

Social and Environmental Impacts of Agricultural Large-Scale Land Acquisitions in Africa—With a Focus on West and Central Africa

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ACRONYMS

Abbreviation	Definition
AATIF	African Agriculture and Trade Investment Fund
AFSA	Alliance for Food Safety in Africa, Mali
AOPP	Association des Organisations Professionnelles Paysannes, Mali
CNOP	Coordination Nationale des Organisations Paysannes, Mali
DRC	Democratic Republic of Congo
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency, Ghana
ESIA	Environmental and Social Impact Assessment
FDI	Foreign direct investment
FLEGT	Forest Law Enforcement Governance and Trade initiative, European Union
FPIC	Free, prior, and informed consent
GOANA	Grande Offensive pour la Nourriture et l'Abondance, Sénégal
HCVF	High conservation value forest
ILC	International Land Coalition
LSLA	Large-scale land acquisition
MBSA	Mali Biocarburant SA
MCA	Millennium Challenge Account
NGO	Non-governmental organization
n.r.	Not reported
NTFP	Nontimber forest products
RSPO	Roundtable on Sustainable Palm Oil
SEXAGON	Syndicat des Exploitants de l'Office du Niger, Mali
SOCAPALM	Société Camerounaise de Palmeraie
SSLA	Small-scale land acquisition
UN	United Nations
WCA	West and Central Africa

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EXECUTIVE SUMMARY

Because most large-scale land transactions being tracked in Africa are quite new, a lot of information exists on their size, but very little reliable information exists about their actual impacts. Yet there is such a large scale of land-use change planned, that stakeholders must build on reliable information to predict and avoid or mitigate negative impacts. This study focuses on the reported social and environmental impacts, as opposed to the predicted or likely impacts, of large-scale land transactions (LSLAs) in Africa, with a focus on West and Central Africa (WCA). The core of the report is an analysis of 18 case studies that are among the best-documented LSLAs in terms of their impacts, but the studies are not a representative sample. The 18 case studies cover Cameroon, Ghana, Liberia, Mali, Rwanda, Senegal, and Sierra Leone in WCA, and they cover Mozambique, Tanzania, and Zambia in East Africa. Impacts were classified into five groups: tenure impacts, land governance process and impacts, economic and livelihood impacts, human and sociocultural impacts, and environmental impacts. Key findings were as follows:

- The state's expropriation of customary rights, at least for the duration of the LSLA leases. The main tenure effect has been the conversion of customary tenure to state tenure because the state tenure is required for governments to make leasehold agreements with LSLA investors
- A flawed process of consultation that has marginalized customary rights holders and is often accompanied by coercion, political pressure, or deception. In about half the cases, there were violent protests or clashes (sometimes leading to arrests and court cases), as well as a lack of information and transparency at all stages
- In the land deals, prominent role of traditional authorities or chiefs, who often seemed to put personal interest ahead of community interest
- Minimal compensation to displaced customary rights holders and/or rental payments;
- Doubtful legality of the LSLAs in three cases
- Disappointing levels and conditions of employment in the new agricultural enterprises—where jobs were obtained by local people, they were often short-term or seasonal and were usually poorly paid (partly because of the local people's lack of skills)
- Adverse effects on women because of their high dependence on the commons reported in several cases
- Adverse social and cultural effects, including abuse of sacred sites, disruption of social networks, and impeded access to health and education services
- Weak delivery by companies of promised social infrastructure and services, suggesting that the longer-term benefits claimed by companies may prove disappointing
- Increased intra- and inter-community conflicts arising out of LSLAs, often associated with increased competition for the remaining farmland and erosion of social capital;
- Severe effects on downstream livelihoods arising from the almost unlimited water extraction rights generally granted to LSLAs
- Significant deforestation and damage to wetlands
- Failure to undertake an environmental and social impact assessment, or when the assessment was carried out, failure to make it available to local stakeholders before the LSLA was approved

More positively, in Mali, Sierra Leone, and possibly other countries, reaction to LSLAs has resulted in new civil society led networks. Working with grassroots organizations and sometimes with international non-governmental organizations (NGOs), these networks have formed with the aims of (a) sensitizing communities to their rights and to the problems raised by LSLAs and (b) lobbying governments for policy and regulatory reforms.

A key recommendation of this study is to conduct research on the broader economic and national impacts of LSLAs, including the effects on agricultural productivity (e.g. a study from Burkina Faso reported a lower productivity in agribusiness ventures, although these ventures were relatively small-scale compared to most LSLAs), fiscal contributions, and growth, etc., because this research has the potential to show that state support for LSLAs is hard to justify on national economic grounds. It seems that only exposing the social and environmental externalities will not be sufficient to convince governments to introduce the needed regulatory and policy reforms; that information needs to be supported by exposing the confused development discourse behind LSLAs. This view is similar to the position of the United Nations (UN) Rapporteur on the Right to Food (De Schutter 2011), who argues the need for more emphasis in the LSLA discourse on agricultural investment programs that introduce alternative models for large-scale plantations and estates on the basis of improving the productivity of family farms or of promoting more “agroecological” methods of production.

Linked to this recommendation is an urgent need for more detailed comparative “micro-economic” studies on LSLAs, on smallholder farming systems where customary rights are relatively secure (allowing households to decide what to grow and how to grow it), and on alternatives such as out-grower schemes. This research should produce more detailed data on comparative income, livelihood, and equity effects (for women, the old, pastoralists, and other marginalized groups), which can feed into development policy analysis.

Other research priorities include the following: the rates of abandonment of LSLAs and the reasons and consequences of abandonment, especially for former customary rights holders; the impacts of non-agricultural LSLAs (mining, tourism, etc.), which are currently poorly documented; the impacts of small-scale land acquisitions (SSLAs) by domestic investors, given their rapidly growing importance in the WCA region; and the impacts of LSLAs on water availability and consumption rates for affected stakeholder groups.

Other key recommendations include the following: stronger support for customary land rights; measures to improve the consultation, information, and consent basis for LSLAs, with the aim of making free, prior, and informed consent (FPIC) mandatory; independent scrutiny or certification of LSLA contracts and compensation; incorporation of the 2011 Nairobi Action Plan on Large-Scale Land-Based Investments in Africa and other African Union guidelines into national legislation; checks on the power of traditional authorities in LSLA situations; strengthened ex ante impact assessment and on-going monitoring of LSLAs; stricter regulation and transparent provision of water use by LSLAs; increased support for civil society led alliances and networks to increase local awareness of rights and the risks of LSLAs and to lobby for policy and regulatory reforms. However, the national and international political economy drivers of weakly regulated LSLAs will be hard to overcome. Combined with weak property rights, weak governance of LSLAs appears to suit national elites and international investors, allowing them to pursue rent-seeking opportunities. In the longer term, the processes of democratization and devolution will be key to achieving more equitable and effective land management.

Scope of the report

Many reports have been published on the causes, processes, and probable impacts of large-scale land acquisitions (LSLAs), or “land grabs,” including in Africa. Such reports include the following: Anseeuw et al. 2012, Global Witness 2012a, Friis and Reenberg 2010, and Odhiambo 2011; reports published by organizations such as the International Land Coalition (ILC), Oakland Institute, and GRAIN and Inter-réseaux; and papers from the International Conference on Global Land Grabbing held at the University of Sussex in 2011. This report tries to minimize repetition of information from those reports by focusing on the actual impacts, as reported in 18 agricultural LSLA case studies, rather than on predicted or likely impacts. The main question being tackled here is the following: what has actually happened as a result of recent LSLAs? It should also be noted that this report is complementary to the other RRI-commissioned in-depth case studies on LSLAs in Liberia (with a focus on Sime Darby) and in Cameroon.

An LSLA can be defined as being more than 1,000 hectares (Cotula et al. 2009). It is recognized that key differences exist between LSLAs and landgrabs (Taylor 2012),¹ but, here, we use the term LSLAs in a general sense to include landgrabs. This report focuses mainly on West and Central Africa (WCA), but it includes supplementary case study material from selected countries in East Africa (Mozambique, Tanzania, and Zambia) where LSLAs have been widely reported. Although a limitation to focusing on actual impacts is that it is sometimes too early in the life of an LSLA to detect them, obtaining early evidence of impacts can be timely in terms of stimulating policy-level reflections on the economic, environmental, and social desirability of this development model compared to alternative models.

Criteria for case studies

The report is based mainly on a series of case studies presented in the annex, supplemented by observations from the wider literature. The main criteria for selecting these case studies were (as far as possible) the following:

- LSLAs with the most evidence of actual impacts, generally because of having reached the implementation stage, although in some cases impacts can be detected prior to implementation
- LSLAs on forested land and/or land subject to customary tenure
- LSLAs established in the past five years
- Reasonably in-depth field research, ideally where there has been more than one study
- Sufficient information to discuss at least two of the main types of impacts (see next section)
- Scale of the land acquisition

In sum, these cases studies are the richest (from the available published literature) in terms of information about the actual impacts of recent LSLAs. However, please note that this report is not a representative sample of LSLAs, but it is composed of those case studies that meet the above criteria. Unfortunately, most reports are of problematic LSLA experiences. Every effort was made to find a positive account of an LSLA experience to provide a more balanced picture, but without success. It is unclear whether the lack of a positive account can be attributed to a reporting bias or whether it reflects reality. An attempt is made in the annex to present the case studies in a systematic and comparable way, but the published reports are rather uneven in terms of the information contained in them, so not all subsections could be completed.

Classification of impacts

There are various ways of defining and classifying the impacts of LSLAs, and each system has its advantages and disadvantages. In this report, taking into account the widespread fear that LSLAs are having a negative impact on poverty, a poverty-based analytical framework (OECD 2007) is used in combination with the land governance classification system of the ILC (2012). Odhiambo (2011) observes that the negative impacts of LSLAs in Africa are most directly experienced by the poor (including smallholder farmers, pastoralists, Indigenous Peoples, and other vulnerable groups), whereas Wily (2011) notes that a high incidence of poverty exists among Africans living in customary tenure regimes and that the poorest and landless are most dependent on the commons. The ILC framework assesses impacts mainly in terms of the land governance process. Integrating the two frameworks provides the following hybrid classification involving four main groups of impacts:

- Tenure impacts (land titles and access)
- Land governance impacts, including effects on rights, political capabilities, and conflicts associated with the land governance process
- Livelihood and poverty impacts, especially in terms of the capabilities of the poor:
 - » Economic and protective capabilities: effects on the ability of poor women and men to practice livelihoods and adopt coping strategies, including the potential mitigating effects of compensation and employment
 - » Human and sociocultural capabilities, including displacement or resettlement; effects on health, education, culture, community cohesion, and other forms of social capital; and provision of public goods and social services by projects (there may be some overlap between sociocultural impacts and conflicts associated with the land governance process)
 - » Political and governance capabilities (beyond the land governance process), including effects on wider governance capacities, locally and nationally
- Environmental impacts (although these often show up in economic and social impacts, most obviously from effects on water quantity and quality)

A category not included here is national economic impacts. Although it would be very useful to consider the national effects of LSLAs on government revenue, economic growth, food production, and availability (given the orientation of many LSLAs to exports) and the balance of payments, the evidence base is too weak (Anseeuw et al. 2011). Furthermore, sufficient evidence to consider impacts on other stakeholders, such as investors, does not exist.

Limitations of data and analysis

The first limitation of this study is that it is entirely based on secondary data. It is dependent on the quality of published reports, which varies. A second limitation is that, for most projects, it is too early to see the impacts of land-use changes, although the impacts on tenure and rights are clearer. Reports in the early stages of project development may result in a bias toward adverse impacts, because some benefits claimed by investors, e.g. promised social infrastructure, will take time to emerge (Anseeuw et al. 2012).

The case studies are inconsistent in their content, often leaving out basic information such as that on the former land use and condition. Thus, the tables presented (Tables 2–6) contain many gaps. Where

something is *not reported* (n.r.), this does not mean that it has not happened; the term just means that the category has not been reported. Another problem for any kind of comparison is that so much depends on the stage of implementation at which the report is written. For example, researchers reported that some projects were considering an out-grower scheme, but they had not developed it yet. Hence, a visit one year later could find something more concrete to report. For each project, the report is a snapshot in time. These inconsistencies all make it difficult to discuss trends or develop broad statements about how typical a situation is.

Although most of the case studies are rich in terms of local impacts, there is little evidence on wider impacts. This lack of evidence is partly because the research methods (mainly key informant interviews, focus group discussions, and other qualitative methods) are focused on local impacts. Few studies took a more comprehensive research approach, possibly because of difficulties in getting agreement from investors.

Finally, this report considers only agricultural LSLAs. This is because the literature is almost entirely limited to agricultural LSLAs—there is very little data on mining, energy, tourism, conservation concessions, or other LSLAs, in spite of their burgeoning importance in some countries. For example, Liberia has granted an estimated 1.2 million hectares in mining, exploration, and development concessions since 2004, as well as about 1.6 million hectares in agricultural concessions (Cotula 2012).

The scale and trends of LSLAs in Africa

It is difficult to assess the real scale of LSLAs because of the difference between widely reported plans or expansion targets and to what extent these plans are realized. Many reported LSLAs do not have signed leases, and fewer have started implementation when they are reported. For example, of 625 reliable (out of 1,217 reported) cases on the ILC database, only 36 percent of land deals were signed, and only 32 percent had started production or implementation (Taylor 2012). A 2010 World Bank inventory of 454 agricultural projects involving foreign land acquisition found only 21 percent of the projects to be in production, and most of the ones in production were on a much smaller scale than planned. Furthermore, it proved very difficult to find operational case studies in Mozambique, Tanzania, and Zambia (Deininger et al. 2011). Many LSLAs get abandoned, either before or after a deal. For example, several biofuel projects in Mozambique and Tanzania were abandoned following increased oil prices and difficulties in accessing finance (Nhatumbo and Salomão 2010; Sulle and Nelson 2009). Implementation can also be slow, with small areas developed first.

Another problem is the variable reliability of media reports, especially regarding LSLAs in Africa. A review by Cotula (2012) found that research-based figures (even when using upper-range estimates) for the 2004–2009 period were considerably lower than those in some media reports published in the 2008–2010 period. For example, a deal in Congo-Brazzaville reported to be 10 million hectares turned out to be 80,000 hectares; in the Democratic Republic of Congo (DRC), 100,000 hectares of a reported 2.8 million hectare deal have been verified; in Mali, actual land acquisition has been about 160,000 hectares compared to media reports of more than 2.4 million hectares; and in Mozambique, media reports of more than 10 million hectares compare to a real figure of about 2.7 million hectares (Cotula 2012; Deininger et al. 2011). A recent study of Chinese landgrabs in Mozambique that included ground-truthing fieldwork found that media reports were “greatly exaggerated”² (Olsson 2012). Yet another source of confusion is that some LSLA reports are of investors taking over existing farms rather than establishing greenfield³ investments (Cotula 2012).

Notwithstanding those problems, it is possible to get an idea of the relative importance of LSLAs in the WCA region from the ILC data presented in Answeeuw et al. (2012). According to reported (agricultural) LSLAs, of a global total of about 83 million hectares, about two thirds (56 million hectares) have been in Africa. This total is an area about the size of Kenya, or almost 5 percent of Africa's total agricultural area—a much higher proportion than in Asia and Latin America (about 1 percent in both cases). Within Africa, East Africa accounts for about 30 million hectares, West Africa for about 8 million hectares, and Central Africa for about 6–7 million hectares. The top African countries for LSLAs are usually listed as Ethiopia, Madagascar, Mozambique, Sudan, Tanzania, Uganda, and Zambia in East Africa and as DRC, Liberia, and Mali in WCA (Answeeuw et al. 2012; Friis and Reenberg 2010).

Some more conservative and research-based (as opposed to report-based) country level estimates are presented by Cotula (2012). The estimates in *Table 1* are based on a combination of government inventories, in-country research, and third-party sources to cross-check the data and represent multiple institutional research efforts, especially involving the Food and Agriculture Organization of the United Nations, GIZ (a German organization for sustainable development), International Fund for Agricultural Development, and International Institute for Environment and Development.

While *table 1* is a useful collation, it also illustrates the difficulties of interpreting and comparing data on LSLAs. The first problem is the variations on the definition of what constitutes as land acquisition. For instance, the IIED data refer to situations in which an investor has the leasehold title, whereas some sources may include deals approved by the government but no lease was granted at the time the data was reported, and other sources (such as data from investment promotion agencies) can refer to (larger) areas found in a business plan or a memorandum of agreement (Cotula 2012). Another major difficulty is determining the size defining an LSLA, which is not always clear in the data sources, differs according to the national inventory (e.g. DRC uses 500 hectares), and seems to vary between 100 and 1,000 hectares. In a country such as Nigeria, concession data are recorded at the state level but are not maintained in any uniform way (Deininger et al. 2011). In this report, we follow Cotula et al. (2009) in considering 1,000 hectares as demarcating an LSLA, although with some exceptions, such as case study 11 which is a capital-intensive horticultural production enterprise.

