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# PUBLIC OVERSEAS INVESTMENTS: ENSURING RESPECT FOR AND PROTECTING LEGITIMATE LAND TENURE RIGHTS

RAPID EVIDENCE ASSESSMENT, AUGUST 2015

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## LIST OF ABBREVIATIONS AND ACRONYMS

CFJJ	Centro de Formacao Juridica e Judiciaria (Centre for Judicial and Legal Training) (Mozambique)
CHR&GJ	Centre for Human Rights and Global Justice
CSR	Corporate social responsibility
DFID	Department for International Development
DRC	The Democratic Republic of the Congo
DUAT	Direito de uso e aproveitamento da terra (Land use and benefits right) (Mozambique)
ELC	Economic land concessions
ESIA	Environmental and social impact assessment
FDI	Foreign direct investment
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
GoM	Government of Mozambique
IFAD	International Fund for Agricultural Development
IFPRI	International Food Policy Research Institute
IIRSA	Initiative for the Integration of the Regional Infrastructure of South America
ILC	International Land Coalition
ILO	International Labour Organization
JPS	The Journal of Peasant Studies
LASED	Land allocation for social and economic development
LDPI	Land Deal Politics Initiative
LLA	Large land acquisition
LSLA	Large-scale land acquisitions
MCC	Millennium Challenge Corporation
MDG	Millennium Development Goal
NAFSN	New Alliance for Food Security and Nutrition
NBTF	National Biofuels Task Force
NCDD	National Committee for Democratic Development
NGO	Non-governmental organisations
ODA	Official development assistance
PPCP	Public–Private Community partnerships
PPP	Public–private partnership
QA	Quality assurance
RAI	Principles for responsible investments in agricultural and food systems
REA	Rapid evidence assessment
SLC	Social land concession
SME	Small and medium-sized enterprise
SPREAD	Sustaining partnerships to enhance rural enterprise and agribusiness development
SSA	Sub-Saharan Africa
TEMTI	Theme on environment, macroeconomics, trade and investment
TLCT	Tanzanian Land Conservation Trust
UNCTAD	United Nations Conference on Trade and Development
UNOHCHR	United Nations Office of the High Commissioner for Human Rights
USAID	United States Agency for International Development
VGGT	Voluntary guidelines on the responsible governance of tenure of lands, fisheries and forests

## EXECUTIVE SUMMARY

This rapid evidence assessment (REA) investigates how public overseas investments supported by developed country governments respect legitimate land tenure rights, especially in countries without a strong system for protecting existing tenure rights. The REA assesses material from the limited number of studies (20) available about donor-supported investment projects involving land. Most are from African countries, but the evidence also includes cases from Afghanistan, Guatemala and Cambodia. Agricultural projects predominate, while two cases look at the impact of road projects on local land rights. The studies suggest that:

- Most foreign direct investment (FDI) actors are aware of the need to accommodate local land rights. Nevertheless, evidence from a wider body of material (see Appendix 5) relating to FDI-based and private sector projects shows that most large land-based investments are failing to take into account either legitimate local rights and/or local livelihoods impacts
- Where a public donor is present – either directly funding or promoting a project – and is advocating the use of instruments, like the FAO Voluntary guidelines on the good governance of tenure of land, fisheries and forests (VGGT) and the Principles for responsible investments in agriculture and food systems (RAI)<sup>1</sup>, investment projects can include effective mitigation measures and/or be designed to produce real benefits for those holding legitimate rights over the land used
- Inclusive business and investment models (i.e. models which engage communities fully and allow sharing of the investment benefits while respecting community land needs) are available which bring local people fully into the project process and turn it into an opportunity for social development and life-enhancing changes
- Donors must be fully informed about legitimate local rights at the design and appraisal stages of new projects, and cannot assume that government or private sector partners will rigorously adhere to agreed approaches
- There is a need for more research into how projects, funded or supported by donors, can be designed and implemented to ensure respect for and protect legitimate local tenure rights. In this context there are some ‘sub-issues’ which come to the fore:
  - Some of the less robust evidence used in the REA merits more rigorous research to either confirm the points made and/or provide policy makers with greater understanding of how to address them (e.g. does titling facilitate easier private sector access, and are ‘responsible’ investors really not respecting guidelines?)
  - Research on the broader issue of publicly funded projects should also pay more attention to the gender and women’s rights dimension of such investments, and the intergenerational dynamics of land deals.

