

Land and Power

The global food system is broken, according to Oxfam's GROW campaign. Land grabs are a horrific symptom of this broken system. This is clearly presented in "Land and power: The growing scandal surrounding the new wave of investments in land", the recently released Oxfam report.

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International investment plays a vital role in development and poverty reduction. Investment can improve livelihoods and bring jobs, services and infrastructure when it is managed responsibly within the context of an effective regulatory framework. The recent record of investment in land is very different. It tells a story of rapidly increasing pressure on land – a natural resource upon which the food security of millions of people living in poverty depends. Without national and international measures to defend the rights of people living on and off the land, too many investments have resulted in dispossession, deception, violation of human rights, and the destruction of livelihoods.

In developing countries, as many as 227 million hectares of land – an area the size of Western Europe – have been sold or leased since 2001, mostly to international investors. The bulk of these land acquisitions has taken place over the past two years, according to on-going research. This recent rise can in part be explained by the 2007–08 food prices crisis, which led investors and governments to turn their attention towards agriculture after decades of neglect. But this interest in land is not something that will pass; it is a trend with strong drivers.

Trends and drivers Oxfam's "Land and Power" report discusses the trends and drivers behind large-scale land acquisitions, and looks in detail at five land grabs in Uganda, Indonesia, Guatemala, Honduras, and South Sudan. It aims to help understand the impact of land grabs on poor people and their communities; to identify the underlying factors between companies, local communities, and host governments; and to examine the roles played by international investors and home-country governments.

Some cases tell the story of the alleged forced eviction of over 20,000 people from their lands. Others tell how affected communities have been undermined through exclusion from decisions affecting the land they rely on. In most cases, the legal rights of those affected by the land grabs were not respected. Where alleged evictions have already taken place, the picture is bleak: conflict and loss of food security, livelihoods, homes, and futures. Most of those affected say that they have received little or no compensation and have struggled to piece their lives back together, often facing higher rents, few job opportunities, and risks to their health. The evidence is sadly consistent with many other recent studies on land grabbing.

Home and host country governments, financiers and sourcing companies, the international community and

civil society groups all have a role to play. They must address the failure at all levels to respect human rights, to steer investment in the public interest, and to respond to one of the most alarming trends facing rural populations in developing countries today. Respect for free, prior and informed consent is crucial to good land governance, and essential for poverty reduction.

Change needed National governments have failed to protect the rights and interests of local communities and land-rights holders. Instead, they seem to have aligned themselves with investors, welcoming them with low land-prices and other incentives, and even helping clear the land of people. Standards and rules appear not to have guided investments and sourcing decisions. While local communities may find recourse in one or another complaint mechanism, these seem to be underused. Overall, the response of the international community to this devastating wave of land grabbing has been weak.

The power balance has to shift in favour of those most affected by land deals. The right of communities to know and to decide must be respected by all involved. Oxfam concludes that there is a clear imperative for action at a number of levels, both to ensure that this structural shift takes place and to remedy the conflicts that arise from the types of deals described

here. Considering that members of the public can put pressure on governments and companies to grow justice, and that civil society, media and academia can help to protect rights and foster transparency, the report ends with these recommendations:

- Governments should adopt internationally applicable standards on good governance relating to land tenure and management of natural resources;
- Host country governments and local authorities should promote equitable access to land and protect people's rights;
- Investors operating agriculture projects should respect all existing land use rights, avoid the transfer of land rights away from small-scale food producers, and carry out and be guided by comprehensive social and environmental impact assessments;
- Financiers of agriculture ventures and buyers of agricultural products should take responsibility for what happens in their value chains; and
- Home country governments should take responsibility for acts of originating companies abroad.

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Land in Uganda

Christine (not her real name) and her husband tell a story of how they used to grow enough food to feed their children on the land that they had farmed for over 20 years. Christine is one of the more than 20,000 people who say that they have been evicted from their homes and land in the Kiboga and Mubende districts, to make way for UK-based New Forests Company (NFC) plantations. The Ugandan National Forestry Authority (NFA) granted NFC licences for the plantation areas in 2005 and authorised the removal of the former residents. The NFA says that the people living there were illegal encroachers on forest land and that their evictions were justified. NFC maintains that locals left the land voluntarily and that, in any event, it would bear no responsibility for evictions from land licensed to it. The company told Oxfam that these "are solely in the hands of the government" and that, as a licensee, it has "very limited rights and certainly no rights to evict anyone".

NFC's operations highlight how the current system of international standards does not work. There are serious allegations of negative impacts on local villagers, which raise particular concerns given that

NFC operations are supported by international investment from institutions such as the International Finance Corporation and the European Investment Bank, all of which claim to uphold high social and environmental standards. NFC presents itself as a "sustainable and socially responsible forestry company". It has applied for carbon credits for carbon offsetting, and says it creates jobs in rural areas and builds schools and health facilities as part of its community development programme.

Over 20,000 local villagers believe that they have clear legal rights to the land they occupied, and both communities have brought a case before the Ugandan High Court to protect those rights. These claims are being resisted by NFC, and neither case has been finally decided. Further, their legal pleadings refer to an executive order prohibiting the evictions, which they say remains in effect. In two court cases, the High Court considered that the communities' concerns were sufficiently urgent and their arguments sufficiently strong to justify granting orders restraining evictions, pending disposal of the full hearings. However, local communities say that evictions have continued to take place despite these orders. They describe the evictions as anything but voluntary and peaceful.