TABLE 1. Estimated Real Area of LSLAs in Selected African Countries (000 Hectares)

Country	World Bank: Deininger et al. 2011	GIZ: Görden et al. 2009	IIED: Cotula et al. 2009	Faye et al. 2011
Time period	2004–2009	2009	2004–2009	Unclear
Ethiopia	1,190		603	
Ghana			452	
Liberia	1,602			
Madagascar		1,702	803	
Mali		160	163	
Mozambique	2,670			
Nigeria	793			
Senegal				409
Sudan	3,965			

Source: Most data are from Cotula (2012).

Note: an empty cells means that no data was available for the time period specified

Another aspect of the recent African land rush is the importance, especially in WCA, of small-scale land acquisitions (SSLAs) by local or national elites, as opposed to national companies or investors acting on behalf of international companies (although that is also very important). For example,

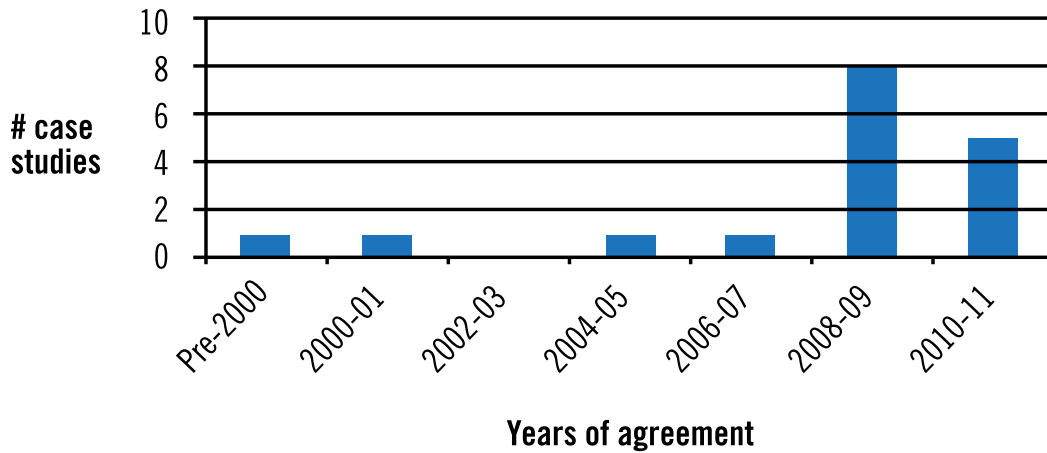
- Inter-réseaux (2011) reports on the preponderance of SSLAs by politicians, religious leaders, army officers and businessmen who have made deals with traditional authorities or chiefs.
- A survey of 99 land investments in Benin, Burkina Faso, Mali, and Niger by Hilhorst et al. (2011) found that 95 percent of land deals were by national investors with an average land size of 85 hectares, over half of them under 50 hectares.
- Deininger et al. (2011) found that 97 percent of land acquisitions in Nigeria were by nationals, although in Liberia this fell to 7 percent.
- Faye et al. (2011) found that 61 percent of land acquisitions in Senegal were by nationals.
- Allaverdian (2010) reported that in Djidja State, Benin, the combination of a Millennium Challenge Account (MCA) project and other SSLAs accounted for about 45,000 hectares between at least 300 investors, many of them supported by microfinance.
- Surveys conducted by the Friedrich Ebert Foundation in 2012 in central African countries and a related advocacy document, although primarily focused on LSLAs, show that SSLAs are becoming a growing phenomenon in this region. In some countries, such as Chad, SSLAs are predominant and constitute the main threat to communities' land and livelihoods.

Another apparent trend is that the African land rush slowed after its peak in 2008 as a result of factors such as the global financial crisis, thereby resulting in financing difficulties, grassroots resistance in some places, and political problems in some countries.

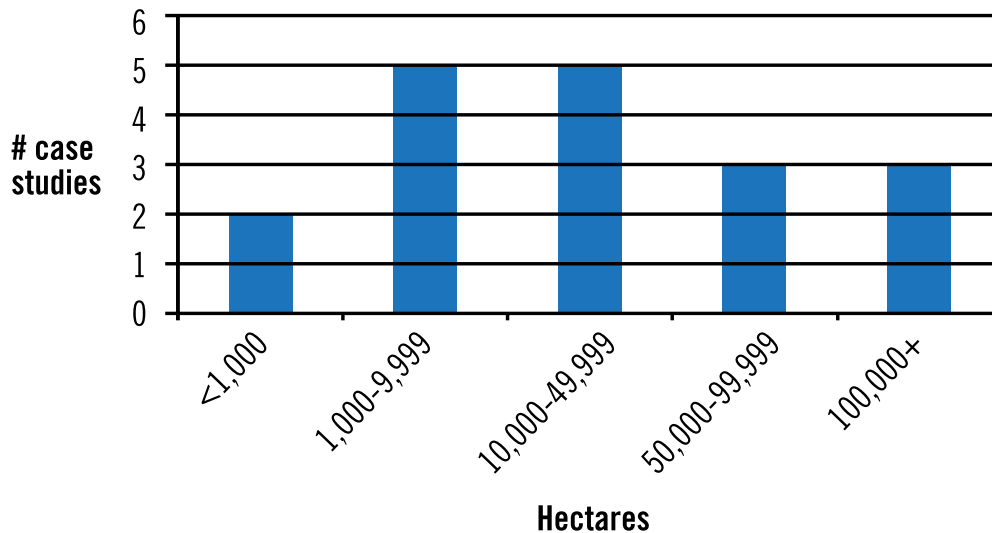
MAIN CHARACTERISTICS OF LSLA CASE STUDIES

The 18 case studies do not claim to be representative of LSLAs in WCA. Rather, they are studies that are best documented and correspond, as much as possible, to the criteria set out earlier. It may be that they are a biased sample; for example, there could be a bias toward projects with negative impacts that fit the advocacy agenda of some organizations in this space. The main characteristics of the case studies are presented in *Table 2* and can be summarized as follows:

- Twelve of the case studies were from WCA (treating Rwanda as part of Central Africa), and the other six were from three East African countries — Mozambique, Tanzania and Zambia — while noting that the latter shares a border with DRC.
- Of the 17 cases for which we know the date of the LSLA, 14 were from 2007 onwards (see *Figure 1*), and the others were in 1997, 2001 and 2005 (although implementation only started in 2011).
- There was a large range in area between 200 hectares in CS18 (Zambia), although this was linked to a larger area of 3,000 hectares, to 840,000 hectares in CS5 in Liberia. But the latter figure is also misleading since Atlantic Resources was working in many parts of Liberia's high forest. Seven LSLAs were less than 10,000 hectares, eight were between 14,000 and 80,000 hectares, and three were 100,000 hectares or more, as shown in *Figure 2*.

FIGURE 1: Years when LSLA case studies agreed (n = 17*)

* In one case study, the data was not available.

FIGURE 2: LSLA case study areas (n = 18)

* In one case study the origin of the investors was withheld.

- All the case studies involved customary land rights to some extent (see *Figure 3*), although in some cases customary tenure was explicitly **not** recognized, for example, on land administered by the Office du Niger in Mali. In Ghana, Liberia, Mozambique and Tanzania community land rights were stronger or more formalized, although this proved of little protection to rights holders except to ensure some level of compensation; in Ghana, the chiefs or traditional authorities were the supposed community land custodians ('allodial title'), but in practice could grant leases without community consent; and in CS18 (Zambia) the land was owned by a church mission, but included pre-existing customary claims.
- As regards previous vegetation or land use, eight case studies were predominantly agricultural landscapes, six had significant areas of forest, woodland or bush-fallow, and four included significant marshland or swampy areas, some of which were used for paddy rice or other crops (*Figure 4*);

- The proposed or actual land uses of the LSLAs (Figure 5) were as follows: four oil palm plantations; four biofuel plantations, in three cases from jatropha and in one case ethanol from sugar; two sugar cane plantations; three cereal plantations; two producing a range of annual crops; one vegetable growing business; a timber plantation; and a logging operation;
- Finally the main LSLA investors were mainly from Europe (9), the US (3), other African countries (2) and home governments (2). In one case the name of the investor was withheld as a condition of the research. In some cases the LSLA investment was jointly between foreign investors and the host government – in Figure 6 it is assumed that the former was the dominant investor in terms of finance.

FIGURE 3: Former tenure type of case studies (n = 18)

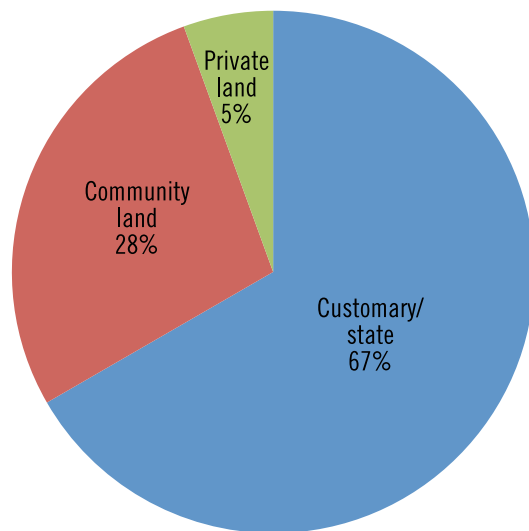


FIGURE 4: Former land use of case studies (n = 18)

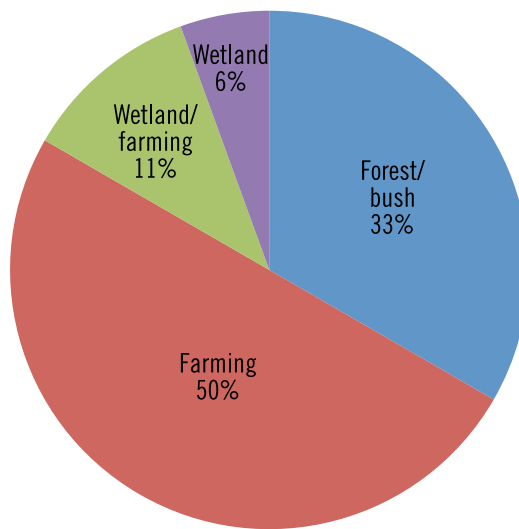


FIGURE 5: Proposed land use of case studies (n=18)

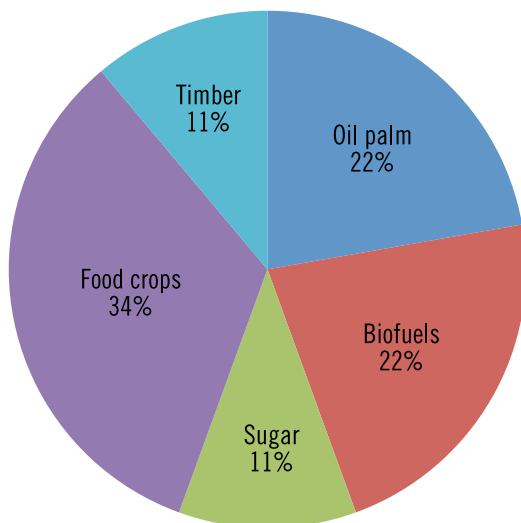


FIGURE 6: Origins of main investor(s) in LSLAs in case studies (n=17*)

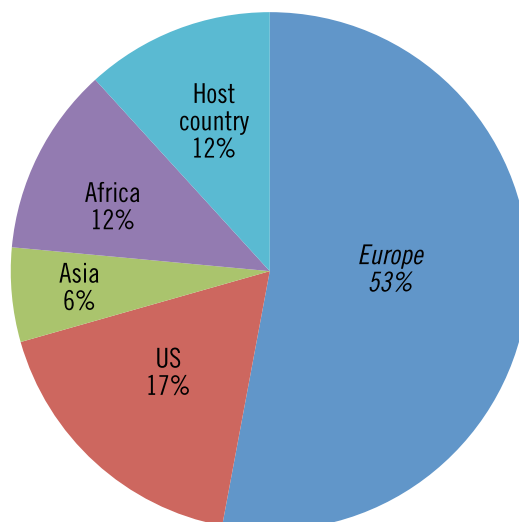


TABLE 2: Main characteristics of the 18 LSLA case studies

Case study	Project name	Country	Year LSLA	Area Hectares	Proposed land use	Former land use	Former tenure	Origins of investors
1	SOCAPALM oil palm	Cameroon	2001	62,000	Oil palm & rubber	Mainly forest	Customary/state	France/ Belg./ Singap.
2	Herakles oil palm	Cameroon	2009	73,086	Oil palm	Forest & bush-fallow	Customary/state	US
3	Biofuels plantations	Ghana	2008	14,000	Jatropha	Forest, bush-fallow, crops	Community land	Withheld
4	Prairie Rice	Ghana	2008	1250*	Rice	Farming, fruit on commons	Community land	US/Ghana
5	Atlantic Resources	Liberia	2010	840,000	Logging & oil palm	Forest	Community land	Malaysia
6	Malibya rice project ¹	Mali	2009	100,000	Irrigated rice	Vegetables, fruit, millet	Customary/state	Libya
7	Moulin Moderne	Mali	2010	20,000	Wheat	Millet, fruit trees	Customary/state	Mali
8	ProCana sugar cane ²	Mozambique	2007	30,000	Sugar cane – ethanol	Maize, cash crops, cattle	Community land	UK/Mozambique
9	Chikweti plantations	Mozambique	2009	30,000	Pine & eucalyptus	Forest/marshland, firewood, “masuku” fruit, NTFPs	Customary/state	Swedish ethical fund
10	Kabuye Sugar Works	Rwanda	1997	3,150	Sugar cane	Swamp: food/cash crops	Customary/state	Uganda
11	Agribusiness projects	Senegal	n.r.	610	Tomato/sweetcorn	Mainly unused, marshland	Customary/state	Italy/UK/France/Moroc.
12	Addax sugar cane	Sierra Leone	2010	20,000	Sugar cane	Rice, other crops	Customary/state	Switz., Afric. Dev. Bank
13	Quifel Agrobusiness	Sierra Leone	2009	126,000	Oil palm	Food crops, palm oil	Customary/state	Portugal
14	Socfin plantations	Sierra Leone	2011	6,500	Oil palm/rubber	‘Prime agricultural land’	Customary/state	Belgium/ France
15	Sun Biofuels	Tanzania	2009	8,211	Jatropha	Miombo – timber, firewood	Village Land	UK
16	Agrisol agribusiness	Tanzania	2009	80,000	Crops/livestock	Wetlands, vegs., tobacco	Customary/state	US/Dubai
17	Nansanga Outgrower	Zambia	2011	9350	Various crops	Various – productive land	Customary/state	Zambia
18	Macha Mission	Zambia	2005	200	Jatropha	Range of food & cash crops	Private land ³	Netherlands

1 Currently suspended due to the Libya crisis.

2 This LSLA was cancelled but the land was subsequently declared as available to other investors willing to follow government guidelines.

3 The land belonged to a church mission but had customary claims dating back to 1906, and which were respected until the 222 families living there were declared as illegal squatters in 2011 to make way for a jatropha plantation (Milimo et al. 2011).

TENURE IMPACTS

As mentioned earlier, communities had customary (whether recognized or not) or more formal rights in all the case studies. Thus, the main impact was the loss of these rights and the loss of access to productive land (or at least to fenced or cultivated areas) for the duration of the lease—and possibly beyond (many communities feared that, with long leases, they would never regain their rights). The average lease length in nine reported cases was 54 years (range 30–99 years). In most cases, the effect of the LSLA was to transfer customary tenure to state ownership, although in some cases investors saw the LSLA as a land purchase (even though they were only buying a leasehold title). Even in the case of the canceled deal (case study 8), the government of Mozambique declared that the land was available to other investors, thereby implying that the community land rights would not be reinstated.