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<sup>1</sup> <http://www.fao.org/cfs/cfs-home/resaginv/en/>

## APPROACH

A rapid evidence assessment follows a particular methodology which consists of a structured literature search and selection process. Subsequently, a quality assessment of the studies that met pre-set inclusion criteria was carried out according to the guidance provided in DFID's *How to Note: Assessing the Strength of Evidence*<sup>2</sup>. This quality assessment forms the basis for a synthesis of the selected evidence.

## OUTLINE OF EVIDENCE

The literature searches produced a large amount of material (105 studies, see Table 4) on 'land grabbing' and large-scale land acquisitions (LSLAs). In the end, however, just 20 studies and documents met the inclusion criteria of projects using public funds from developed countries (including projects not directly funded by developed country public funds, but which have a significant donor presence).

Of the 20 documents, 10 were assessed as high quality and 10 as medium quality. The papers cover a wide range of countries in different parts of the world: Guatemala 1, Afghanistan 1, Pakistan 1, Sierra Leone 2, Nigeria 1, Senegal 1, Mali 3, Rwanda 1, Uganda 2, Tanzania 2, Malawi 1, Mozambique 7, Lesotho 1, Namibia 1 and Cambodia 2. Most of the papers (16) are about large-scale agro-forestry projects. Three were about infrastructure (roads in Afghanistan and Guatemala). One study is an evaluation of a local rights registration programme, which also sets the stage for community-investor partnerships.

Some papers provide an overview of several projects in different countries. Other papers focus on one project, providing a longitudinal picture of its development and impact. There are also papers by different authors which look at the same project from different angles.

## FINDINGS

The initial searches yielded 105 studies for detailed examination (see Table 4). Given that just 20 of these studies were identified that met the inclusion criteria of using public funds from developed countries, the analysis is first set against a brief overview of evidence from the wider body of material relating to FDI-based and private sector projects. This material shows that most large land-based investments are failing to take into account either legitimate local rights and/or local livelihoods impacts. Review papers also confirm this (Karg and Zoomers, 2014; Cotula, 2013; Anseeuw, Alden Wily, Cotula, and Taylor, 2012; Cotula, Vermeulen, Leonard, and Keeley, 2009). These studies also underline the fact that investors looking to implement projects involving large areas of land have to work with host country governments. Therefore, they cannot be the only ones to blame when things go wrong. One study shows, however, that some investors purposefully look for land in countries with weak governance systems that fail to adequately protect local rights. Deals are struck 'behind closed doors' between governments representing elite interests and investors, with facilitated access to land at the centre of agreements (Grandia, 2013 [P; OBS; ↑]).

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<sup>2</sup> <https://www.gov.uk/government/publications/how-to-note-assessing-the-strength-of-evidence>

There is also limited evidence from one high quality study that while projects implemented with private sector funds or funds raised by governments in the financial markets may profess to be aware of and willing to work with the FAO VGGT and RAI frameworks<sup>3</sup>, the reality on the ground may be 'business as usual' with declared adherence to donor guidelines used as a cosmetic cover-up (Gunawansa, 2005).

With regard to *the specific evidence on public funding by developed countries for large-scale projects requiring land*, it is difficult to draw rigorous conclusions with just 20 studies available. Just three studies suggest that local land rights have been adequately taken into account and respected (English and Sandström, 2014, 2015 [P; OBS participation; →]; Giovarelli, Hannay, Scalise and Richardson, 2015 [S; OR; ↑]; and Centre for Human Rights and Global Justice (CHR&GJ), 2010 [S; OR; ↑]). Measures for assessing this include the extent to which investors have discussed and agreed land access issues with local people; and the impact of the project on a range of social and economic indicators. Just one of these (Giovarelli, Hannay, Scalise and Richardson, 2015 [S; OR; ↑]) presents positive news about gender and women's land rights.

