



REGIONAL DEVELOPMENT BRIEFING N° 1

Rural Development Briefing in Central Africa A series of meetings on ACP-EU development issues

Land access, land acquisitions and rural development: New challenges, new opportunities

Hotel Mont Fébé, Yaoundé, Cameroun, 27-28 Septembre 2010

Background

Land is an asset of enormous importance for billions of rural dwellers in the developing world, and especially in ACP countries. The nature of property rights and their degree of security vary greatly, depending on competition for land, the degree of market penetration and the broader institutional and political context. Although there are specificities according to countries and regions, some general trends and common challenges can be identified and the pressure on land is set to increase over future decades, given the impacts of population growth, urbanisation, globalisation of markets, international investment flows, trade negotiations and climate change¹.

The links between land access and poverty reduction

Land access can be broadly defined as the processes by which people, individually or collectively, gain rights and opportunities to occupy and use land (primarily for productive purposes but also other economic and social purposes), whether on a temporary or permanent basis. These processes include participation in both formal and informal markets, land access through kinship and social networks, including the transmission of land rights through inheritance and within families, and land allocation by the state and other authorities with control over land. As a resource becomes scarcer and more valuable, those with weak rights to this resource will tend to lose out, especially the poor, those in peri-urban areas, indigenous people, women and those in areas of conflict. Addressing the land access and tenure security needs of these groups is crucial for social justice, political stability and peace and for promoting rural development, as it helps create conditions that encourage local and foreign investment². Women's rights are particularly vulnerable accentuated by the rising incidence of HIV/AIDS.

Land tenure, productivity growth and innovation

Increasing the security of poor people's tenure of land, in rental markets through tenancy reforms, or through customary tenure can, under certain conditions, increase productivity, and make land more accessible to the poorest than land titling and the privatisation of land. In most countries, there is a need for the direct involvement of state institutions, in addition to non-state and private sector actors, to promote the interests of the poor³. In many cases, secure access to land is seen as promoting better resource management decisions, preventing or minimising local conflict over land, and, most importantly, contributing to increased productivity⁴. But, rural livelihoods are dependent on diverse income sources. Not owning agricultural land does not automatically represent a situation of disadvantage for rural households and in some cases lack of credit, knowledge and labour can affect productivity more than tenure. However, for the extremely poor and food insecure rural households land access and tenure security are among the main factors influencing their options and prospects, representing a stable basis of food security and income in a context of limited, seasonal and un-remunerative rural labour markets. The increasing incidence of drought, crop failure and livestock deaths, water scarcity, deforestation and land degradation causes the loss of millions of hectares of agricultural land due to severe degradation. Land access and tenure security influences decisions on the nature of crops grown—whether for subsistence or commercial purposes and the extent to which farmers are prepared to invest in improvements in production, sustainable management, and adoption of new technologies and promising innovations⁵.

¹ FAO, International Conference on Agrarian Reform and Rural Development (ICARRD), March 2006, Issue Paper 1 - Policies and practices for securing and improving access to land. http://www.icarrd.org/icard_doc_down/Issue_Paper1sum.pdf

² IIED and FAO, Better land access for the rural poor. Lessons from experience and challenges ahead, 2006, <http://www.iied.org/pubs/pdfs/12532IIED.pdf>

³ ODI, Making agriculture work for the poor, Natural resources perspectives, 2007, <http://www.odi.org.uk/resources/specialist/natural-resource-perspectives/111-making-agriculture-work-poor.pdf>

⁴ A 2005 World Bank analysis of land policies in 73 countries between 1960 and 2000 shows that countries with more equitable initial land distribution achieved growth rates two to three times higher than those where land distribution was less equitable.

⁵ IFAD, Improving access to land and tenure security, 2008, <http://www.ifad.org/pub/policy/land/e.pdf>

Emerging challenges: the effects of climate change, food and financial crisis on land

The rapid demographic growth in many developing countries and increasing urbanization process increases the pressure on land for agricultural production. These pressures combined with increasing distrust in the functioning of regional and global markets due to the price crisis, have renewed attention to foreign direct investment in agriculture. A number of countries, facing severe natural resource constraints but rich in capital, seek land to buy or lease in developing countries in order to secure their long-term food supplies, feed and agrofuel production⁶. Public and private corporations and industrial groups are buying millions of hectares of land in Africa, Asia and Latin America to produce food or agrofuels. Investment banks and hedge funds are also buying vast tracts of agricultural land around the world⁷. In principle, such investments are not to be condemned given that greater investment in agriculture is needed. But recipient countries need to negotiate contracts wisely, however, and an enforceable code of conduct should be called for to ensure the participation of local producers, respect for customary property rights, appropriate compensation, sustainable management of natural resources, and non-impaired trade policy rules. Indeed, rule-based, transparent, fair, and free international trade is particularly needed in times of crisis⁸. For low-income, food-deficit countries, the current challenges are of a very high order, given the fact that, in the face of increased demand for food, increased prices of food on international markets and reduced capacity to import, their domestic food needs have to be met by domestic food production – production that in most developing countries in Africa and Asia is carried out by smallholder farmers⁹.