THE LAND GOVERNANCE PROCESS AND IMPACTS

Some information on the land governance process and impacts is presented in *Table 3*, and can be summarized as follows:

- In most cases, communities were not properly consulted prior to approval of the LSLA. Consultation was often with only the chiefs and sometimes with only household heads. It was rare for the whole community to be involved.
- Coercion to sign an agreement to an LSLA was clear in seven cases, and in three other cases there was strong political pressure, including in case study 4 (Ghana) from the Deputy Prime Minister. In other cases, consultation was distorted through misleading or false documents: a forged signature was proved in the case of case study 5 (Liberia); in case study 9 (Mozambique), there was an accusation of false documents; in case study 12 (Sierra Leone), a letter was produced that seemed to be written by the community to the chiefs; and in case study 13 (Sierra Leone), the agreement appeared to refer only to state plantation land.
- Protests or clashes were reported in nine cases, and in six of these there were arrests or some kind of legal action brought against the company; in four other case studies anger, resentment, or disagreement were reported. In three cases, this anger increased when the companies started growing food crops rather than biofuels or oil palm as stated in the agreement. Company food production was then competing on markets with local farmers and, thus, may have depressed local market prices (although this was not reported).
- In three cases, the legality of the LSLA was doubtful. In case study 2 (Cameroon), forest was cleared before obtaining an “environmental clearance certificate” and a Presidential Decree on the 99-year lease, which led to a restraining order on the company; in case study 5 (Liberia), the issue of Private Use Permits (PUPs) to companies in areas owned by communities contravened Liberia’s 2009 Community Rights Law; and in case study 14 (Sierra Leone) less than half of the community representatives signed the lease.
- Various case studies also revealed a lack of transparency, e.g. communities not being told how much land was being transferred or what villages were involved, communities not getting a copy of the agreement, or negotiations being conducted in a foreign language.

TABLE 3: Land governance process and impacts in the 18 case studies

Case study	Name, country	Prior community consultation?	Coercion or strong political pressure	Protests, clashes, etc.	Other observations
1	SOCAPALM, Cameroon	Not with the forest-dwelling Bagyeli (pygmy) people	Coercion	Security agents accused of rape and murder	Bagyeli culture acquiescent because of its kindness to outsiders
2	Herakles, Cameroon	n.r.	Coercion	Restraining order against company	Legality of the LSLA doubtful
3	Biofuels, Ghana	With chiefs only	n.r.	Anger at change of land use	No government mediation
4	Prairie Rice, Ghana	With chiefs only	Political pressure	Resulted in a legal suit	Deputy prime minister involved in political pressure
5	Atlantic Resources, Liberia	1-day meeting	n.r.	n.r., community suggestions ignored	Legality doubtful, forged signatures
6	Malibya, Mali	No: high-level political deal	Coercion	n.r.	Customary rights not recognized
7	Moulin Moderne, Mali	Not consulted on lease	Coercion	Violent clashes, 40 arrested	Customary rights not recognized
8	ProCana, Mozambique	1 large 1-day meeting	Coercion feared	Widespread disagreement	Deal canceled, but government declared land available to other investors
9	Chikweti, Mozambique	With chiefs only	n.r.	Local people burned plantations, arrests made	Accusations of false documents and bribery
10	Kabuye Sugar Works, Rwanda	n.r.	Coercion	Intimidation, arson, arrests, imprisonment	Defense forces brought in
11	Agribusiness, Senegal	n.r.	n.r.	n.r.	Very little information provided
12	Addax, Sierra Leone	Weak and distorted	Political pressure	Complaints about process, change of crops by investor	Misleading documents
13	Quifel, Sierra Leone	With mainly chiefs and family heads who signed a power of attorney	n.r.	n.r., but anger at change of crops by investor	Communities felt tricked by power of attorney, not given copy of agreement
14	Socfin, Sierra Leone	With councilors, women excluded	Coercion	40 arrested, beaten up	Signed by less than half of the male chiefs
15	Sun Biofuels, Tanzania	Poorer groups excluded	Political pressure	n.r.	Villagers not told how much land involved
16	AgriSol, Tanzania	n.r.	Coercion and political pressure	Arrests made, houses knocked down, fear of security guards	Exit of Iowa University from investor group when social problems emerged ¹
17	Nansanga, Zambia	Land demarcated before consent given	Possibly, because of fences	Logs put across road as blockade	Current land boundaries ignored
18	Macha Mission, Zambia	No	Coercion	Legal action brought but failed	Chiefs blamed for siding with Macha Mission

¹ One of the sensitivities of this LSLA was the plan to relocate Burundi refugees who had lived in and farmed the area with considerable success since 1972.

Another key governance issue, although one that emerges less clearly from the case studies, is how agreements were worded regarding the role of local stakeholders. The contracts for 12 LSLAs in 7 African countries (including Cameroon, Liberia, Madagascar, Mali, and Senegal) were examined by Cotula (2011), who found that in none of them was a formal role set out for local landholders, communities, or their representatives.

In sum, in all but one case study there was a land governance problem. Most cases revealed one or more of the following: lack of consultation and consent;⁴ coercion or political pressure; protests, which were sometimes violent; community dissatisfaction or anger; misleading or falsified documents; legality doubts; and low transparency. The one exception was an intensive vegetable production project in Senegal (case study 11); this was a relatively small (area wise) case study on which there was scarce information. If a free, prior, and informed consent (FPIC) process had been followed, it seems probable that in 17 out of the 18 cases the communities or customary rights holders would not have given consent to the LSLA.

LIVELIHOOD AND POVERTY IMPACTS

Economic and protective capabilities

Evidence from the case studies on economic and livelihood effects is presented in *Table 4*. The former land use indicates the main cost of an LSLA for customary landholders. In most cases, the land was productive, and a range of food and cash crops were grown; this finding was unsurprising because investors normally target fertile land with access to water except for crops like jatropha. In only one case, in one of the smallest LSLAs in this sample, was the land mainly unused. In five cases the land was forest or woodland; for the community, the impact of losing access to such land was often a combination of lost timber income, a range of non-timber forest products (NTFPs), and firewood. In most other cases, including in the four LSLAs in marshland or swampy areas, the loss was mainly of food and cash crops, including paddy rice in some cases. In at least one case (case study 6), pastoralists⁵ lost customary rights when their grazing routes were blocked.

Compensation or a rental payment, where customary rights were formally recognized, was made in half the case studies (8 out of 16) after disregarding two cases—the canceled deal (case study 8) and one with minimal information (case study 11). No compensation or rent was received in half the cases. When it was paid, it was often not received by all families and was set at a very low rate compared to product values.⁶ An indication of this is provided by the observation in case study 15 (Tanzania) that the company's compensation budget was less than the annual commercial value of the foregone miombo woodland. Another common problem is delays in receiving compensation (although not reported in the case studies); most African constitutions and land laws allow occupants to be evicted before payment, so people can wait decades for compensation (Anseeuw et al. 2011).

A thorough economic analysis of the deals will certainly provide a solid basis on which to compare the gains and losses the main stakeholders (communities, governments, and investors) are respectively taking from the LSLAs. This analysis will also help to build robust arguments about the large-scale land deals.

In most cases, rental payments were shared between various stakeholders (national and local government, chiefs, etc.), causing further friction. Equitable compensation or rent sharing was often problematic when chiefs or traditional authorities were official landholders, as in Ghana. None of the nine biofuel LSLAs in Ghana that were investigated by German et al. (2011) planned to share compensation or rent with dispossessed farmers. In case study 13 (Sierra Leone), the company agreed to distribute rent via the paramount chief when rent payments should have been through the government, thereby causing further anger.

TABLE 4: Economic and livelihood data in the 18 case studies

Case Study	Name, country	Former land use	Compensation/rent?	Employment information	Out-grower scheme?	Effects on women
1	SOCAPALM, Cameroon	Mainly forest	No	Some low-paid seasonal jobs	No	n.r.
2	Herakles, Cameroon	Forest and bush-fallow	No	Promised but not provided yet	No	n.r.
3	Biofuels, Ghana	Forest, bush-fallow, and crops	No	120 jobs so far for native or non-native of the area	No	Lost income, especially tree crops
4	Prairie Rice, Ghana	Farming and fruit on commons	Yes, for majority of people	Mainly non-locals employed	No	Loss of fruit trees on commons
5	Atlantic Res., Liberia	Forest	Rent of 1 percent timber value	n.r.	No	n.r.
6	Malibya, Mali	Vegetables, fruit, and millet	Less than half compensated	Local jobs not planned	No	Loss of fruit tree income
7	Moulin Moderne, Mali	Millet and fruit trees	No	n.r.	No	n.r.
8	ProCana, Mozambique	Maize, cash crops, and cattle	Deal canceled	n.r.	No	n.r.
9	Chikweti, Mozambique	Forest, marshland, firewood, "masuku" fruit, and NTFPs	n.r.	Some jobs; preference to chief's family members	No	Loss of medicinal plants and firewood from commons
10	Kabuye Sugar Works, Rwanda	Swamp: food and cash crops	Only for crops ready to harvest	About 10,000 jobs, low wages	Yes, 1,100 schemes	Two-thirds laborers, 320 out-growers female
11	Agribusiness, Senegal	Mainly unused marshland	No	Up to 1,000 jobs	No	n.r.
12	Addax, Sierra Leone	Rice and other crops	US\$6/ha: 50 percent of total rent	200 casual jobs, low wages	Recommended in EIA	Lost land rights, no share of rent
13	Qurifel, Sierra Leone	Food crops and palm oil	Rent from used area	Few jobs, poorly paid	n.r.	n.r.
14	Socfin, Sierra Leone	Prime agricultural land	Yes	Wage of US\$2.20 per day	No	n.r.
15	Sun Biofuels, Tanzania	Miombo for timber and firewood	Yes, for 12 villages	Few jobs, low wages	Planned but slow to generate	Women most impacted
16	AgriSol, Tanzania	Wetlands, vegetables, tobacco, and other crops	Yes, but very low	n.r.	Yes but mainly outsiders	n.r.
17	Nansanga, Zambia	Various uses for the productive land	No	n.r.	Yes but mainly outsiders	Lost access to commons and, thus, firewood and NTFPs
18	Macha Mission, Zambia	Range of food and cash crops	No	113 full-time jobs so far	No	n.r.

Employment can be viewed as a form of mitigation, and it was a selling point in most deals. In 13 cases in which some employment was noted, the number of jobs for local people (including those who lost their land), was generally fewer than promised, although some projects were still in the start-up phase at the time this report was written. In about three-quarters of the cases, there were complaints of low wages, poor conditions, and/or jobs going mainly to outsiders. Furthermore, a World Bank study also found that employment rates in LSLAs have been much lower than planned because of low economic viability and/or delays in implementation (Deininger et al. 2011). Low skill and low literacy levels of local people have also been problematic for companies.

One possibility for combining investment and livelihood opportunities could be for LSLAs to use an out-grower–based production strategy. Out-grower schemes were mentioned in five case studies, but only in the long-running Kabuye Sugar Works project in Rwanda (case study 10) was there an operational scheme. According to this case study and other reports, experiences with the out-grower model in an LSLA context have been mixed (*Box 1*).

Negative effects on women were noted in seven case studies, with lost fruit tree income mentioned in three cases. As reported by Daley (2011), women and the landless tend to suffer most in LSLA situations because of losing access to the commons on which they depend for firewood, fodder, medicines, and other NTFPs; losing their customary rights; and getting bypassed by compensation and rental payments. Women’s lack of voice in decisions, cultural constraints, and their physical limitations make them vulnerable in LSLA situations (Daley 2011). These observations probably greatly understate the gender effects that tend to go unnoticed.

BOX 1. EXPERIENCES WITH OUT-GROWER SCHEMES IN LSLAS

In the Kabuye Sugar Works (KSW) project (Rwanda) in 2010, there were about 1,100 out-growers, including 320 women. These women and about 3,000 laborers (many of them women and children) on out-grower plots were reportedly better-off than laborers on the KSW sugar cane plantations and were also able to grow interplanted food crops. Interviews with out-growers, however, revealed that few had contracts and many felt over-dependent on the company as the only buyer (e.g. the company sometimes refused to buy their produce and did not let them watch their produce being weighed). In two other case studies with plans for an out-grower scheme, the company said that the out-growers would probably be outsiders because of the low skill and educational levels of local farmers. This reflects the fact that, in general, out-growers are better educated and resourced: for example, in the Rwanda project, non-out-growers said that out-growers were already more commercially oriented and organized farmers before the LSLA came along.

Another LSLA out-grower scheme (not in the 18 case studies) is that of Marli Investments in Zambia. In this 18,500-hectare jatropha project, farmers entered 30-year contracts in which Marli provided loans for inputs. Interviews again revealed various complaints, including Marli’s total control of market decisions, and the imposition of various restrictions, including that other household members were not allowed to grow jatropha for sale to other buyers and an obligation to pay for some non-essential services. This case study concluded that the success of an out-grower scheme depends on, among other things, the way it is structured, the quality of training, a fair negotiation platform, and some level of flexibility.

Sources: Ansoms 2010, Veldman and Lankhorst 2011, Oakland Institute (Zambia) 2011.

Human and sociocultural capabilities

Human, social, and cultural effects reported in the 18 case studies are presented in *Table 5*. The information is very incomplete because most reports have little to say about social effects, but the following observations can be made:

- It is difficult from the case study reports to get a clear idea of how many people are affected by an LSLA, but the numbers in column 3 indicate that a substantial population can be affected.
- LSLAs were often accompanied by physical violence to people or their property, as reported in a third of the cases.
- Physical displacement or migration was recorded in a third of the case studies.
- Health problems or reduced access to health facilities were reported in three case studies, although, in two others, improved water supply or health facilities were being developed.
- In seven case studies, inter- or intra-community conflicts were reported. In five cases, the LSLA has led to conflicts, or escalation of a pre-existing conflict, because of increased competition for reduced land or resources (e.g. between settled farmers and pastoralists as in case study 4). In another case (case study 3), police had to be called in when plantation employees did not take part in communal labor tasks. Such conflicts erode trust or social capital.
- Three case studies revealed that plantations, canals, or fencing have obstructed access to resources or services, split up communities, disrupted social networks, and increased the time it takes to get to a school or a health post, collect firewood, etc.
- In two cases, cemeteries were destroyed. In two other cases, there were threats to sacred sites (clearly an abuse of human rights, given the role of ancestor worship in African belief systems). In the case of the Bagyeli (pygmy) people in Cameroon (case study 1), the LSLA resulted in sociocultural devastation for several hundred people.

Provision of social infrastructure or services can be another mitigation strategy of investors; it was mentioned in some case studies, but such provision needs to be appropriate. In case study 18 (Zambia), the investor built a school and provided radio and internet services, but these provisions were insufficiently accessible, too expensive, or otherwise inappropriate for the displaced families (Milimo et al. 2011). Apart from these observations, displacement can cause significant indirect or follow-on impacts. For example, in Benin, people who lost their land moved en masse to municipalities adjacent to Cotonou, resulting in serious knock-on pollution and health problems (Inter-Réseaux 2011).

Political and governance capabilities

Most of the governance and rights issues were covered in the section on land governance, and, in general, it is clear that communities' political capabilities were weakened in some case studies. However, the combination of grassroots resistance and non-governmental organization (NGO) support is promoting a stronger political capability in response to LSLAs in some countries:

- In the Office du Niger area of Mali, after the army was brought in to support an investor, farmer organizations denounced the situation and organized forums to mobilize resistance in 2010 and 2011 (Inter-réseaux 2011). These struggles attracted the support of an international NGO called Via Campesina, which has helped grassroots organizations develop a plan of action, including providing

TABLE 5: Human and sociocultural effects reported in the 18 case studies

Case Study	Name, country	Local population ¹	Physical violence	Displacement or migration?	Health effects	Social conflicts	Other effects
1	SOCAPALM, Cameroon	10 groups of 15–70	Rape, murder, houses destroyed	Outmigration of many Bagyeli	Cholera, malaria, and depression	Bagyeli pygmies vs. poachers	Tombs destroyed; pygmies denied free access to school and hospital
2	Herakles, Cameroon	> 14,000	n.r.	n.r.	n.r.	n.r.	
3	Biofuels, Ghana	190 families	n.r.	Migrants to leave	n.r.	Migrant vs. native farmers	Conflict when employees did not join communal labor tasks
4	Prairie Rice, Ghana	n.r.	n.r.	Outmigration of many, especially youth	n.r.	Farmers vs. Fulani pastoralists	Increase in cattle rustling because of new roads
5	Atlantic Res., Liberia	n.r.	n.r.	n.r.	n.r.	n.r.	
6	Malibya, Mali	n.r.	Destruction of 150 houses	> 150 households	Access to clinics cutoff by canal	n.r.	Cemetery dug up and bones ploughed through
7	Moulin Moderne, Mali	n.r.	Protestors beaten	Yes	n.r.	Supporters vs. opponents	
8	ProCana, Mozambique	n.r.	n.r.	Feared	n.r.	n.r.	
9	Chikweti, Mozambique	n.r.	n.r.	n.r.	n.r.	Chiefs accused of selling land	
10	Kabuye Sugar Works, Rwanda	Thousands	Some violence	Outmigration of some families to look for land	Less varied diet	n.r.	Informal savings groups established but poorest people could not afford to join
11	Agribusiness, Senegal	n.r.	n.r.	n.r.	New water supply	n.r.	
12	Addax, Sierra Leone	13,600	n.r.	n.r.	n.r.	n.r.	
13	Quifel, Sierra Leone	72,000	n.r.	n.r.	n.r.	n.r.	People tricked by social promises
14	Socfin, Sierra Leone	120	40 beaten	n.r.	Work hygiene bad	n.r.	
15	Sun Biofuels, Tanzania	11,000	n.r.	n.r.	New health and water services	n.r.	Social ties affected by fences, social development promises of US\$75,000 per year
16	AgriSol, Tanzania	n.r.	Houses and crops destroyed	Planned	n.r.	n.r.	Fear of security guards and threats to graveyards
17	Nansanga, Zambia	2,500	n.r.	Likely	n.r.	n.r.	Fear of loss of sacred sites
18	Macha Mission, Zambia	222 families	n.r.	222 families displaced	n.r.	Neighbors competing for grazing land	Paths to school and hospital blocked by plantation

¹ These data are populations reported to live in the LSLA areas, but it is unclear how many of these people have been impacted to date.

policy and technical training, forming alliances with the media to lobby for tenure and policy reforms, and establishing legal support systems and watchdog units. Also in Mali, several civil society groups formed the Alliance for Food Sovereignty in Africa (AFSA). These groups included the National Coordination of Smallholder Organizations (CNOP), the Association of Professional Smallholder Organizations (AOPP), and the Union of Agricultural Operators in the Office du Niger (SEXAGON). The aims of AFSA are to sensitize communities to the risks of landgrabs and to mobilize grassroots member organizations to defend their rights (Oakland Institute [Mali] 2011).