More specific findings based on the evidence available in the 20 studies are as follows:

- 1) Where a donor is present, and particularly a donor committed to the FAO VGGT and the RAI, the treatment of legitimate local rights appears to be better than when private investors deal directly with governments (see English and Sandström 2014, 2015 [P; OBS participation; →]). Donors providing funds and/or other support for new projects do have a strong lever to ensure that local rights are taken into account (Masaba, Kabuleta, Basaalidde, Augustinus, Antonio, Mabikke, Mkumbwa and Liversage, 2015 [P; OBS field data; →]; Giovarelli, Hannay, Scalise and Richardson, 2015 [S; OR; ↑]). There is evidence from three studies of moderate or high quality that complying with these principles is feasible through the use of alternative and inclusive business models (e.g. Cotula, Buxton and Leonard, 2010 [S; SR case studies; ↑]; CHR&GJ, 2010 [S; OR; ↑]; English and Sandström, 2014, 2015 [P; OBS participation; →])
- 2) The presence of a donor does not, however, guarantee that local rights are fully taken into account. This can be the case even where national legal frameworks recognise local rights and require mandatory consultations between investors and local land rights' holders (in other words, where implementing governance structures are weak) (see Åkesson, Calengo and Tanner, 2009 [P; OBS fieldwork; →]). A study of New Alliance projects by Action Aid appears to support this point, albeit addressing the issue from a distinct ideological position, which raises concerns about the quality of its findings (Action Aid, 2015 [S; OR; →])
- 3) Donors committed to specific strategies, which they believe will safeguard local rights (titling customary or informal rights for example), may, in fact, be raising the risk of negative consequences for local people by making land easier for investors to

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<sup>3</sup> VGGT: FAO Voluntary guidelines on the good governance of tenure in land, fisheries and forests; RAI: Principles for responsible investment in agriculture and food systems

access and acquire 'legitimately' (Grandia, 2013 [P; OBS; ↑]; Action Aid, 2015 [S; OR; →]).

- 4) In the case of infrastructure projects, the limited amount of evidence suggests that the impact of the projects on legitimate local land rights is not adequately considered and planned for. The three road project documents show good and bad sides – the projects provide new opportunities for local people (such as access to markets), but also open up hitherto inaccessible areas to land-grabbers and others who want to use local land for their investment projects (Grandia, 2013 [P; OBS; ↑]; Unruh and Shalaby, 2012 [S; OR; ↑]). One analyst of funding sources for infrastructure projects observes that some projects are funded through the financial markets or public–private partnerships (PPPs), and that this then allows governments to sidestep pressures from donor partners to adopt responsible and inclusive approaches to local land rights issues (Gunawansa, 2005).

Given the lack of empirical material on 'public overseas investment from developed countries in developing countries', the REA underlines the need for more research into how projects funded or supported by donors can be designed and implemented to respect and protect legitimate local tenure rights. The evidence also suggests that respecting and protecting can involve more than simple *compensatory or mitigating* approaches (e.g. jobs in exchange for giving up land). They can include pre-investment agreements with local rights' holders that give them an active stake in the proposed investment, which in turn can generate new economic opportunities and enhance local incomes.



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## 1.0 INTRODUCTION

### 1.1 BACKGROUND

This rapid evidence assessment (REA) addresses the question:

*In what ways have public overseas investments from developed countries in developing countries ensured respect for and protection of legitimate land tenure rights in the countries where the investments take place, with particular references to countries without a strong system for protecting existing land tenure rights?*

Projects that require large areas of land have been the focus of much controversy in recent years, with several international conferences on ‘land grabbing’<sup>4</sup> focusing on concerns expressed by civil society and others about the injustices and social consequences of ‘large-scale land acquisitions’ (LSLAs). The majority of such projects use private capital, and are for agro-industry and forestry of various kinds<sup>5</sup>. Some, with both private and public funding, are infrastructure projects, such as large dams (which will flood large areas of land) and roads (which open up remote areas and drive up demand for land with legitimate local land rights, but little formal documentation). Even in landscapes which are apparently ‘free’ or sparsely populated it is likely that legitimate local land rights exist. How these rights are treated is both a human rights question – if people are deprived of legitimate rights illegally – and a development challenge, especially where governments push through investments seen to be in the wider national interest.

Large projects are unlikely to go away and, if anything, will increase in number and area. It is therefore important to assess what has been done so far, and particularly to see if having a public donor present in any way will ensure that local rights are respected and protected. Riddell (2013) notes that large commercial operations will be needed to feed a growing global population of ‘non-producers’. Foreign direct investment (FDI) is also likely to continue being important for developing countries that have limited financial capacity to invest in their own agriculture (Liu 2014:2). This does not mean that large projects should simply take over unused land from small farm households – small farms can also produce food and agro-inputs for themselves, urban markets and industries. After looking at data from many countries, Riddell (2013) concludes that a balanced mix of smallholder and commercial production, and the use of new inclusive business models, can benefit all sides – governments, investors, and the smallholders whose land is being used.