The development of private sector local food industry

If well managed, the current interest in investment in agriculture can be a great source of financing and the opportunity to acquire technologies and share knowledge that can facilitate productive agricultural diversification in ACP countries and contribute to strengthening the local private sector throughout the value chain. Moreover, it is necessary to develop links between producers and the agribusiness sector and to make these investments beneficial to small farmers by promoting the growth of local food SMEs.

Land policies and land governance back in the development agenda?

Secure land rights are now recognised by most African governments as critical for peace, stability and economic growth. The African Union also sees better governance of land and natural resources as central to all hopes of peace and stability across the continent. ACP governments must take the lead in land policy and tenure reform, since political interests are at stake and donors should support this process¹⁰. In many places, titling and registration of land may be much less important than working to strengthen local institutions with responsibility for managing land rights and related disputes. The recent shift towards decentralising government has been valuable in getting land rights management much closer to the field¹¹.

Objectives of the Briefing

CTA, the EC-DG Development and EuropeAid, the ACP Secretariat and ACP Group, Concord and various media in collaboration with PROPAC, the regional organizations of Central Africa organise briefings on key issues and challenges for rural development in the context of EU/ACP cooperation. The objectives are: (i) raising awareness on existing and emerging key challenges; (ii) promoting exchange of information and expertise; (iii) feeding in the debate various perspectives. The target group is more than 130 policy makers from Central Africa, representatives of EU Member States, regional organizations, bilateral and multilateral bodies, civil society groups, research networks and development practitioners.

Available material

Input and comments before, during and after the meetings will be included in the Briefings blog: <http://brusselsbriefings.net/>. A short report and a Reader in printed and electronic format are produced shortly after the meeting. Articles by European and ACP media share widely the results of the discussions.

⁶ Joaquim Von Braun, Food and Financial Crises - Implications for Agriculture and the Poor, IFPRI Food Policy Report No. 20, December 2008, <http://www.ifpri.org/pubs/fpr/pr20.pdf>

⁷ IFAD, Improving access to land, cit., <http://www.ifad.org/pub/policy/land/e.pdf>

⁸ Joaquim Von Braun, Food and Financial Crises, cit. <http://www.ifpri.org/pubs/fpr/pr20.pdf>

⁹ IFAD, Improving access to land, cit., <http://www.ifad.org/pub/policy/land/e.pdf>

¹⁰ African Union - African Development Bank - UN Commission for Africa, Land policy on Africa: a framework of action to secure land rights, enhance productivity and secure livelihoods, 2006, <http://www.uneca.org/sdd/meetings/LandPolicy/IssuesPaper.pdf>

¹¹ C. Toulmin, Securing land rights for the poor in Africa — Key to growth, peace and sustainable development, http://www.undp.org/Legalempowerment/pdf/Africa_land_2.pdf



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Programme

Monday 27th September 2010

9h00-9h30 **Introductory remarks:** *Elisabeth Atangana, President, Regional Platform of Central African Farmers Organization, (PROPAC), CTA, EC*

9h30-13h00 Panel 1 - Land Tenure and Rural Development: Key Issues

This session will look at the links between property rights, investment and economic opportunities in rural areas. It will examine the correlation between inequality in land allocation and economic growth, improved livelihoods and food security. A wide range of approaches to strengthen land rights is emerging and it is useful to share its lessons for governments, civil society and actors involved in land issues.

Panelists:

- Large-scale land acquisitions and leases: A set of core principles and Measures to address the human rights challenge
Olivier De Schutter, UN Special Rapporteur on the right to food
- Land policies, agricultural investments, responsible land governance and rural development: old and new challenges
Paul Mathieu, senior expert senior on land issues, FAO
- The challenges on land tenure and land policy in Africa
Hubert Ouedraogo, Lead land expert, Secretariat of the AU-ECA-AfDB joint Land Policy Initiative
- Changes in land use practices in areas of Savanna in Central Africa
*Pabamé Sougnabé (Chad), Bernard Gonne (Cameroun), Félix Ngana (Centrafica)*¹²

13h00-14h00 Lunch

14h00-18h00 Panel 2 - Policy and Governance on Land and Forests Resources

The security of land rights are now recognized by most African governments as an essential element for achieving peace, stability and economic growth. African governments must take the initiative in policy and land reform while donors should support this process¹³. In many places, the issuance of title deeds and registration of land can be much less important than strengthening local institutions through the provision of responsibilities in managing land rights and disputes. The recent decentralization of governments has helped to bring management of land rights closer to field¹⁴. The private sector has also a key role to play.