- In Sierra Leone, 90 farmers affected by LSLAs met in 2012 with the help of the NGO Green Scenery (Oakland Institute [Sierra Leone] 2011). The farmers demanded a moratorium on new deals and launched Action for Large-Scale Land Acquisition Transparency (ALLAT). ALLAT is composed of civil society organizations and customary landowning user groups, and it aims to monitor LSLAs and sensitize communities to the dangers.
- Widespread opposition to biofuel LSLAs in Mozambique has resulted in a government moratorium on new projects. Furthermore, in consultation with civil society, a set of National Biofuels Guidelines addressing concerns about the displacement of local people and the shift from food to biofuel production has been created (Sulle and Nelson 2009).

ENVIRONMENTAL IMPACTS

Note that in *Table 6* some deforestation has occurred in seven cases, with the rest of the cases being predominantly marshland or (already) agricultural landscapes. In the case of the Herakles oil palm project in Cameroon (case study 2), a Ministerial technical committee established that high conservation value forest (HCVF) was at risk. This conclusion led to a complaint by Greenpeace and to Herakles' withdrawal from the Roundtable on Sustainable Palm Oil (RSPO). The biggest threat to intact high forest was in Liberia (case study 5), where 66 legally doubtful PUPs have been issued to Atlantic Resources and other logging companies. This project covers about 40 percent of Liberia's forests, most of it community-owned land (Global Witness 2012b). PUPs have no requirement for sustainable forest management (SFM).

Conversion of forests and uncultivated bush are also associated with biodiversity loss, soil erosion, and carbon emissions. In two case studies (case study 2 and case study 6), the LSLA blocked key migratory routes.

The main environmental concern of LSLAs is, however, their effect on the quality and seasonal quantity of water in view of the livelihood, poverty, and human health implications. The water-related impacts of agricultural LSLAs provide a classic example of negative externalities—the costs of which are borne by other, usually poorer, members of the society, as illustrated in *Box 2*.

Many agricultural landgrabs could equally be called watergrabs, given that water is the limiting factor for about a quarter of the world's agricultural area (Pearce 2012). Investors target land that is fertile, accessible, and can be irrigated. For example, there is a concentration of LSLAs in the upper basins of the Niger and the Nile, areas where competing water interests are very difficult to manage because of various national boundaries along the rivers. As indicated in *Table 6*, there are often no restrictions on water use for companies, and, as shown in Sierra Leone, it can be very cheap. In seven cases, there were negative impacts on water quality or quantity, or clear warnings in two of the Environmental Impact Assessments (EIAs). In addition to those cases, two other case studies had vulnerable wetland areas. Watergrabs were highlighted in volume 5, issue 2, of the journal *Water Alternatives*:

TABLE 6: Environmental observations from the 18 case studies

Case Study	Name, country	Deforestation?	Water issues	Other environmental effects	Was there an EIA?
1	SOCAPALM, Cameroon	Yes, but unclear how much	Water pollution: lab tests showed elevated chemical levels	n.r.	n.r.
2	Herakles, Cameroon	> 100 ha cleared; HCVF at risk	Risks to water noted in EIA	Blocked a migration route for protected supply	Yes, but published after plantation established
3	Biofuels, Ghana	780 ha cleared	n.r.	n.r.	n.r., but legally required
4	Prairie Rice, Ghana	No	n.r.	Over-grazing, erosion, and water pollution	n.r., but legally required
5	Atlantic Resources, Liberia	Plans for clearance for oil palm	n.r.	n.r.	n.r.
6	Malibya, Mali	No	No restrictions for 6 months, including June (dry month); downstream effects	Canal blocked 2 migratory routes	n.r.
7	Moulin Moderne, Mali	Planted trees felled	No restriction on water extraction	n.r.	n.r.
8	ProCana, Mozambique	No	Guaranteed 750 m ³ per year	n.r.	n.r.
9	Chikweti, Mozambique	Dense native forest cleared	Water shortages for other farmers	Marshland possibly at risk	n.r.
10	Kabuye Sugar Works, Rwanda	No	Marshland at risk	Hillsides intensively cultivated	n.r.
11	Agribusiness, Senegal	No	Marshland at risk	n.r.	n.r.
12	Addax, Sierra Leone	No	EIA: severe risk to Sierra Leone River Estuary; Addax pays US\$0.007/m ³ water	Local rice paddies drying up	Yes, but timing of its release unclear
13	Quifel, Sierra Leone	Some bush-fallow cleared	n.r.	Mining likely because of minerals	n.r.
14	Socfin, Sierra Leone	n.r.	No restrictions on water extraction; Socfin pays US\$0.007/m ³	n.r.	Yes, made public 2 months after deal signed
15	Sun Biofuels, Tanzania	Yes, some miombo woodland	n.r.	n.r.	n.r.
16	AgriSol, Tanzania	No	Important wetland system threatened	n.r.	n.r.
17	Nansanga, Zambia	n.r.	n.r.	n.r.	Yes, but few have seen it
18	Macha Mission, Zambia	No	n.r.	n.r.	n.r.

BOX 2. NEGATIVE EXTERNALITIES OF WATER EXTRACTION IN THE OFFICE DU NIGER AREA, MALI

Many groups depend on seasonal flooding in the Niger Delta. For example, the Bozo, native to the area, catch about 100,000 tonnes of fish each year; Fulani herders come for aquatic hippo grass or bourgou (starvation food); and other communities grow millet or eat bourgou if their millet crop fails. The Niger Delta is also hugely important for biodiversity. But the Delta is not as wet as it was. Most blame upstream irrigation facilitated by the Office du Niger, which has 2.5 million hectares “available for development.” Initial letters of agreement were given out on 870,000 hectares, including to investors from Burkina Faso, China, Libya, and Saudi Arabia. But following protests and media denunciations, especially around the Malibya project, 280,000 hectares were withdrawn because of “non-compliance with procedures.”

The hydrological consequences of the plans of the Office du Niger have been investigated. Current irrigation removes about 70 percent of the dry season flow. According to one estimate, irrigation offtake from the Markala Dam alone has reduced the Delta area seasonally flooded by about 600 square kilometers (5 percent of the Delta). Combined with the effects of drought and a hydroelectric dam further upstream, this reduction has killed several formerly flooded forests and half of the bourgou grass. Plans include an expansion of several irrigation canals, a new Millennium Challenge Corporation project, and a Chinese sugar project. If all those plans come to fruition, offtake could increase from 188 m³ to 445 m³ per second and cause about 20 percent of the Delta to dry out. There would be virtually no water flow in the dry season, and there would be drastic declines in forest, fish, and bourgou. It is estimated that, for each person who benefits upstream, about four people in the Delta would lose their livelihood, affecting women and the poorest on a massive scale.

Sources: Hertzog et al. 2012, Pearce 2012, Wetlands International 2010, Woodhouse 2012.

- A case in Tanzania reported on water pollution by an industrial farm of 1,400 hectares (Arduino et al. 2012). Polluted springs near the farm resulted in high *E. coli* levels, affecting an estimated 45,000 people who were dependent on the water. This situation was later rectified through the cooperation of local water authorities and the project.
- The water implications of LSLAs in Ghana were assessed by Williams et al. (2012), who found that when land deals were made between foreign-owned companies and chiefs, there was no mention of water in the agreement. As one chief said, “We only talked about the land, and the issue of water never came up.”
- State irrigation plans from Mozambique’s Limpopo River exceed the capacity to supply dry season water to already registered users so that unregistered users with customary water rights are bound to suffer (Woodhouse 2012).

Table 6 also reports that in only four cases (less than a quarter) was there mention of an EIA being carried out in spite of the assessment being a legal requirement in most countries. It appears that in no case was an EIA available to local stakeholders before the deal was signed, or, in some cases, before work started. In case study 2 (Herakles in Cameroon) there were two versions of the EIA, one undertaken by H&B Consulting and a second one that was edited by the company (which thought that the consultant’s report was too critical) and submitted to government. Various sources report weak compliance with EIA legislation (Cotula 2012; German et al. 2011). Box 3 reports on the EIA process in Ghana.

BOX 3. EIAs AND BIOFUEL PLANTATIONS IN GHANA

In Ghana, an EIA is a legal requirement for changes in land use over a certain size. The EIA process, managed by the state Environmental Protection Agency (EPA), has had some positive effects on LSLAs involving biofuels. Although the legislation only obliges companies to undertake environmental mitigation activities, three companies that had obtained an environmental permit were also adopting social mitigation practices, including preferential hiring, designation of farming areas within the leased land area, and provision of subsidized agricultural inputs. But several other companies did not carry out an EIA or obtain an environmental permit, and, except in one case, those companies were not stopped because the EPA “did not want to obstruct development.” It was also noted that the EPA lacked the resources needed to be able to monitor project implementation.

Source: German et al. 2011.

CAUSES OF NEGATIVE SOCIAL AND ENVIRONMENTAL IMPACTS

Various overviews, such as Cotula (2012), discuss the main international drivers of the African land rush, including increased demand for primary products (and the corresponding increase in prices) and incentives for biofuel production. The focus here is on the more immediate local and national drivers of adverse impacts from LSLAs.

As for most problems of policy or governance failure, the land rush is mainly a political economy issue. The main policy failure is lack of legal recognition and support for customary rights. Governance or regulatory failures around LSLAs include weak insistence on social assessments and EIA, lack of checks on contracts to make sure they are clear and transparent, lack of monitoring, and lack of sanctions on companies that do not uphold their agreements. These governance failures allow state officials and investors to pursue rent-seeking opportunities arising from weak property rights.

Government has a critical role in determining the outcomes of LSLAs. But rather than develop a strong governance and regulatory basis for LSLAs, the government is widely viewed to be complicit with investors. In most countries, LSLA deals are first made between the government and investor, and then state actors mediate consultations with traditional authorities and communities. This system creates an uneven playing field for negotiations (German et al. 2011), and it is unsurprising that consultation and the consent process are very weak.

Lack of or misleading information for local stakeholders is another key problem: in general, there is a lack of awareness of rights and of the potential livelihood and social costs. Exaggerated promises of jobs and social development have facilitated the consent process (to the extent that it exists). And if this is not enough, there is always coercion or heavy-handed political pressure, as shown in several case studies. Another problem is in situations such as that of Ghana where the main decision makers are traditional authorities. The tendency is that, without a regulatory framework, traditional authorities pursue personal rather than community interests. In several case studies, agreement to an LSLA by community representatives did not reflect community views. The community members' opinions were often expressed in the form of resistance and conflicts.

Even in countries that have gone further down the devolution and rights-based route, such as Senegal, Benin, and Burkina Faso, LSLAs are often signed directly by the state, with little or no local consultation (Inter-réseaux 2011). This clash of policies often creates confusion and tenure insecurity. For example, in Benin, procedures have been set up to increase recognition of local land rights simultaneously with initiatives

BOX 4. HIGHER OR LOWER AGRICULTURAL PRODUCTIVITY IN THE LSLA MODEL?

Unfortunately, the case study sources do not include any data on agricultural productivity. However, some data exists on a comparison between family farms and new agribusiness ventures in Burkina Faso (GRAF 2011). Most agribusiness farms were between 20 and 100 hectares in size and can be classified as SSLAs. For SSLAs that are based on mechanized monocultures, the yields of annual crops (maize, cowpeas, groundnuts, sesame, etc.) were about half (on average) those recorded on family farms, and cash costs were much higher. Agribusiness farms with more diversified farming systems had yields closer to that of family farms, but were still (on average) below them.

As pointed out by Deininger et al. (2011), even if LSLAs were found to generate higher yields per hectare, small farms can be very efficient in terms of total factor productivity, including labor and capital. Lower yields do not necessarily mean lower efficiency if costs are much lower. In practice, scale economies are more likely for annual crops that are easily mechanized (e.g. for sugarcane, soyabean, and some cereals but not for rice, which is grown very efficiently and intensively by small farmers), whereas perennial crops such as fruit tend to do better under more labor-intensive regimes. Other factors to bear in mind include the disease vulnerability of large-scale monocultures, risks associated with the loss in agricultural biodiversity, the capacity to adapt rapidly to market change, etc. An aspect of a possibly lower land productivity on LSLAs is their tendency, noted in this review, to use only part of the land. However, an LSLA may be using only part of the land because it is at an early stage of development.

Although data that are based on agribusiness SSLAs in Burkina Faso may have limited value for an analysis of LSLAs; those data imply that it is essential to undertake a more empirical analysis of the agricultural efficiency assumption behind LSLAs. Any comparison of agricultural productivity must be based on a like-for-like basis as regards soil quality, noting that LSLA investors target fertile land that was often used intensively before the LSLA.

Sources: GRAF 2011, Deininger et al. 2011.

to speed up LSLAs. According to Deininger et al. (2011), this conflict of objectives is reflected in a statistical correlation between weak protection of customary tenure and (high) levels of agricultural investment.

LSLAS, AGRICULTURAL EFFICIENCY, AND NATIONAL DEVELOPMENT PRIORITIES

Many countries in Africa and beyond seem to be pinning their faith on a development model that is based on large-scale agriculture or agribusiness supported by foreign direct investment (FDI). This practice is revealed in numerous initiatives and documents, e.g. the Strategic Plan for Agricultural Sector Revitalization in Benin, the GOANA plan in Senegal, the agricultural entrepreneurship policy in Burkina Faso, the creation of presidential councils for investment or investment promotion agencies, and the many tax breaks or fiscal incentives offered to land investors (Inter-réseaux 2011).

It is important to consider the rationale for this model, because the perceived (by governments) trade-off between economic and social objectives may not be a trade-off at all. Something is a trade-off only when one objective is being achieved at the expense of another one. In the case of LSLAs, it seems doubtful whether even the economic objectives are being achieved. A key question for national policy makers is whether the large-scale agribusiness model will achieve its desired macro-economic objectives. Here, we particularly look at the objective of more efficient agricultural production, probably the main single rationale for LSLAs. The theory is that scale economies, superior inputs, mechanization, irrigation, improved infrastructure, easier access to international markets, etc. will result in more efficient

production, including significantly higher yields than those on small family farms. In view of the importance of this assumption, researchers have surprisingly conducted little work on this theory (Box 4).

The UN Rapporteur on the Right to Food argues for a shift in the debate toward thinking about better alternatives to LSLAs, arguing that “what we need is not to regulate land grabbing as if this were inevitable, but to put forward an alternative programme for agricultural investment” (De Schutter 2011:250). These alternatives, he argues, must be based on security of tenure, reorientation of agricultural investment away from plantations and estates and toward small-scale family agriculture and agroecological methods that are more productive and sustainable. This position is supported by World Bank research, which concludes that a policy of improving productivity on existing farmland offers greater potential than the LSLA model on both social and economic grounds (Deininger et al. 2011). This finding was partly based on an analysis of the constraints, many of them relatively easy to tackle for small farmers realizing their production potential. The policy prescription is provision of more secure tenure, credit, irrigation, extension support, market infrastructure, etc. One approach that appears compatible with private international investment or FDI is the out-grower model (Box 5), which seems to operate more effectively outside the confines of an LSLA.