Meanwhile concerns remain about ‘land grabbing’ and researchers remark on the unease of major donors who are anxious about the way in which elites and investor interests coincide and result in the loss of land rights for local people (Grandia, 2013 [P; OBS; ↑]). The searches for this REA suggest that the focus of such ‘grabbing’ is sub-Saharan Africa. Indeed the recent International Land Coalition (ILC) review of ‘the rush for land’ (Anseeuw, Alden Wily, Cotula, and Taylor, 2012 [S; SR; ↑]) presents Land Matrix data publicly reported deals that show ‘948 land acquisitions totalling 134 million ha in Africa, 34 million ha in Asia, and 19 million ha in Latin America’. However, the ILC report notes that the proportion of LSLAs ‘cross-referenced’ (i.e. confirmed by other sources), is

<sup>4</sup> At the Institute for Development Studies, Sussex University in 2011; Cornell University in 2012; and more recently at Chiang Mai University, Vietnam in June 2015.

<sup>5</sup> 80% agricultural investments (including forestry), 15% infrastructure, mining, hydropower, 5% tourism and conservation. Source: DFID

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significantly higher in other global regions, and the impacts of a LSLA, whatever its size, are likely to be huge and probably irreversible for local people. The collection of essays by Wolford, Saturnino, Hall, Scoones, White (2013) also underlines the global nature of the problem by including a balance of papers from other regions as well as Africa.

Even if these figures are cut by half to get closer to 'real use of land' on the ground (for example, more recent data from the Land Matrix website indicates that the total area of LSLAs to date may indeed be less than half that indicated in the ILC report), it is likely that only a small proportion is actually being used. Deininger and Byerlee (2011), for example, find that only 21% of leased land is fully cultivated, but the areas involved are still very large.

Moreover, while 'large' can be taken as any area over, say, 1000 ha, a relatively small area may also be 'large' in specific contexts. Indeed OXFAM now defines a 'large-scale land acquisition' as any land acquisition of 200 ha or more. A much smaller area can also be a significant part of a particular landscape and local production system. For example, a commercial chicken farm might occupy only 10 or 20 ha, but these might be prime riverside resources essential to local food security. Its business model and treatment of local rights is then as important as it would be for a much larger cattle project on marginal land.

The focus of this REA is important because land acquisitions – large and small – can have serious impacts on livelihoods that depend upon rights that are often invisible to investors and governments with weak land governance systems. The expectation is that public investments, often funded by developed country governments through donor agencies, should provide a model for best practice. There is evidence that the idea of 'free land' – where there are no legitimate local land rights – is used by governments, and those who support them, to justify allowing a large project to get land into production. In most areas however 'free land' is instead a patchwork of productive forests, extensive grazing, fields and people, sometimes close together, sometimes very far apart, but all using *all of the landscape they live in* in some way Alden Wily (2013). Ismar (2013:289) observes that the disregard for such '...complex governance and tenure mechanisms that have evolved over time to govern the vast commons...helps to justify the appropriation of resources without recognising their current use.'

Even where state ownership of land is constitutionally determined, there tend to be 'acquired rights' that are customarily based and legitimate. Many countries do not formally accept such rights into their formal governance frameworks. Others do recognise and protect them (Mozambique for example), but poor governance systems render even legally recognised local rights vulnerable and insecure. The REA also seeks to understand how projects perform on the ground in such instances, to inform the policy makers concerned to ensure that legitimate local land rights are fully respected and protected in future activities that they might be funding.

## 1.2 UNDERSTANDING THE QUESTION

The question to be addressed is as follows:

*In what ways have public overseas investments from developed countries in developing countries ensured respect for and protections of legitimate land tenure rights in the countries*

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*where the investments take place, with particular references to countries without a strong system for protecting existing land tenure rights?*

We define *public overseas investments* as any investment from public sources in developed countries, in particular the G7 ones. These investments can be in the form of either a direct capital investment or loans to a national government to implement a land-based project or a loan or guarantee to a private entity undertaking an investment on behalf of the funder and/or the partner national government.

The question has a special emphasis on such investments in countries where the existing land tenure system is weak. The underlying assumption is that legitimate local land (tenure) rights are more vulnerable in this context and, therefore, it is important to understand how projects operating in such environments take these rights into account.