Panelists:

- Delineation and Forest Conservation in Central Africa, the case of the Support Programme for the Congo Basin Ecosystems Conservation Support Programme (PACEBCo)
Patrice Mezui, CEEAC, African Development Bank (ADB)
- Investing in Biofuels and land governance in Central Africa
Sourakata Bangoura, Regional Office for Central Africa, FAO
- Strengthening land rights of small scale farmers in areas of conflict
Thierry M. Musole, Director General, Help and Protection for Peace, DRC

¹² http://hal.cirad.fr/docs/00/47/04/31/PDF/078_pabame.pdf

¹³ African Union/African Bank for Development/United Nations Commission for Africa, « *Land policy on Africa: a framework of action to secure land rights, enhance productivity and secure livelihoods* », 2006,
<http://www.uneca.org/sdd/meetings/LandPolicy/IssuesPaper.pdf>

¹⁴ C. Toulmin, « *Securing land rights for the poor in Africa — Key to growth, peace and sustainable development* », http://www.undp.org/Legalempowerment/pdf/Africa_land_2.pdf

- Equitable access to land and rights of indigenous people
Dr. Ralf Leonhard, Land Expert, FIAN
- Alliances between community management and national policies to protect biodiversity
Hon. Blodeau Talatala, Member of Parliament, coordinator UNGC/REPADER, Cameroon
- Land issues in Rwanda, DRC and Burundi: involvement of civil society
Aurore Mansion, Expert, Environment Pole, networks and family agriculture, GRET, Aurore Mansion, Expert, Pôle Environnement, filières et agricultures familiales, GRET, M Prime, ACCORD Burundi et M Malembe, Forum amis de la terre

Tuesday 28th September

9h00-13h00 Panel 3 – Land acquisition and its contribution to development

What do we know about land acquisitions? What is their scale and which are the main countries affected? Which are the drivers of the phenomenon? The recent world trends suggest that a massive rise of commercial interest on natural and land resources is occurring. In many countries, this brings an unprecedented pressure on the natural resources and new tensions on the land tenure systems. On the other side, could those investments represent an opportunity to revitalize the agricultural sector of some ACP countries, especially in Central Africa? Which kinds of investments can promote the financing of the development of local enterprises?

Panelists:

- Large-scale land acquisitions to invest in agriculture: trends and key issues
Klaus Deininger, Senior Economist, Rural Development Group, World Bank
- How to structure agricultural investments: possible types of agreements favorable to small-scale farmers
Lorenzo Cotula, Senior Researcher, Law and Sustainable Development IIED, United Kingdom
- Mondi Inclusive Sale and leaseback empowerment model: ensuring inclusion of smallholders
Hlongwane Thobekile, Land Manager, Mondi Central and South Africa Division
- Governance of large scale investments in agriculture, case study of the DRC
Augustin Mpoyi Mbunga, Directeur exécutif, CODELT, RDC
- Policy frameworks, Land Tenure issues and farmers rampant claims in West and Centre Africa: ICRAF's experience on assessment methods in forested ecosystems
Serge Ngendakumana, Researcher, Agroforestry and Climate Change, World Agroforestry Centre
- How to reconcile investments and local development: the case of jatropha cultivation
Christian Prétot, Président directeur général, Neo Ecology Oil (NEO), France

13h00-14h00 Lunch

14h00-18h00 Panel 4 – Promotion of responsible agricultural transnational investments

The idea of an international code of conduct for land acquisitions has been discussed by many organizations and governments. In June 2009, the United Nations proposed a series of human rights based principles and measures for large-scale transnational land acquisitions and leases. They aim to help investors and governments of hosting countries in the negotiations and implementation of large-scale land leases and acquisition in a favorable way for the population, and the most vulnerable groups. A multilateral approach could avoid the risk of countries competing to get foreign direct investments and lowering their conditions.

Panelists:

- Ethical rules on investments Reflections on common principles on large-scale land acquisition
OECD, FAO, WB, IFAD
- Perspective from France on large scale acquisition of agricultural land
Lionel Vignacq, French Ministry of Foreign Affairs
- Challenges posed by large-scale land acquisition: perspective from GRAIN
Devlin Kuyek, Researcher, GRAIN
- Experiences from the producers in the various African regions
E. Atangana, President of PROPAC, Djibo Bagna, President of ROPPA, Ishmael Sunga, CEO of SACAU
- Private sector interaction with the local communities: the case of biofuels
Meghan Sapp, Managing Director HG Consulting.eu BVBA, Spain
- The land issue in the context of regional integration

Conclusions