BOX 5. OUT-GROWER SCHEMES AS AN ALTERNATIVE AGRICULTURAL INVESTMENT MODEL

In contrast to the mixed experiences of out-grower schemes operating in the context of LSLAs (Box 1), there are some quite positive reports of out-grower schemes in situations where foreign investors deliberately sought an alternative to the socially problematic LSLA model. Note, however, that for both cases reported here, the investors were rather atypical—a combination of Dutch private investors and the Government of the Netherlands.

In Mali, the Dutch investors set up a company called Mali Biocarburant SA (MBSA) in 2007. This was a joint venture in that local farmer cooperatives had a 20 percent equity stake and a seat on the board. Only the land necessary for a small processing plant and offices was purchased. Local farmers produced jatropha, intercropped with food crops, with support from MBSA that included technical assistance and access to inputs. In 2009, MBSA was working with 2,600 farmers who had planted about 1.6 million jatropha trees on 3,250 hectares. The factory produced biodiesel to meet local energy demand in line with national energy policies. The biodiesel process also generated a by-product known as “presscake,” which the farmers use as an organic fertilizer. Challenges have included producing enough jatropha for efficient processing and mitigating some tensions with the farmers’ unions. However, MBSA has been helping coop members obtain legal recognition of their land rights.

A second case, also involving Dutch investors and jatropha oil, is in Tanzania where a company called Diligent has been providing technical assistance (but not inputs) and buying the oil produced by some 5,000 smallholders in the Arusha Region. Diligent was producing about 600–800 liters per day without the use of agrochemicals. In 2011, a certification scheme was started with support from the Government of the Netherlands.

These experiences show how carefully designed and participatory out-grower schemes can help an international agricultural investment meet its economic objectives without negative social and environmental externalities. Furthermore, out-grower schemes seem to be making substantial contributions to local development, have been building local capacity, have been transferring technology, etc. The model does, however, appear to be quite dependent on a combination of public and private investment. Although an out-grower scheme amounts to an element of subsidy in the shorter term, the clear long-term goal is financial sustainability.

Sources: Center for Human Rights and Global Justice 2010, African Biodiversity Network 2007, Oakland Institute (Tanzania) 2011.

Various messages about the need for a more socially and ecologically sustainable agricultural model than that which tends to prevail on LSLAs can be found in the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security; the Principles for Responsible Agricultural Investment; the Nairobi Action Plan for Private Investment; the funding policy of the African Agriculture and Trade Investment Fund (AATIF)⁷; and the “Responsible Agro-investment” label proposed by the Centre d’Analyse Stratégique in France (Inter-réseaux 2011). But all these guidelines are inevitably voluntary and may not have much impact. As in the forest sector, more scope for demand-side measures could be provided, such as the European Union Forest Law Enforcement Governance and Trade (FLEGT) initiative. Commodity roundtables are at least a start.

RECOMMENDATIONS

The recommendations of this report can be categorized by their relevancy to various stakeholders: governments, NGOs (who in this context can be seen as representing the interests of communities and vulnerable stakeholders) and the research community, LSLA investors, and donors and the international community.

Recommendations for governments

For governments of the countries in which the LSLAs are taking place, the main priority emerging from this report is provision of a stronger legal, regulatory, and governance basis, including through doing the following:

- Providing legal recognition of customary tenure, especially over the unfarmed commons, so that Africans are not “squatters on their own lands” (Wily 2011)
- Investing in stronger land governance because weak governance marginalizes the poor⁸ and discourages long-term investment
- Making FPIC mandatory for LSLAs and supporting FPIC with an appropriate regulatory framework for good practice by investors
- Supporting the human rights of their citizens, including by upholding the principle of non-eviction, or, where eviction seems unavoidable, by stipulating that eviction cannot take place prior to providing financial compensation that is based on an independent assessment
- Incorporating the 2011 Nairobi Action Plan on Large-Scale Land-Based Investments in Africa and other Africa Union guidelines on LSLAs into national legislation
- Introducing a system of vetting and independent certification of LSLA contracts to ensure that they are clear and transparent, for example, spelling out the rights and obligations of all parties
- Introducing (more) checks and balances on traditional authorities and, if necessary, government mediation to ensure that responsible and equitable decisions are made over customary rights and to avoid elite capture
- Establishing stronger regulatory requirements for ex ante social impact assessment and EIA, including the requirement that stakeholders are appropriately informed of the contents of reports

prior to any agreement and, more generally, ensuring that they receive independent and unbiased legal, economic, and social advice (as required by FPIC)

- Building on stronger ex-ante impact assessment because the process and outcomes of LSLAs need to be systematically monitored, including, for example, implementing LSLA agreements, determining how much of the land area is used, and using community-defined indicators of success
- Regulating water allocation following careful analysis of supply and demand (current and projected)—given the great importance of water for smallholder agriculture and its increasing scarcity relative to demand, the EIA should include clear and transparent provisions on the use of water by companies, especially in the dry season

At the same time as providing a better governance basis, governments should reassess their experiences with LSLAs, especially in terms of LSLAs' contribution to national economic objectives. This reassessment could lead some countries to place limits on LSLAs.⁹ It should include more analysis of strategies that do not involve displacement of rural people and their land rights but can still be compatible with international investment in the agricultural sector, for example, out-grower schemes, contract farming, and other types of community–company partnerships.

Recommendations for NGOs and the research community

NGOs, in addition to continuing their vital 'watchdog' role, and the research community, supported by donors, can help governments implement the above recommendations, for example, by supporting the following:

- The emerging alliances and networks between grassroots organizations, civil society, and NGOs (as in Mali and Sierra Leone) to help build civil society oversight and sensitize communities to their rights
- Education and awareness raising of traditional authorities on democratic land governance
- Action research and good practice by investors and government in out-grower schemes, contract farming, and other types of community–company partnerships that allow some of the scale economies provided by LSLAs without involving a change in land tenure
- Good governance and FPIC through capacity building in good practice, providing unbiased information to potentially affected communities, etc.

This report has also identified some key research gaps that the NGO and research community could respond to with donor support, notably research on the following:

- The contribution of LSLAs to national goals — in terms of the national opportunity costs — especially regarding agricultural productivity, net job creation (after considering displaced livelihoods), fiscal contributions, local multiplier effects (e.g. effects on local businesses), economic growth, national food availability, etc.
- Comparative economic returns and livelihood and poverty effects of LSLAs, smallholder farming systems in which customary rights are relatively secure (allowing households to decide what to grow and how to grow it), and alternative management options such as out-grower schemes

- More in-depth primary research on the income, livelihood, and equity effects, including for gender,¹⁰ pastoralists, the elderly and other marginalized groups, as well as those resulting from lost access to nontimber forest products, grazing, etc.
- The social, governance and environmental impacts of small-scale land acquisitions (SSLAs) in view of its growing importance in the region, initially based on secondary data (this can build on work by Hilhorst et al. 2011)
- The extent and impacts of non-agricultural LSLAs, especially mining, energy, forestry, and tourism LSLAs (these impacts are very weakly documented)
- The rate of abandonment of various LSLAs, the reasons for abandonment, and the consequences of abandonment, especially for the former customary landholders
- Impacts on water availability and consumption by affected stakeholders

Recommendations for LSLA investors

It appears that many LSLAs are proving to be more complex, both socially and technically, than the investing companies thought they would be. Also, it is not clear what proportion of LSLAs is being abandoned or how much of the land is being cultivated. LSLAs have received a lot of bad press. The main priority for investors is much more due diligence and feasibility analysis, including ex ante social, economic, and environmental impact assessment.¹¹

The other main priority for LSLA investors is to invest in good practice. Governments need to provide the right policy and governance framework, but companies should also view due diligence and good practice as issues of self-interest. It is clear that, with the eyes of the NGO world on landgrabs, any example of poor practice is likely to hit the headlines. But beyond this, adopting a good practice strategy, including FPIC, and being open to third-party scrutiny will (a) reduce risks and transaction costs, (b) build project sustainability, and (c) contribute to long-term profitability. One aspect of good practice is that investments in social infrastructures or services (e.g. health facilities, roads, bridges, and schools) should be determined by the clearly expressed needs of communities rather than by investors' perceptions (this issue also relates to the need for an FPIC process).

Recommendations for donors and the international community

The international community should continue to promote good governance in line with the various UN-supported governance guidelines, as well as alternative agricultural policies and strategies that are in line with the Principles for Responsible Agricultural Investment and similar guidelines. Having developed this higher-level guidance, the main challenge is developing mechanisms of implementing it. One approach can be to increase pressures in investors' countries of origin, for example, by increasing the due diligence conditions of export credit agencies. More can also be done to educate northern consumers about the externalities of how some of their food is grown, along the lines of such initiatives as fair trade, sustainable forest management, etc., and as a means of increasing pressure on LSLA investors to follow international good practice. More broadly, the efforts of the other stakeholders (outlined above) will need considerable international support, which may sometimes be most effective in the form of public-private sector collaboration. This support is justified by the major social and environmental externalities at stake, including from carbon emissions.

CONCLUSIONS

This review of actual, as opposed to predicted, impacts confirms other reports that LSLAs are likely to cause severe social and environmental externalities. The 18 case studies, although they do not constitute a representative sample, reveal a common pattern—similar stories are repeated from case to case, including the following:

- The state’s expropriation of customary rights, at least for the duration of the LSLA leases. The main tenure effect has been the conversion of customary tenure to state tenure because state tenure is required for governments to make leasehold agreements with LSLA investors
- A flawed process of consultation that marginalizes customary rights holders and is often accompanied by coercion, political pressure, or deception (e.g. forged documents). In about half the cases, there were often violent protests and/or arrests and court cases. In three cases, the LSLAs were of doubtful legality. There was a lack of information and transparency at all stages. In sum, the case studies revealed the opposite of what is required in an FPIC process
- Traditional authorities or chiefs who seem to have excessive power in LSLA situations and who tend to put personal interest ahead of community interest
- Minimal compensation and/or rental payments
- Disappointing levels and conditions of employment. Where locals have obtained jobs, they have generally been seasonal or short-term and poorly paid, partly because of the low level of skills
- Adverse effects on women because of their high dependence on the commons
- Adverse social and cultural effects, including the abuse of sacred sites and disruption to social networks, health, and education services
- Weak or slow delivery by companies of promised social infrastructure and services
- Increased intra- and inter-community conflicts arising from LSLAs, often because of increased competition for the remaining farmland and erosion of social capital
- Severe effects on downstream livelihoods because of the almost unlimited water extraction granted to LSLAs
- Deforestation and damage to wetlands
- Failure to undertake environmental and social impact assessment, or, when one was carried out, failure to make it available to all stakeholders before the LSLA was approved

More positively, the response to LSLAs in countries such as Mali and Sierra Leone has been the emergence of civil society led networks. These networks have been working with grassroots organizations and international NGOs to sensitize communities to their rights and the dangers of LSLAs and to lobby governments for policy and regulatory reforms. Further research, especially on the relative contribution of LSLAs and alternative land-management models to national economic and social goals (including agricultural productivity and poverty reduction) is essential for informing policy makers that LSLAs are not the only answer—and may not be a good answer—for meeting national development goals. But, although such research can help correct the confused development discourse of some governments, attempts to change policies to LSLAs are likely to come up against the political economy drivers of land

grabbing, both nationally and internationally. As pointed out by Cotula (2012), LSLAs represent a continuation of colonial policies in which FDI perpetuates Africa's role in the international division of labor as one of a provider of commodities, while providing national elites with opportunities for business ventures, political patronage, and personal gain. Experiences from other regions such as Latin America show that the main solutions to such problems are democratization and devolution—when civil society gets more voice, and land management becomes more devolved and locally empowering, a country is likely to be more successful in achieving equitable and effective land management. At the same time, LSLA proponents need to think much more carefully about and consider the reputation aspects of taking advantage of weak governance situations as compared to investing in a more open, transparent, and participatory approach such as FPIC. Ultimately, due diligence and good practice are issues of self-interest.

ENDNOTES

- ¹ According to Taylor (2012), landgrabs are land acquisitions that are deficient in any of the following aspects: they are in violation of human rights, particularly the equal rights of women; they are not based on free, prior, and informed consent of affected land-users; they are not based on a thorough assessment of social (including gender), economic, and environmental impacts; they are not based on transparent contracts with clear and binding commitments on activities and employment and benefit sharing; and they are not based on effective democratic planning, independent oversight, and meaningful participation.
- ² Olsson (2012:3) asserts that media reports are often based on rumor, tend to rely on single sources, lack an “authoritative source,” or involve exaggerated or “incorrectly translated” figures on the size of investments.
- ³ *Greenfield investment*, in this context, refers to an investment in land that still has most of its natural vegetation and has not already been converted to farmland. Greenfield investments, therefore, occur on land that is probably mainly forested (disturbed or undisturbed), natural savannah, or wetlands.
- ⁴ A sample of 86 LSLA projects from the Land Matrix revealed that some level of informed consent was detected in 6 cases (Schaffnit-Chatterjee 2012).
- ⁵ Pastoralists are vulnerable to LSLAs because the land over which they have customary rights is an easy target for investors (Odhiambo 2011). Pastoralists are often least able to defend themselves; for example, they often do not live where the decisions are made or are not represented on local decision-making bodies.
- ⁶ For example, in the case of case study 5 (Atlantic Resources in Liberia), researchers estimated that rent paid to community landowners was about 1 percent of the commercial timber value; typically US\$1.50–3.00 per cubic meter of roundwood was paid compared to an export value of about US\$200 per cubic meter.
- ⁷ AATIF aims to promote sustainable agriculture in Africa, including the social and environmental dimensions, by financing local projects and companies along the agricultural value chain and by developing financial markets (Schaffnit-Chatterjee 2012).
- ⁸ According to FAO (2012), “weak governance marginalises the poor who lose out because they lack the political force to influence decisions, and because they lack the financial resources to bribe corrupt officials.”
- ⁹ It is worth noting that some countries (Cambodia and Laos) have declared a moratorium on land purchases by foreigners, and other countries have drafted legislation to limit such purchases, including Mozambique and Tanzania (Schaffnit-Chatterjee 2012). In addition, some developed-country governments (Australia, Canada, and New Zealand) have drafted legislation in response to public concerns about farm sales to foreigners (op. cit.).
- ¹⁰ A secondary data analysis of gender impacts has already been undertaken by Daley (2011).
- ¹¹ These assessments should include more careful analysis of risks and identification of mitigation and risk-reduction measures. A cost-effective approach would be to use the theory of change approach to project cycle management (Vogel 2012). If stakeholder representatives took this approach, the analysis would be stronger and would feed strongly into the FPIC process (Richards 2012).

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CASE STUDY 1. CAMEROON: SOCAPALM OIL PALM PLANTATION

Area/location: 62,000 hectares between an oil palm plantation (SOCAPALM) and a rubber tree plantation (HEVECAM) near Kribi in southwest Cameroon; these plantations adjoined about 10 communities of Bagyeli (pygmy) hunter-gatherers.

Investors/companies: SOCAPALM belonged to the French Bolloré Group, which had major logging interests in Cameroon and is the main shareholder of Socfin SL, a Belgian investment holding company. HEVECAM belonged to the Singapore based GMG group.

Year of land deal: Some state plantations were privatized in 2001.

Tenure impacts: The Bagyeli lost their rights and access to forest. Previously, they regulated their use of forest according to customary rules observed between camps of 15–70 people.

Land governance process and impacts: There was no consultation with the Bagyeli. The Bagyeli culture, which included being hospitable to outsiders, made it easy for the company; thus, there seemed to be little protest or resistance.

Economic/livelihood impacts: The impact was severe on the Bagyeli because they were isolated communities highly dependent on the forest for hunting and nontimber forest product (NTFP) collection and had few livelihood alternatives. Bushmeat possibilities were drastically reduced with the animals retreating much deeper into the forest and with increased numbers of poachers with guns hunting to feed plantation workers. The Bagyeli only got temporary work on the plantations, and they were paid less than Bantu workers and did not get compensation for housing.

Human and sociocultural impacts: SOCAPALM reportedly forced the Bagyeli to leave the area, partly with a promise of modern houses (which did not happen). There has been a sharp fall in the population and severe health problems, especially a higher incidence of malaria as a result of mosquitoes breeding in stagnant water puddles between plantation rows. Other health problems reported include increased cholera, depression, and blood pressures. The Bagyeli lost access to traditional medicines and were denied free access to the hospital and schools of the plantation companies. Bagyeli remaining in the communities or camps were surrounded by plantations they were not allowed to enter, and many of their tombs were destroyed.

SOCAPALM has employed notorious Africa Security agents in what appears to be a policy of terrorizing local people. This terrorization included conducting random searches of people's houses for palm nuts, and, when palm nuts were found, villagers were beaten. Villagers also reported destruction of houses, rape, and murder. On March 12, 2010, Africa Security agents beat a man to death for allegedly attempting to steal palm nuts, which caused a popular upheaval.