‘Land tenure’ and ‘legitimate’ are often interpreted in different ways, depending on the point of view and objectives of the person or institution using them. In this REA, the definitions provided by the FAO are used (as the global mandate holder and responsible for the Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security (VGGT)):

- *Land tenure* is the set of rules, whether legally or customarily defined, that determines how land is used, possessed, leveraged, sold or in other ways disposed of among people, as individuals or groups
- *Land tenure rights* are the rights to land conferred within a tenure system. The rules of the land tenure system define how *property rights* to land are to be allocated within societies. They define how access is granted for rights to use, control and transfer land, as well as the associated responsibilities and restraints. FAO (2002) defines land tenure as the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land and the associated natural resources (water, trees, minerals, wildlife, etc.). Land tenure systems determine who can use what resources for how long, and under what conditions
- *Legitimate* implies both conformity to the law and also a degree of justification or ongoing social acceptance, which is often based in non-statutory or customary systems of land governance FAO (2009). Legitimate tenure rights include all users of land, independent of legal status, including traditional settings and those using communal grazing areas and commons. Particular attention in assessments is paid to women and vulnerable groups. The globally negotiated Voluntary guidelines on land tenure FAO (2012) uses the term ‘legitimate tenure rights’ to ensure that existing tenure rights of the poor are not subverted by power relationships
- *Ownership* of property may be private, collective, or common, and the property may be of objects, land/real estate, or intellectual property. Ownership is the right to deal with or dispose of property however one wishes. In western understanding, it is usually private and individual. Thus ownership rights can conflict with tenure rights because decisions by an ‘owner’ can undermine tenure rights held by the ‘user’
- In developing countries, most rural land tends to be subject to customary forms of tenure that are communally based and managed. The individual sets of rights within communities

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are more like use rights and do not easily equate to 'ownership'. However, there is much ongoing debate about whether or not the wider communal right over a given territory implies 'ownership' in a collective sense (a key question when this land is required by other actors such as states and investors)

- *Landholder* is a 'person who makes major decisions regarding resource use and exercises management control over the agricultural holding operation...and has technical and economic responsibility for the holding and may undertake all responsibilities'
- *Rights* may cover access, use, and development or transfer of land, and may exist in parallel with ownership. On this basis, how a society allocates title and rights to land is an important indicator of the social, economic and political relations that determine how it is governed, and in whose interest (the 'political economy of land').

A key issue related to land tenure rights is *land tenure security*. According to FAO (2012) all forms of land tenure should provide all persons with a degree of tenure security that guarantees legal protection against forced evictions that are inconsistent with a states' existing obligations under national and international law, and against harassment and other threats. Thus 'tenure *security*' is very much about how tenure status is supported by both land governance institutions and the surrounding social and political environment.

The former can include effective or weak or poorly run land administration systems backed (or not) by a robust rule of law (resulting in the availability or not of documentary proof). The latter includes intangible things like power relations between different groups, the testimony of neighbours or the opinions of customary leaders. Other indicators of 'secure tenure' can include physical evidence of occupation, such as old abandoned farm plots or village sites, mature trees planted by ancestors or even cemeteries and graves.

There is also the question of what one can do with land, in other words the *use rights* that attach to it. Thus, for example, someone may hold tenure rights over a plot on a long-term lease from its owner (which can include the state), but not be allowed to plant fruit trees or erect permanent infrastructure (which may be socially defined as evidence of 'ownership').

With specific reference to this REA, the term 'land deal' also needs some precise specification. Thus:

- A *land deal* is an intended, concluded or failed attempt to acquire land through purchase, lease or concession; it generally involves the transfer of rights to use the land, but may or may not also include control or ownership of the land.

For the specific purposes of this REA, *land deals* also:

- Must have been initiated since the year 2000
- Cover an area of 1000 ha or more, unless the land of lesser area is of strategic importance for local livelihoods and food security
- Imply the potential conversion of land from smallholder production, local community use or important ecosystem service provision to commercial use including large-scale agriculture, agro-forestry, tourism or infrastructure.

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It is important to know how legitimate local land rights in all these various contexts are 'respected and protected'. The REA seeks to understand this by looking at evidence from projects where local rights have been taken into account in pre-implementation preparations, or where the project has had to react to and accommodate local rights as these have emerged as a challenge on the ground.

Key things to look for might include:

- The existence of some form of negotiated and formalised agreement
- Complaints procedures and other forms of structured communication
- Evidence of more or less participation by local rights holders in project design and implementation
- Evidence that some form of benefit for local rights holders has guided the thinking of those who have planned, funded and implemented a project.

