://www.worldofmatter.net/)).

**Extinction, Rewilding & New Ecologies**