Environmental impacts: Evidence of increased water pollution from agrochemicals and soil erosion was found. Tests on water effluents by Centre Pasteur found elevated chemical and biochemical levels. The effluents migrated to other waterways, including ones outside the plantation. From a second sample collected near villagers' homes, the water was classified as of mediocre quality and suitable only for irrigation, cooling, and navigation.

Sources:

- European Coalition for Corporate Justice and Sherpa. 2010. The Impact of the Privatization of SOCAPALM on Communities and the Environment in Cameroon. Sherpa, Centre pour L'Environnement et le Developpement, FOCARPE, and MISEREOR. Yaounde, Cameroon.
- Quotidien Le Jour. 2010. Actualités Dizangue: Des vigiles d'Africa Security accusés de meurtre. http://www.quotidienlejour.com/index.php/201004191988/index.php?option=com_content&view=article&id=1477:dizangue-des-vigiles-dafrica-security-accuses-demeurtre&catid=75
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CASE STUDY 2. CAMEROON: HERAKLES/SGSOC OIL PALM PLANTATION

Area/location: 73,086 hectares of which about 60,000 hectares were earmarked for oil palm and 12,000 hectares for "environmentally and socially sensitive resources, infrastructure and village development activities." This area was located in Ndian and Kupe-Manenguba Divisions in southwest Cameroon.

Investors/companies: SG Sustainable Oils Cameroon (SGSOC) PLC, which is fully owned by Herakles Capital in the United States.

Year of land deal: 2009.

Land deal description: A 99-year lease between SGSOC/Herakles and the government, exempt from taxes for 10 years, the company could also carry forward losses indefinitely to offset future profits.

Land governance process and impacts: The company cleared about 100 hectares of forest to establish oil palm nurseries before submitting an Environmental and Social Impact Assessment (ESIA), obtaining a Certificate of Environmental Conformity, and getting a Presidential Decree for the lease. The Centre pour L'Environnement et le Developpement (CED) claimed there were two versions of the ESIA—an original version conducted by H&B Consulting and a version edited by the company that was eventually submitted. Community resistance to the project started in August 2011 when youth in two villages blocked bulldozers, and a local non-governmental organization (NGO) filed a petition to put a moratorium on the plantation. The regional (Mundeba) court agreed and placed a restraining order on the company and, at the end of August 2011, ordered the arrest of an SGSOC representative for violating the order. The judge was removed from the case for unknown reasons. Greenpeace filed a complaint to the Roundtable on Sustainable Palm Oil (RSPO), which Herakles had signed on to, claiming that the LSLA was illegal. In September 2012 Herakles withdrew from the RSPO.

Economic/livelihood impacts: The LSLA was an area with a population of at least 14,000 people (although some estimates are higher) that was highly dependent on subsistence agriculture, forest hunting, and NTFP collection. The company claimed that it would not displace the communities who practiced subsistence agriculture and that it would create 7,500 jobs. But the original ESIA stated that there would be major negative impacts on livelihoods. The ESIA did not, however, include compensation plans, and it contained only weak alternative livelihoods suggestions.

Environmental impacts: Much of the proposed plantation area was on forested land. The Ministry of Forestry and Wildlife conducted a technical study in April 2012 and found, using aerial photographs, that

much of what the company called “degraded land” included large sections of unlogged forest. A technical committee appointed by the Ministry of Forestry confirmed that significant areas of high conservation value forest (HCVF) were at risk. The plantation was also on a key migration route for protected species. Risks from agrochemicals to surface water and groundwater quality were also identified in the ESIA.

Sources:

“Herakles ends bid to join green palm oil body over Cameroon plan.” 2012. *Reuters*, 4 September. <http://www.reuters.com/article/2012/09/04/cameroon-herakles-rspo-idUSL6E8K4FJZ20120904>

Nguiffo, Samuel and Brendan Schwartz. 2012. Herakles’ 13th Labour? A Study of SGSOC’s Land Concession in South-West Cameroon. Yaounde, Cameroon: Centre pour L’Environnement et le Developpement Country Office.

Oakland Institute. 2012. Massive Deforestation Portrayed as Sustainable Development: The Deceit of Herakles Farms in Cameroon. Land Deal Brief. Oakland, CA: Oakland Institute.

CASE STUDY 3. GHANA: BIOFUEL PLANTATIONS IN THE TRANSITION ZONE

Area/location: 14,000 hectares of jatropha plantation in Pru District, Brong Ahafo in Ghana’s forest-savannah transition zone. This was one of six planned plantations for jatropha and sugar cane in the District covering a possible total area of 152,500 hectares (69 percent of Pru District’s land area)—although it was only possible to verify four signed leases covering 77,500 hectares.

Investors/companies: A foreign biofuel company invested in the project but withheld its name as a condition of the research. In another study (Williams et al. 2012), of three jatropha LSLAs (range 13,000–43,000 hectares) in the Brong Ahafo region, the investors were from Norway and Canada.

Year of land deal: 2008.

Land deal description: A 50-year lease granted by the traditional authority or chief in return for 25 percent of profits from jatropha, some village boreholes, and employment for 75 percent of the households (but the employment commitment was only verbal).

Land tenure impacts: In most of Ghana, land is vested in the traditional authorities or chiefs, who hold allodial title, but the government retains ownership of trees, unless the trees are planted. The constitutional role of traditional authorities is as custodians of the land for community welfare, but the effect of the LSLAs has been to empower chiefs to grant leases to outsiders over local customary land users. In this case, about 190 households in the village where the detailed household survey took place lost access to much of their land. Seven households in one village were made landless in August 2009.

Land governance process and impacts: the company directly approached the chiefs, who were persuaded that the plantation would bring development and jobs and that the profit share from jatropha would be better than the yearly tribute paid by communities. None of the 94 interviewed households participated in the land negotiations, and there was no government involvement until the land agreement was sent to the Lands Commission for a certificate of concurrence (which is rarely withheld). The first time that most locals heard about the deal was when they were told by chiefs not to return to their plots after harvesting their yams.

Economic/livelihood impacts: According to Schoneveld et al. (2011), about half of the 780 hectares cleared by August 2009 were in bush-fallow farming systems, including about 20 percent of land in yam plots and 24 percent in other crops. The other half was a mix of closed and open forest that provided firewood, sheanuts, locust tree beans, and a range of NTFPs of great importance to women. The cleared area consisted of the best soils—most of the remaining land in the village was rocky or waterlogged. By 2009, average household acreage in the village had halved. Some households obtained some rented replacement land, but this was usually of inferior quality.

Although most households continued with a similar livelihood profile, their income fell sharply; for example, women's cash income from forest and farm products fell 70–90 percent. This was in addition to having to spend much more time getting firewood. Some households diversified into livestock and small-scale trading, but financing and skills were limiting factors. About two-thirds of households obtained employment on the plantation.

This case study (Schoneveld et al. 2011) compared the value of employment on the jatropha plantation with the foregone crop production using a survey of 31 employees and 63 households that lost land but were not employed (except three households who had not yet received their wages). This calculation (Box 6) revealed that foregone livelihood income from yam cultivation was higher than the value of employment, without considering other economic and social values associated with the foregone land. It was also found that employed and land-losing households only recuperated (on average) 2.3 percent of the value of lost yam cultivation. Additionally, the biofuel company said that labor intensity on the plantation would gradually fall from 0.15 jobs to 0.06 jobs per hectare, although there would be hikes of 0.08–0.12 jobs per hectare in the harvesting months.

BOX 6. VALUE OF EMPLOYMENT ON A JATROPHA PLANTATION IN GHANA COMPARED TO FOREGONE LIVELIHOOD INCOME

Employment and income on jatropha plantation:

- 120 jobs created on 780 hectares = 0.15 jobs/hectare
- Average annual wage income = US\$50/month
- Therefore, annual wage value created = 0.15 jobs x US\$50 x 12 months = US\$90/hectare p.a.

Foregone livelihood income:

- 80 hectares of yam production were sacrificed for the 780-hectare jatropha plantation
- Net income of yam cultivation = US\$1,005/hectare p.a.
- Total net yam income lost = US\$1,005 x 80 hectares = US\$80,400

Net income lost per hectare of jatropha = US\$80,400/780 hectares = US\$103/hectare p.a.

Source: Schoneveld et al. 2011

In the case of the three other jatropha LSLAs, local people were annoyed to find that, although they had been told that the jatropha would be grown only on marginal soils, in some places the companies grew yams and maize—the same crops formerly grown by the customary landholders—on good-quality land. Because of the economic difficulties, including low wages on the plantations, some farmers said that they felt there was no option but to migrate in search of new farmland.

Human and sociocultural impacts: It proved more difficult for migrant farmers than indigene farmers to obtain replacement land. Migrant farmers felt discriminated against, and there were increasing tensions with native farmers; most migrant farmers said they were considering leaving to look for land in northern Ghana. There were also social impacts from employment. Most employees complained that the lack of flexibility prevented them from fulfilling their household and community labor commitments. In one community, a conflict arose from non-participation in community labor tasks by employees. This conflict required police intervention.

Environmental impacts: Of the 780 hectares cleared by August 2009, about half was open or closed canopy forest in varying states of condition. There was no mention of an EIA in spite of the legal requirement for it. As pointed out by Williams et al. (2012), not much scrutiny of the quality of EIAs is undertaken because the state Environmental Protection Agency, which is responsible for EIAs, is short staffed, poorly funded, and unable to verify the analysis or monitor compliance.

Sources:

German, Laura, George Schoneveld, and Esther Mwangi. 2011. Contemporary processes of large-scale land acquisition by investors: Case studies from Sub-Saharan Africa. Occasional Paper 68. Bogor, Indonesia: Center for International Forestry Research.

Schoneveld, George C., Laura German, Eric and Nutakor. 2011. “Land-based investments for rural development? A grounded analysis of the local impacts of biofuel feedstock plantations in Ghana.” *Ecology and Society* 16 (4): 10. <http://dx.doi.org/10.5751/ES-04424-160410>.

Williams, Timothy O., Benjamin Gyampoh, Kizito, and Regassa Namara. 2012. “Water implications of large-scale land acquisitions in Ghana.” *Water Alternatives* 5 (2): 243–265.

CASE STUDY 4. GHANA: PRAIRIE RICE IN THE LOWER VOLTA

Area/location: 1,250 hectares in South Tongu District of the Lower Volta region, including Aveyime where the rice mill and offices are located; 300 hectares were in rice cultivation at the time of the study.

Investors/companies: This project was a joint venture between the Government of Ghana (30 percent); Prairie Rice of Texas, United States (40 percent); and the Ghana Commercial Bank (30 percent).

Year of land deal: The government originally acquired the land in 1977; the date of Prairie Rice’s involvement is not given, but they started cultivation in 2008. Prairie Rice was also in the process of acquiring more than 2,000 hectares for rice production in another part of the Lower Volta. Prairie Rice wanted to expand its rice cultivation to at least 5,000 hectares.

Land deal description: The land was acquired by government decree. Prairie Rice, which believed it was buying the land, deposited the sale price (US\$260 per hectare—the basis for this price was not explained) in an escrow account awaiting a court decision on the identity of the former landowners to

whom the money should be paid. Ten community claimants filed a suit, arguing that they were the rightful landowners. The company was allowed to cultivate the land while the dispute was being resolved. Prairie Rice also paid a US\$100,000 registration fee to the Lands Commission.

Tenure impacts: Community members would lose their access to the cultivated land, but, depending on the court decision, they could receive the sale price.

Land governance process and impacts: The role of the chiefs was that of landowners rather than land custodians. Tensions between the communities (especially Mafi Dove and Bapka Tademe) and the government, rather than between communities and the company, led to court cases. It was noted that the chief of Mafi Dove was persuaded by the then Vice President of Ghana (later the President) in spite of initially being angry about the LSLA. The persuasion included promises of employment, compensation for the loss of land, and other requests (unspecified) granted. Most people did not understand the basis for the compensation they were subsequently given.

Economic/livelihood impacts: the company allowed continued use of uncultivated land, but the loss of commons (especially in the Tademe area) had a damaging effect on women because of their high dependence on it. People in Tademe were not able to find replacement land because they were hemmed in by land belonging to neighbor villages and by a passion fruit plantation. Many residents left Tademe, and those remaining eked out a living by farming the small areas left and by cooking and selling food to Prairie workers. The picture was different in the Mafi Dove area where land was less scarce, and most respondents said they were not worried about losing land because they had other options, although some said they had to go by canoe to reach new cultivable land. Also, they were unable to use irrigated water. Prairie Rice had no plans for an out-grower scheme because it felt that farmers were “not advanced enough.”

Employment expectations were not realized at the time of the study. Although some locals did get jobs, Prairie Rice said it planned to increase non-district employment. But, in general, Prairie Rice had not experienced negative press because it was claimed that (a) they were only making modest profits that were not being repatriated to the United States, (b) some local jobs were created, (c) they were allowing the court to sort out the land rights issues, and (d) the export-quality rice was being sold locally (Ghana has a huge rice import bill).

Compensation was paid to most people who lost their land in Mafi Dove, but people in Tademe were not compensated. Also, in Mafi Dove, both men and women were compensated for the loss of crops on their own land, but not for the loss of commons resources, which included valuable fruit trees (including mangoes and tamarind) that were previously sold to outsiders. It seems that most benefits (including a local economic multiplier effect) were in Aveyime where the mill and main office were located, but these benefits were quite localized.

Human and sociocultural impacts: Considerable outmigration from Tademe has occurred, especially outmigration of younger people. Other residents were resettled on lower-lying land. At the time of the report, homes had been built for two-thirds of the resettled people, but these people had not received the promised water, electricity, toilets, and improved drainage. They complained about the poor drainage and lack of grazing land in the new location. Another problem was an increase in cattle rustling, which was facilitated by the new road.

Land-use conflicts between farmers and pastoralists had intensified, with some farmers complaining that the cattle of pastoralists were eating their crops. Furthermore, loss of the commons had increased intra-community tensions (some of the hostility may have resulted from a longer-standing distrust of

Fulani pastoralists). Tensions between communities and with chiefs also increased; for example, it was noted that the Mafi Dove chief had built a new palace. People in Mafi Dove were also angry that the company headquarters were in Aveyime.

Environmental impacts: The project accelerated the on-going loss of vegetation through over-grazing and charcoal extraction.

Sources:

Atafori, A.K. & Aubyn, C. 2012. Ghana: Transnational Land Grabs in Ghana Cause Conflicts. Article published by Public Agenda (Accra) on 17 August 2012, retrieved from http://www.ghanaweb.com/public_agenda/article.php?ID=16801

Tsikata, Dzodzi and Joseph. 2011. "Land Market Liberalization and Trans-National Commercial Land Deals in Ghana since the 1990s." Paper presented at the International Conference on Global Land Grabbing. Sussex, UK, 6–8 April 2011.

CASE STUDY 5. LIBERIA: ATLANTIC RESOURCES' PRIVATE USE PERMITS

Area/location: Atlantic Resources obtained Private Use Permits (PUPs) for about about 840,000 hectares of forest, or about 8 percent of Liberia's land area. In all, some 66 PUPs had been issued by August 2012 over about 2,600,000 hectares of forest—about about 40 percent of Liberia's forest area, 46 percent of its intact forest, and 23 percent of the national territory.

Investors/companies: Atlantic Resources was a subsidiary of Samling Global in Malaysia. Samling Global has been involved in well-documented cases of illegal logging in Borneo, Cambodia, Guyana, Papua New Guinea, and other countries. Atlantic Resources is the biggest beneficiary of PUPs. The second-largest beneficiary, Alpha Logging, is another subsidiary of Samling Global.

Year of land deal: The PUPs have mainly been issued from 2010 onward.

Land deal description: The PUPs were agreements between a landowner and a company so that the landowner could harvest timber on his or her own land. They required that the landowner had a title deed. They were not designed to be issued by community landowners who often did not possess title deeds. PUPs were weakly regulated and had no size limit, involved modest forest fees, and did not require bidding. They differed from Forest Management Contracts and Timber Sale Contracts, which could be allocated by the government on public land.

Tenure impacts: Most of Liberia's forest is on land owned by communities, but with the state retaining tree tenure. The law (see below) was designed to safeguard community forest management and its wider benefits. The effect of a PUP was that the community landowners lost access to their land in exchange for a minimal rent (see below). In some PUP areas, Atlantic Resources circulated proposed contracts with communities that would give Atlantic Resources the right to convert the land to oil palm for at least 75 years.