## 2.0 METHODS

A rapid evidence assessment follows a particular methodology which consists of a structured literature search and selection process. Subsequently, a quality assessment of the studies that met pre-set inclusion criteria is carried out according to the guidance provided in DFID's How to Note: Assessing the Strength of Evidence<sup>6</sup>.

The search strings were run through major recognised databases – the University of Bristol Library, and the Social Science Research Network – and produced a large amount of initial material which was assessed for relevance using the exclusion/inclusion criteria. This process quickly revealed that very few papers explicitly mentioned G7/donor-funded investments, referring in the main to privately-funded FDI and other more generic descriptions of large-scale land acquisitions and investment.

Therefore, it was decided to expand the search using specified resources (including, for example, Google Scholar and the World Bank Open Knowledge Repository as well as journals), and repeat the process of selecting for relevance using the exclusion/inclusion criteria with any new items retrieved. All papers found through this process were assessed for quality.

### 2.1 QUALITY ASSESSMENT: PRINCIPLES OF CLASSIFICATION AND QUALITY

The reliability of the evidence was measured against principles of quality as detailed in the DFID guide '*Assessing the Strength of Research Evidence: Summary*'. To classify a study and then assess its quality, the team first assessed the type of research (*i.e.* primary, secondary or primary experimental) (Table 1) and then the study was assessed against a set of specific quality principles (Table 2).

**Table 1: Research types and designs**

Research type	Research design
Primary (P)	Experimental (EXP) + state method used
	Quasi-experimental (QEX) + state method used
	Observational (OBS) + state method used
Secondary (S)	Systematic review (SR)
	Other review (OR)
Theoretical or conceptual (TC)	Not applicable

<sup>6</sup> <https://www.gov.uk/government/publications/how-to-note-assessing-the-strength-of-evidence>



**Table 2: Criteria for quality assessment**

Principles of quality	Associated questions
Conceptual framing	Does the study acknowledge existing research?
	Does the study construct a conceptual framework?
	Does the study pose a research question or outline a hypothesis?
Transparency	Does the study present or link to the raw data it analyses?
	What is the geography/context in which the study was conducted?
	Does the study declare sources of support/funding?
Appropriateness	Does the study identify a research design?
	Does the study identify a research method?
	Does the study demonstrate why the chosen design and method are well suited to the research question?
Cultural sensitivity	Does the study explicitly consider any context-specific cultural factors that may bias the analysis/findings?
Validity	To what extent does the study demonstrate measurement validity?
	To what extent is the study internally valid?
	To what extent is the study externally valid?
	To what extent is the study ecologically valid?
Reliability	To what extent are the measures used in the study stable?
	To what extent are the measures used in the study internally reliable?
	To what extent are the findings likely to be sensitive/changeable depending on the analytical technique used?
Cogency	Does the author 'signpost' the reader throughout?
	To what extent does the author consider the study's limitations and/or alternative interpretations of the analysis?
	Are the conclusions clearly based on the study's results?
Size and relevant context of the study	Is the study dealing with a small-scale, local initiative or a regional/national initiative?
	Is the study dealing with an ongoing or completed intervention?
	Is it part of a wider initiative or is it self-contained?

The quality assurance (QA) process involved ranking the paper or article according to each principle (with a top score of 5) and a total score derived. This was then compared with three scoring bands to determine whether the study was of high, moderate or low quality (see Table 3).

**Table 3: Quality abbreviations**

Study quality	Abbreviation	Definition
High (30–40)	↑	Comprehensively addresses the majority of the principles of quality
Moderate (15–29)	→	Some deficiencies in attention to the principles of quality
Low (< 15)	↓	Major deficiencies in attention to the principles of quality

The end result of this process is similar to a standard reference or citation, but with the additional qualification of the type of research and the QA rating. For example, **Jones, 2005 [P; EXP; →]** means a primary research paper by Jones, who uses an experimental research design, but the paper is of only moderate quality.

## 2.2 LIMITATIONS OF THE METHODOLOGY

While the use of structured searches has value in producing a review of the literature and the relative quality of the studies, some limitations to the methodology should be noted.

Searching according to pre-set parameters within pre-set search engines can exclude relevant material. The nature of the question being addressed also means that information is required about specific cases and projects that may not be referred to or available in abstracts or indexing. There is then a risk of missing appropriate examples in the literature.

Pre-set search strings can also introduce subjectivity into the process as their selection relies on the prior knowledge of the research team. Any REA is, necessarily, a trade-off between clarity/brevity and precision, where the application of a scoring system will always result in some loss of nuance. The REA team applied the principles above as evenly and objectively as possible, producing a clear Type and QA classification for all material used.

## 2.3 SEARCH AND SELECTION RESULTS

The final results of the search and selection processes are shown below in Table 4<sup>7</sup>. The first searches through the main databases retrieved 926 papers and articles (Table 4, Sub-totals). These were assessed for relevance using the exclusion/inclusion criteria. When a document appeared to address the research question, it was sent to the research team for technical assessment against the inclusion criteria. At this point, after the first round of searches, the total number of documents sent for further assessment was 31 (Table 4, Column 2, Sub-totals).

A second round of searches was carried out on additional databases from conferences, journals and agencies, such as FAO and USAID that work extensively on land issues. This raised the total number of items identified for possible selection to 1772. These produced a new total of 105 items for further testing against the inclusion criteria.

<sup>7</sup> The evidence researcher recorded every search; a list can be produced upon request.

**Table 4: Summary table of searches carried out**

Sources	Number of items retrieved	Numbers passed on for QA and detailed examination	Documents identified as relevant
Univ. of Bristol Library	457	16	2
Social Science Research Network	224	13	3
Google Scholar	245	2	0
<b>Sub-total</b>	<b>926</b>	<b>31</b>	<b>5</b>
World Bank Conferences 2010–2015	n/a	18	6
FAO	5	5	0
USAID	2	2	0
IDS International Conference on Global Land Grabbing 2011	100	11	0
Cornell International Conference on Global Land Grabbing 2012	93	7	2
Journal of Peasant Studies	260	2	0
Journal of Development Studies	30	0	0
Review of African Political Economy	142	0	0
Other sources <sup>[1]</sup>	27	27	7
<b>Sub-total</b>	<b>846</b>	<b>74</b>	<b>15</b>
<b>Total</b>	<b>1772</b>	<b>105</b>	<b>20</b>

<sup>[1]</sup> Internet searches; authors' files

All the documents were examined in detail to identify possible public sector financing, using the inclusion criteria. This resulted in a total of five items from the main database searches, and 15 from the secondary searches, producing a final list of 20 items that formed the basis for the evidence-based analysis.

All of the material identified in the exclusion and inclusion selections is presented in Appendices, in the form of two annotated bibliographies, as follows:

Appendix 4: Items specific to the REA topic, 'Evidence for public investments'

Appendix 5: Items related to contextual and general FDI/private sector investments with land rights implications.

**Table 5: Search results classified by quality assessment**

Study quality	Symbol	Appendix 4
High (30–40)	↑	10
Moderate (15–29)	→	10
Low (< 15)	↓	-

The text-based analysis also allowed all the material to be classified and assessed for quality. Table 5 shows the results of the QA carried out on the 20 'evidence studies' that are listed in Appendix 4.

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Some reference is made to the Appendix 5 material in the analysis to provide a background context to the discussion. A short discussion of this material with full citations is provided in Appendix 5 for readers who may be interested. In addition, material not obtained through the searches (in authors' collections for example), and other material (such as guidelines and manuals from various organisations) is listed in Appendix 2.

### 3.0 ASSESSMENT OF THE EVIDENCE

#### 3.1 OVERVIEW OF THE DATA

The 20 evidence papers and studies range across the world: Guatemala 1, Afghanistan 1, Sierra Leone 2, Nigeria 1, Senegal 1, Mali 3, Rwanda 1, Uganda 2, Tanzania 1, Malawi 1, Mozambique 7, Lesotho 1, Namibia 1 and Cambodia 2. Most of the papers (16) are about large-scale agro-forestry projects; two were about infrastructure (Afghanistan and Guatemala).

A total of 20 named projects are discussed. This is not one project per paper however. Some papers provide an overview of several projects in different countries (seven named projects in Action Aid, 2015 [S; OR; →]; four named projects in Giovarelli, Hannay, Scalise, and Richardson, 2015 [S; OR; ↑]).