Land governance process and impacts: Use of community land in PUPs appeared to be illegal on several grounds. First, Liberia's 2009 Community Rights Law stated that forest with collective deeds (over land held collectively by communities) was "community forest" and were, therefore, not individual land titles or deeds that could be used for a PUP. In fact, few communities possessed title deeds (a basic proviso of

the law). The legislation also included guidance to communities on governance structures and operational plans so that they could manage the forests for collective benefit, and the legislation stipulated that communities have “meaningful participation” in land-use decisions.

Global Witness visited five PUP areas that were held by Atlantic Resources. In four of these areas, the communities and leaders said they did not think they had title deeds, and in one area the communities were unaware of the decision-making process that led to their land being declared a PUP area. In the four areas where communities were aware of the decision, meetings to discuss the decision lasted one day. Community-suggested alterations to the proposed agreements were not taken. The paramount chief of Dugbe River said that a letter written in his name was forged. (Global Witness obtained only 30 very poor copies of 66 deeds, so it is possible that others were forged). Atlantic Resources started logging in Dugbe River and other PUP areas and began exporting timber in April 2012. By July 2012, it had tens of thousands of cubic meters ready for export.

Another legal infringement by Atlantic Resources and other companies, as well as by senior officials in the Forestry Development Authority, was ignoring a moratorium on logging in PUPs in February 2012. The moratorium was reaffirmed by the President in August 2012. Furthermore, Atlantic Resources owed US\$2.7 million in unpaid forest fees, and Alpha Logging owed US\$2.9 million.

Economic/livelihood impacts: the compensation paid by Atlantic Resources to some communities was less than 1 percent of the commercial timber value: typically, the commercial value was US\$200 per cubic meter, and communities agreed to receive between US\$1.50 and US\$3.00 per cubic meter.

Environmental impacts: Under the PUPs, there was no requirement for sustainable forest management. Inspections of Atlantic Resources’ documents showed that, at least in some areas, the plan was clear felling to establish oil palm plantations.

Source:

Global Witness. 2012. Signing their Lives away: Liberia’s Private Use Permits and the Destruction of Community-Owned Rainforest: <http://www.globalwitness.org/signingtheirlivesaway>

CASE STUDY 6. MALI: MALYBIA IRRIGATED RICE PROJECT

Note: Because of the political developments in Libya, this project is currently on hold.

Area/location: 100,000 hectares in Ségou Region.

Investors/companies: Malybia was funded by the Libyan African Investment Portfolio, a Libyan sovereign wealth fund.

Year of land deal: 2009 or 2010 (unclear in the original references).

Land deal description: The land was leased by the Office du Niger on behalf of the Government of Mali to the company free of charge for 50 years, and the land was exempted from company tax, corporation tax, and (for 3 years) import duties. The project was given unrestricted access to water from the Niger River for half the year, including in June (which is a low water month).

Tenure impacts: The long-held customary rights that pre-dated colonial times were not recognized by the Office du Niger. The land rights were therefore lost without compensation.

Land governance process and impacts: The project was negotiated at the highest level, including between the two Presidents, and without local consultation. Communities received only a 6-page agreement some months after it was signed and after construction work had started. This lack of community participation reflected the view of the Office du Niger that, except where they had received annual permits, farmers and communities under their jurisdiction did not have land rights.

Economic/livelihood impacts: The project claimed that it would “provide employment for all inhabitants of the Ségou Region” (about 2.3 million people), but Malibya’s plans did not specify local employment. The contract for building canals was given to a Chinese company. Another promise was to “triple or even quadruple” rice yields. But government officials had determined the hybrid rice (the rights to which belonged to another Chinese company) to be unsuitable for Mali’s market and, thus, would most likely be exported, causing farmers’ unions to fear food insecurity. The 40-kilometer canal, which was completed in June 2010, and the road construction affected 150 households via the destruction by bulldozers of houses, vegetable gardens, and orchards, as well as through disruption of cattle routes. This construction particularly affected women who grew and sold vegetables. Less than half the households received some kind of compensation, and this compensation did not cover their losses. The basis for the compensation was unclear and seemed to depend on the goodwill of the project rather than on the recognition of land rights. Some local groups, supported by NGOs, demanded more compensation following a forum in 2010. This demand led to a new agreement on compensation and resettlement, but, one year later, only 6 percent of people due to receive compensation had obtained it for the loss of their houses and gardens. Water fees in the dry season were also increased, probably to free up more water for the project, which clearly impacted farmers outside the project.

Human and sociocultural impacts: Some communities were cut in half by the canal, and access to basic community infrastructure, such as schools and health services, was disrupted or lost. Some communities, such as Kolongo, were reported to suffer massive disruption. In at least one case, a cemetery was unearthed, and the contractors ploughed through the bones.

Environmental impacts: It was estimated that the project would extract about 4 million cubic meters of water per annum, affecting water availability for millions of people downstream. The area was also important for migratory routes; the canal blocked two of these routes. No EIA of the project was published.

Sources:

Hertzog , Thomas, Amandine Adamczewski, Francois Molle, Jean-Christophe Poussin, Jean-Yves and Jamin. 2012. “Ostrich-like strategies in Sahelian sands? Land and water grabbing in the Office du Niger, Mali.” *Water Alternatives* 5 (2): 304–321.

Troy, Billy. 2010. *Office du Niger: Quelles réalités entre accaparement des terres et développement agricole?* Paris: Fondation pour l’agriculture et la ruralité dans le monde.

Oakland Institute. 2011. *Understanding Land Investment Deals in Africa. Malibya in Mali. Land Deal Brief.* Oakland, CA: Oakland Institute.

Perdriault, Mathieu. 2009. *Mali: Accaparement des terres.* Nogent sur Marne: aGter. http://www.agter.asso.fr/article382_fr.html

CASE STUDY 7. MALI: MOULIN MODERNE WHEAT FARM

Area/location: 20,000 hectares in the Upper Kala hydraulic zone.

Investors/companies: Moulin Moderne du Mali.

Year of land deal: 2010.

Land deal description: The Office du Niger issued a 30-year land lease that was free of land fees and had no restrictions on water use.

Tenure impacts: Communities lost access to productive agricultural land. As with case study 6, the Office du Niger did not recognize customary tenure.

Land governance process and impacts: The communities were not consulted on the lease, and they received no information before it was signed. It is reported that Moulin Moderne approached Samana Dugu village and promised compensation (of 1 hectare for each 10 hectares removed) for the loss of land and trees. Most people rejected this deal, and there were protests when bulldozers moved in. In a well-documented incident, 70 police officers arrived and beat the protestors, including elders and two pregnant women, one of whom miscarried. Forty people were arrested, including 14 women. The Office du Niger blamed “young troublemakers,” but this rationale was rejected by the chief, elders, and women. Similar protests and arrests happened in Siranikoro village.

Economic/livelihood impacts: This land was very productive even though it was not irrigated, and it supported agroforestry systems that included millet, watermelon, pigeon peas, sesame, and high-value tree products. This area was so productive that, during a food crisis about 20 years ago, the communities voluntarily donated food aid to the government. Many of the agroforestry systems were destroyed in the clearance of 7,400 hectares within a month of the land transaction.

Human and sociocultural impacts: There were some intra-community conflicts between people supporting the deal and people opposing the deal.

Environmental impacts: It was unclear whether there was an EIA. The Office du Niger commissioned various reports and studies, but these assessments were not made public.

Source:

Oakland Institute (Mali). 2011. Understanding Land Investment Deals in Africa: Country Report, Mali. Oakland, CA: Oakland Institute.

CASE STUDY 8. MOZAMBIQUE: PROCANA SUGAR CANE (BIOFUELS) PROJECT

Area/location: 30,000 hectares of sugar cane in Massingir District, Gaza Province, Mozambique.

Investors/companies: ProCana, a Mozambican company with British interests (BioEnergy Arica).

Year of land deal: 2007; this project was canceled by the government (the official reason was non-compliance with financial procedures), but only after the project caused some tenure and governance impacts.

Land deal description: The agreement between the government and the company included a guaranteed minimum quantity of water to irrigate the sugar cane.

Tenure impacts: The deal was on land that was partly classified as “land use and benefit rights,” which supposedly made it unavailable to investors. But much of it has been sold or allocated for the resettlement of displaced communities from Limpopo National Park. The President of Mozambique promised farmers that biofuels projects would not take their land, and that food-producing land would be avoided. Although the ProCana deal has been canceled, the government has announced that the land was available to any company willing to invest under government-approved plans.

Land governance process and impacts: The communities in the area were consulted in one big meeting. Several of them said they had no free land to give, and they were worried about boundaries between project land and their own land. But the chiefs and local party leaders wanted the deal. At so-called consultation meetings that were dominated by leaders, villagers agreed to cede unused parts of their land to ProCana. Villages requested employment, schools, health clinics, houses, etc., but they received no reply. ProCana moved in and started building houses.

Economic/livelihood impacts: The project took over high-quality alluvial land with access to water, although local farmers did not have irrigation. For example, people from Chimbangane village grew maize, sweet potato, peanuts, and beans, and they kept cattle. They were offered new pasture areas, but the villagers did not agree and feared forced eviction.

Human and sociocultural impacts: A government official said that the area was almost uninhabited, but there were several villages with health centers and schools.

Environmental impacts: It was feared that the water off-take by the company would cause shortages for local agriculture.

Sources:

Nhantumbo, Isilda and Alda Salomão. 2010, Biofuels, Land Access And Rural Livelihoods in Mozambique. London: International Institute for Environment and Development.

Oakland Institute (Mozambique). 2011. Understanding Land Investment Deals in Africa: Country Report, Mozambique. Oakland, CA: Oakland Institute.

CASE STUDY 9. MOZAMBIQUE: CHIKWETI FORESTRY PLANTATIONS

Area/location: 30,000 hectares in Chikweti, Niassa District, Mozambique, of which 14,000 hectares were to be planted mainly with pine and eucalyptus; the national forestry directorate said that the company had illegally occupied an additional 32,000 hectares.

Investors/companies: Global Solidarity Forest Fund, Sweden.

Year of land deal: 2009

Tenure impacts: The impacts of the tenure are unclear.

Land governance process and impacts: A regional government representative said that the Chikweti project illegally invaded some areas. For some of this land, the chiefs gave the project permission to operate, but they did so without consulting the communities or applying to the central government (both steps are legally required). Local people accused the chiefs of selling their land, and a district administrator talked about falsified documents at community consultations. Resistance to the project included setting fire to

plantations and allowing cattle in to eat the saplings. In April 2012, people in Sanga District cut down 12 hectares of new trees, and 12 people were arrested.

Economic/livelihood impacts: According to agreements made during negotiations, plantations would occupy degraded or marginal land, but some productive farmland was used. There was also large-scale felling of a valuable forest fruit tree called massuku, and access to firewood and medicinal plants was lost in some cases. Jobs have been mainly given to families of chiefs and civil servants.

Environmental impacts: Some of the plantations involved clearing dense native forest.

Sources:

National Directorate of Land and Forest (DNTEF). 2010. Relatório de trabalho de campo realizado no âmbito do cumprimento das decisões de S. Excia. o Senhor Primeiro Ministro na sua visita à Província do Niassa. Lichinga, Mozambique: República de Moçambique, Ministério da Agricultura, DNTEF.

Oakland Institute (Mozambique). 2011. Understanding Land Investment Deals in Africa: Country Report, Mozambique. Oakland, CA: Oakland Institute.

CASE STUDY 10. RWANDA: KABUYE SUGAR WORKS

Area/location: 3,150 hectares in Nyabarongo Valley in Rwanda's Eastern Province, of which 1,750 hectares were under cultivation at the time of the report.

Investors/companies: Kabuye Sugar Works (KSW) was bought by Madhavani Group in Uganda.

Year of land deal: The land was leased to the Madhavani Group in 1997, but the land was gradually acquired between 1998 and 2001. Preceding this deal was a government sugar mill covering 550 hectares.

Tenure impacts: Thousands of people lost informal customary rights to their swampland plots in 1997 following a clash between local people and the government.

Land governance impacts: Popular resistance included setting fire to some areas and cutting immature sugar cane. This resistance was quelled by police and local defense forces. Madhavani also started bringing in outside laborers, which caused people to stop their resistance.

Economic/livelihood impacts: Local people used the marshland for food crops, cash crops, and clay for brickmaking, and the land was important for safety net or coping strategies. The only compensation was for the value of crops that were ready for harvest. Thousands of peasant families lost access to their swampland plots. Furthermore, reduced fallows and continuous cropping have led to declining crop yields. The Privatization Secretariat of the Government of Rwanda officially stated that “the privatization of Kabuye Sugar Office and its purchase by KSW in 1997 ... instead of benefiting the population, has made people poorer.”

It is estimated that more than 10,000 people were involved in the production chain, including about a thousand workers at the mill, 4,000–5,000 plantation laborers, and 1,100 out-growers (of which 320 were women) who also employed about 3,000 laborers. People said that wages were very low; all interviewed laborers said that they were worse off than when they had their own plots.

The out-growers were better off than the laborers (both before and after). However, few out-growers had contracts, and they were dependent on Madhavani as the only buyer. Out-growers said that the company sometimes refused to buy its produce (citing transport problems) and that they were not allowed to see their produce weighed. There were also complaints from surrounding communities that Madhavani used only half the land. Many women and children became laborers, often working for the out-growers. It was estimated that two-thirds of laborers were women. Wages were lower in company fields than out-grower fields, and out-grower fields sometimes allowed intercropping, especially after excess rain (the intercropping helped suck up water between newly planted canes).

Human and sociocultural impacts: Some people preferred to leave the area to look for new land in Eastern Rwanda rather than work on the plantations. In one village, 15 families left. People complained that their diet had less variety because they no longer grew a range of food crops. Some informal saving groups were set up to help with basic expenditures (health, education, etc.), but not all residents could afford to join a group.

Environmental impacts: more intensive cultivation of hillsides was reported, resulting in increased erosion and declining soil fertility.

Sources:

Veldman, Muriel and Marco Lankhorst. 2011. Socio-economic impact of commercial exploitation of Rwandan marshes: A case study of sugar cane production in rural Kigali. London: International Land Coalition, CIRAD, and RCN Justice & Démocratie.

Ansoms, A. 2010. The ‘bitter fruit’ of a new agrarian model: Large-scale land deals and local livelihoods in Rwanda. Global Land Grabbing Conference. University of Sussex. Brighton, UK

CASE STUDY 11. SENEGAL: INTENSIVE AGRIBUSINESS FARMING

Area/location: 110 hectares of sun-dried tomatoes in the Ross Béthio area, and 500 hectares of sweetcorn, of which 300 hectares was purchased land and 200 hectares was rented land.

Investors/companies: Société de Tomate Séchée (STS) owned by FORDALUIS in Italy supported the tomato production. Société de Culture Légumière (SCL), a vegetable growing company owned by French, Moroccan, and British investors supported the sweetcorn production.

Year of land deal: Not reported.

Land deal description: The deal stipulated an exemption from taxes for 10 years.

Tenure impacts: The tenure impacts are unclear. Most of the land was unused prior to the start of the projects, but the report also noted that a reason for this unused was a lack of finance for irrigation.

Land governance impacts: An official said that the local government was bypassed in agreements for the STS land deal, although he thought the deal was beneficial to the community.

Economic/livelihood impacts: A farmer representative said that, although locals were getting temporary jobs (STS project provided 500 temporary jobs and 10 permanent ones, and SCL employed 200–500 people seasonally and 100 permanently), the benefits of the project were not properly distributed, and they would have preferred to work for themselves rather than a company. SCL paid the communities 5,000 CFAs per hectare for boundary-marking costs rather than as a purchase price.

Human and sociocultural impacts: At the time of the report, some development work had started, including bringing water to one of the villages and building new classrooms.

Environmental impacts: The report did not comment on the effects of the land deal on marshland ecosystem services.

Source:

Faye I.M., Benkahl A., Touré O., Seck S.M., Ba C.O. 2011, Les acquisitions de terres à grande échelle au Sénégal: Description d'un nouveau phénomène. Dakar: Initiative Prospective Agricole et Rurale. http://www.ipar.sn/IMG/pdf/Acquisitions_foncieres_a_grande_echelle.pdf

CASE STUDY 12. SIERRA LEONE: ADDAX SUGAR CANE PLANTATIONS

Area/location: 20,000 hectares of sugar cane near the Rokel River for ethanol production for and sale of electricity to the government.

Investors/companies: Addax Bioenergy was formed in 2007, and it is owned by the Addax & Oryx Group in Switzerland. Additional funding (US\$35 million) came from the African Development Bank.

Year of land deal: 2010.

Land deal description: A 50-year lease with a rent of US\$12 per hectare was divided between landowners (50 percent), Chiefdom Councils (20 percent), the District Council (20 percent) and the government (10 percent). The deal made Addax exempt from any adverse effects of legal changes until 2060—the end of the lease. Addax paid 3 Leones (US\$0.007) per cubic meter of water, and there was no restriction on quantity.

Tenure impacts: Residents lost their customary tenure.

Land governance process and impacts: A law firm was appointed to represent communities in the negotiations, but a former Minister of Justice and current advisor to the President owned the firm. The local member of parliament also exerted pressure. Addax persuaded community leaders in the Lungi Acre community to sign a pre-prepared letter of support for the project; thus, the report looked as if the community wrote it. Farmers in Lungi Acre wrote a letter of complaint, which they sent to the company's grievance box in October 2010, but the farmers did not get a response. People signed the lease because they thought they would be paid a lot and because they trusted their member of parliament. Others said they did not feel they could not oppose the President.

Economic/livelihood impacts: An environmental, social, and health impact assessment stated that the land was mainly degraded and unsuitable for rice. But communities such as Lungi Acre said that the soils were very good for rice and other crops. The impact assessment report warned of the project's effect on food availability and prices, and it recommended an out-grower scheme. Although developing an out-grower scheme was a "priority" for Addax, there was little sign of one in the first year of the project. Addax also said that it would use only upland areas for rice production, but it started cultivation in swamp paddies. This cultivation caused some of Lungi Acre's rice paddies to dry out in late 2010. Complaints were made to the member of parliament, but he was a big supporter of Addax.

By October 2010, 200 casual laborers were employed compared to an earlier estimate of more than 2,000. Employees complained that their wages did not cover their living expenses. Permanent jobs were mainly being filled by outsiders, including South African contractors.

Human and sociocultural impacts: The African Development Bank estimated that that about 13,600 people in 52 villages would be affected. Women were badly affected; many lost their farmland and did not qualify for a share of the rental fee. They were not active in the consultation process and, therefore, had little understanding of the project.

Environmental impacts: The impact assessment report warned of severe risks to Sierra Leone's River Estuary because of the extraction of so much water upstream from the River Rokel.

Source:

Oakland Institute (Sierra Leone). 2011. Understanding Land Investment Deals in Africa: Country Report, Sierra Leone. Oakland, CA: Oakland Institute.

CASE STUDY 13. SIERRA LEONE: QUIFEL AGRIBUSINESS

Area/location: 126,000 hectares from three tracts of land in the Loko Massama area.

Investors/companies: Quifel Agribusiness Sierra Leone Ltd. was owned by the parent company in Portugal.

Year of land deal: September 2009.

Land deal description: A 49-year lease for the production of oil palm with a rental rate starting at US\$5 per hectare on land in use, rising to US\$8 per hectare in year 4. Only 500 hectares were used in the first year, which resulted in a modest rent.

Tenure impacts: Residents lost their customary tenure.

Land governance process and impacts: Quifel convinced the chiefs and family heads to sign a power of attorney between the chiefs and landowners. But landowners said they did not understand the implications of this document and were not given a copy of what they had signed. This was in spite of Quifel paying each chiefdom US\$5,000 for lawyers. Quifel was reported to have gained the confidence of local stakeholders by behaving like an NGO. Later on, it changed the land use stipulated in the lease.

Economic/livelihood impacts: An farmer said that he used to make a good living from his 6-hectare plot, mainly producing oil palm. But now he said he gets US\$2 per hectare per annum from Quifel, which is about a hundred times less. Soon after the agreement, Quifel started several trials on 5-hectare plots for the production of cassava, rice, and pineapple, and the company said that the plan was to produce food for local and regional markets. This plan angered local people who said that they could be growing these crops and that Quifel was now competing with local agriculture. Only a very few casual jobs, which were poorly paid, had been generated at the time of the report.

The land deal angered other stakeholders. The rent was much lower than the US\$12 per hectare recommended by the Ministry and was given to the paramount chief to distribute in spite of government guidelines that it should be distributed through the Ministry according to a standard formula (see case study 12). Rent distribution was also held up because, at the time of the study, no paramount chief was in place, thereby causing further anger.

Human and sociocultural impacts: It was estimated that about 72,000 people living in 367 villages would be affected. Quifel promised a number of social development benefits, but progress in delivering these benefits was unclear.

Environmental impacts: This area was rich in minerals, including gold, bauxite, and diamonds. An Australian mining company held an exploration lease over part of the area.

Source:

Oakland Institute (Sierra Leone). 2011. Understanding Land Investment Deals in Africa: Country Report, Sierra Leone. Oakland, CA: Oakland Institute.

CASE STUDY 14. SIERRA LEONE: SOCFIN RUBBER AND OIL PALM PLANTATIONS

Area/location: 6,500 hectares in the Malen chiefdom area in Pujehen District in southern Sierra Leone; Socfin was also seeking 5,000 hectares for expansion in neighboring areas.

Investors/companies: Socfin Agricultural Company Sierra Leone Ltd. was a subsidiary of Socfin, an investment holding company in Belgium. The main shareholder of Socfin is the Bolloré Group in France, which had investments in 92 countries (including 43 in Africa). Socfin and Bolloré were also involved in LSLAs in Liberia, Cameroon, and Cambodia.

Year of land deal: March 2011.

Description of land deal: The deal entailed a 50-year lease signed by the Ministry of Agriculture with a rental of US\$12.50 per hectare, with the standard distribution as in case study 12 and with compensation for pre-existing plantation and crops. Socfin originally offered US\$220 per hectare as a one-off payment for the land, but this offer was rejected for being very low compared to the real value. Socfin was also granted exemption from corporate tax until 2023 and, thereafter, would receive a 25 percent reduction in tax. Payment for water was set at the equivalent of US\$0.007 per cubic meter, with unlimited extraction from rivers, wells, or boreholes.

Tenure impacts: Residents lost their customary tenure. It was observed that the lack of clear boundary marking between company and family plots would make it impossible to check the boundaries in 50 years.

Land governance process and impacts: The deal was agreed at a meeting that was not attended by some key stakeholders, such as local councilors and women's representatives. The LSLA was presented as if it only concerned a government plantation rather than customary land. It is alleged that pressure was put on landowners and local government officials to sign the agreement. In fact, the land deal was signed only by four out of nine representatives in the Malen chiefdom. Only part of the agreement was translated into the local language (Mende), and some people did not see the full agreement until two months after it was signed. Chiefs and landowners were told to put their thumb to the lease, even though they could not understand its contents. They were not told which villages would be affected. It is alleged that the paramount chief told community landowners, in the presence of armed police, that (a) the land would be taken from them by force whether they signed the agreement or not, (b) he was the sole custodian of the land, and (c) his word is final. An ESIA report was also made public two months after the deal was signed.

The lack of information, transparency, and consultation, combined with corruption allegations (e.g. the paramount chief received a new car), resulted in a blockade in October 2011. Forty protestors were arrested, beaten by police, and imprisoned. One report said the prisoners went eight days without water. After an NGO hired a lawyer for the prisoners, 25 were released but 15 still faced prosecution.

Economic/livelihood impacts: The previous land use was intensive agriculture because the area was prime

agricultural land. Employment promises were made but were not included in the agreement. It was reported that some jobs were available with a salary of US\$2.20 per day and “near-slavery conditions” existed. There was no drinking water, no toilets, and no medical coverage for employees at the time of the report.

Human and sociocultural impacts: Socfin allegedly said that it would put US\$75,000 per annum into social development projects, including roads, schools, housing, and a hospital. However, these commitments were not included in the lease agreement.

Environmental impacts: An EIA was carried out but released only after the deal was signed. It warned of threats to water and biodiversity.

Sources:

Oakland Institute (Sierra Leone). 2011. Understanding Land Investment Deals in Africa: Country Report, Sierra Leone. Oakland, CA: Oakland Institute.

Oakland Institute (Socfin). 2012. Understanding Land Investment Deals in Africa: Socfin Land Investment in Sierra Leone. Land Deal Brief. Oakland, CA: Oakland Institute.

CASE STUDY 15. TANZANIA: SUN BIOFUELS IN MIOMBO WOODLAND

Area/location: 8,211 hectares of jatropha plantation in an area of coastal miombo woodland in Kisware District; the aim was to increase this area over time to 50,000 hectares.

Investors/companies: Sun Biofuels Tanzania Ltd. affiliated with a UK company.

Year of land deal: February 2009.

Tenure impacts: The land was transferred from the “village land” to the “general land” tenure category, because village land cannot be allocated to foreign companies (although it can be allocated to Tanzanian companies). General land is any land that is not village or reserved land, and it comes under the jurisdiction of the Commissioner of Lands. The effect of this transfer was the loss of customary tenure, which affected about 11,000 people in 12 villages.

Land governance process and impacts: Sun Biofuels approached villagers directly, supported by the local member of parliament. It was agreed at village council and assembly meetings to grant the land in exchange for compensation. Some stakeholders (e.g. poorer groups) were not consulted. In at least one village (Mtamba), people did not know how much land was being transferred. Village meeting minutes were sent out, but nothing was received in writing from the company. The law stipulates that the Commissioner of Land should set a fair level of compensation. This compensation has been paid in 12 communities, but there was confusion about the compensation criteria and process. In one village, 11 different forms were submitted but only one person received compensation. Sun Biofuels’ compensation budget was less than the annual commercial value of miombo woodland.

Economic/livelihood impacts: Sun Biofuels erected a fence around the land. Kurui village lost 40 percent of its total land area, much of which was not farmed but was still accessed by local people for firewood and NTFPs. In the Kurui area, villagers were not allowed in to collect firewood or other NTFPs, even though cultivation had not started on 6,000 hectares. However, the stated intention was to develop the out-grower model, but initial progress was slow. Employment was disappointing at the time of the report; for example,

in Palaka village, 33 youth were employed out of about 500 youth and a total population of 1,272. Low wages and the scarcity and cost of drinking water on the plantations resulted in low take-home cash.

Human and sociocultural impacts: Kurui villagers were promised hospitals, roads, dispensaries, and employment. But the benefits have been slow to materialize. Fences have affected rights of way, including to farm plots, and have affected social ties. More positively, some progress had been made regarding new water sources, roads had improved, and health and education initiatives were being implemented.

Environmental impacts: Deforestation and loss of ecosystem services from miombo woodland resulted.

Sources:

Oakland Institute (Tanzania). 2011 Understanding Land Investment Deals in Africa: Country Report, Tanzania. Oakland, CA: Oakland Institute.

Sulle, Emmanuel and Fred Nelson. 2009, Biofuels, land access and rural livelihoods in Tanzania. London: International Institute for Environment and Development.

CASE STUDY 16. TANZANIA: AGRISOL AGRIBUSINESS MODEL

Area/location: 80,000 hectares in Katumba, Rukwa Province.

Investors/companies: AgriSol Energy is the Tanzanian branch of AgriSol U.S., which is based in Iowa. Other initial stakeholders were Pharos Financial Group (based in Dubai), the Summit Group of Iowa, and Iowa State University, although the university dropped out when the project hit social problems. AgriSol's business partners included Monsanto and Syngenta.

Year of land deal: 2009.

Land deal description: Tanzania's prime minister supported the deal under the Agriculture First initiative to promote a modernized agricultural sector through private-public partnerships. The plan was to use state-of-the-art agricultural technology, including genetically modified crops for biofuels, beef, and poultry production.

Tenure impacts: Burundi refugees who settled on the land in 1972 lost their customary rights.

Land governance process and impacts: In 2011, villagers were ordered not to cultivate perennial crops or start new businesses. Some of their perennial crops were burned by security guards. Several residents were threatened or arrested for arguing or demanding fair compensation.

Economic/livelihood impacts: AgriSol said that it would use an out-grower model with outside farmers and white South African farm managers. This model would be implemented after the Burundi refugees had been resettled. These were "thriving communities" that grew vegetables, tobacco, and other crops and that had many small businesses.

Human and sociocultural impacts: The government's plan was to grant citizenship to the Burundi refugees provided they left. Civil society groups mobilized against resettlement of the refugees, and Iowa State University pulled out of the partnership in February 2012. It was reported that people became anxious and fearful because of the security guards. New houses or houses being built were burned or knocked down, and threats were made about destroying graveyards.

Environmental impacts: The project threatened an important wetland system.

Sources:

Oakland Institute (Agrisol). 2012. Understanding Land Investment Deals in Africa. Lives on Hold: The Impact of Agrisol's Land Deal in Tanzania. Land Deal Brief. Oakland, CA: Oakland Institute.

Oakland Institute (Tanzania). 2011. Understanding Land Investment Deals in Africa: Country Report, Tanzania. Oakland, CA: Oakland Institute.

CASE STUDY 17. ZAMBIA: NANSANGA OUTGROWER SCHEME

Area/location: 9,350 hectares in Zambia's Farm Block Development Plan.

Investors/companies: The Government of Zambia.

Year of land deal: Land grants were being awarded in 2011.

Land deal description: The plan was to divide the 9,350-hectare Nansanga farm block into 310 small and medium-size out-grower farms. In addition, there would be 51 medium-size farms (mainly 50–250 hectares), and 3 larger commercial farms of 1,620, 2,571, and 3,959 hectares. The mechanics of the out-grower scheme were to depend on the successful core venture bidder.

Tenure impacts: It was rumoured that about 2,500 people would lose their land, but project representatives insisted that no displacement would happen in spite of fences being put up.

Land governance process and impacts: Government surveyors started demarcating the land before advising or getting consent from local people. This demarcation ignored current boundaries, and, in some cases, cut houses in two. At least one community put logs across the road to prevent access. In subsequent meetings, the project tried to build support through promises of employment, infrastructure development, business links, and involvement in out-grower schemes. But local people expressed their grievances, including on UK television, about the lack of consultation, displacement from their homes and lands, and lack of compensation. After further discussions, the northern part of Nansanga was removed to provide a buffer, and the land to be awarded was reduced from 155,000 hectares to 100,000 hectares, and a proposed dam was shelved.

Economic/livelihood impacts: The main concerns were that the project would take the best land, leaving residents with the least-productive land, and that communities would lose their access to communal forest areas, including to trees providing income from the sale of edible caterpillars.

Human and sociocultural impacts: Concerns included the loss of sacred sites and the loss of a way of life.

Environmental impacts: The government conducted an EIA in 2006, but very few stakeholders had seen it. Some forest was at risk, but its condition was unclear.

Source:

Oakland Institute (Zambia). 2011. Understanding Investment Deals in Africa: Country Report, Zambia. Oakland, CA: Oakland Institute.

CASE STUDY 18. ZAMBIA: MACHA MISSION

Area/location: 3,003 hectares, of which 200 hectares was leased to an investor for a jatropha plantation in Choma District, Zambia.

Investors/companies: PrivaServe Foundation, which is based in the Netherlands.

Year of land deal: 2005, but development did not start until 2011.

Land deal description: A 35-year lease was stabled between Macha Mission and PrimaServe Foundation.

Tenure impacts: The Mission claimed that the 222 families living and working on the 3,003 hectares were “illegal squatters” on their land. Originally, the Mission obtained the land title in 1906 from the British South Africa Company, but one of the provisos was that no native living on the land in 1906 would be removed without written consent. This led to local people settling on land that was not being used by the church. Their occupation of the land was not questioned until 2011 when they were told to leave.

Land governance process and impacts: The Mission announced the evictions at the beginning of the 2009–10 farming season. The communities responded by forming committees and hiring a lawyer, but the High Court ruled against them. Most residents left peacefully, including some whose parents had been granted land by the Mission as a pension after working for the Mission.

Economic/livelihood impacts: the land was previously used to grow maize, groundnuts, beans, and other crops and to keep livestock. There were many small businesses selling groceries at the market near the Mission hospital. Eviction resulted in the uncompensated loss of crops and grazing land and in increased food insecurity, with several families complaining of hunger. Some new land was given out by chiefs, some farmers turned to small-scale trading, and other traders went out of business, but all experienced a major fall in income. Also, 113 full-time jobs were created.

Human and sociocultural impacts: The main social effects were the loss of homes and increased tensions and conflicts because of the land deal. Those evicted lost their faith in the authorities, including chiefs who were blamed for not doing enough to defend the communities, and there were conflicts between neighbors trying to get replacement grazing land. There was anger that the jatropha field seemed unattended and full of weeds, and it seemed to be a poor use of the land. The field also blocked paths to the Mission, and it took longer to get to school and to the hospital. PrimaServe built an airstrip, Internet café, restaurant, guesthouse, and school. But most of these facilities were of little interest to evicted families, and they could not afford to use the school and restaurant.

Source:

Milimo, John T., Joy H. Kalyalya, Henry Machina, and Twamane Haamweene. 2011. Social impacts of land commercialization in Zambia: A case study of Macha mission land in Choma district. Rome: International Land Coalition and Zambia Land Alliance.

ENDNOTES

¹ Categories are unevenly reported in the case studies because the information was not reported in the source documents.



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