Some papers by the *same authors* look at one project at different points in time, or analyse different aspects of implementation and impact (English and Sandström 2014, 2015 [P; OBS participation; →]; Masaba, Liversage, and Jonckheere, 2014 [P; OBS; →] and Masaba, Kabuleta, Basaalidde, Augustinus, Antonio, Mabikke, Mkumbwa, and Liversage, 2015 [P; OBS field data; →]). Papers by different authors also look at the same project from different angles: ProSAVANA in Mozambique (Ikegami 2015 [P; OBS case study; ↑], Schlesinger 2014 [S; OR; ↑], and Tawa, Amameishi, Noguchi, and Tamura, 2015 [P; OBS fieldwork; →]); and Mali Biocarburant is covered by Cotula, Buxton, and Leonard, 2010 [S; OR; →], and CHR&GJ 2010 [S; OR; ↑]). The two papers from Southeast Asia review large land investments in Cambodia (not project specific) (Neef, Touch, and Chiengthong, 2013 [P; EXP; ↑]); Pen and Chea, 2015 [P; OBS case studies; →]).

The two road projects are in Afghanistan and Guatemala (Unruh and Shalaby, 2012 [S; OR; ↑]; and Grandia, 2013 [P; OBS; ↑] respectively). Another Mozambican paper reviews a donor-funded programme which secures local community land rights and promotes community-investor partnerships (also not project specific) (Effective Development Group, 2014 [S; OR; →]).

Features that were considered as indicative of local rights being respected and protected include whether or not they have been considered in pre-implementation preparations, or if there is a discussion about reacting to and accommodating local rights as they have emerged as an issue during implementation. Other features to look out for include:

- some form of negotiated and formalised agreement
- some form of participation by local rights holders in project design/implementation
- some kind of benefit from the project accruing to local rights holders
- complaints procedures and other forms of structured communication
- references to women and their land rights
  - the VGGT, RAI or the AU framework & guidelines (2009) and Guiding principles on large scale land based Investments in Africa (2014)

With these points in mind, just four of the 20 papers and studies suggest that local land rights have been adequately taken into account by the investment project (English and Sandström 2014, 2015 [P; OBS participation; →]; Giovarelli Hannay, Scalise, and Richardson 2015 [S; OR; ↑]; Cotula,

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Buxton, and Leonard, 2010 [S; OR; →]; CHR&GJ, 2010 [S; OR; ↑]). One of these (Giovarelli, Hannay, Scalise, and Richardson, 2015 [S; OR; ↑]) involves women's land rights and gender issues.

Given the small size of the evidence database, however, care must be taken when interpreting the data and drawing conclusions from it. While all the studies are of high or medium quality, it may be that they are not showing a full and accurate picture of what is happening on the ground. For this reason it is useful to assess the evidence from the 20 papers against the backdrop provided by the wider body of material collected (Appendix 4). This will allow the reader to better assess the evidence, and decide how to use it.

### 3.2 EVIDENCE ON FDI AND PRIVATE SECTOR INVESTMENTS<sup>8</sup>

There is a large literature on foreign direct investment (FDI) and, in particular, private sector investments requiring land. This literature, while not formally assessed in this REA, provides a useful context for the report<sup>9</sup>.

Firstly, there is a generally negative view of FDI involving land in all countries. Very few papers present a favourable view of how local land rights are treated. Review papers confirm this (Karg and Zoomers, 2014; Cotula, 2013; Cotula, Vermeulen, Leonard, and Keeley, 2009) and the Anseeuw, Alden Wily, Cotula, and Taylor (2012:60) review concludes that there is "...little to suggest that the term 'land grabbing' is not widely deserved."

Secondly, with infrastructure project finance coming from financial markets and private investors, governments can sidestep the demands of donor partners pressing for a responsible and inclusive approach to local land rights (Gunawansa, 2005). Capacity and other issues also determine how developing country governments attract and manage the rush for land by foreign investors. "Most deals...seem hasty and feverish...approved by African governments that do not negotiate properly and ignore local stakeholders" (Abbink, 2011:52), using political-legal force and repression to control them.

Thirdly, investors have to work with a host government, with land deals involving "...close alignment between national governments and foreign investors" (Milgroom, 2015:257 [P; OBS fieldwork; ↑]). One author notes how government–investor negotiations behind closed doors result in agreements that ignore local land rights issues (Grandia, 2013 [P; OBS; ↑]). Three further studies suggest that the role of host governments in making land available to foreign investors has been underplayed compared to studies looking at the actions of external land investors (Fairburn 2013:156; Anseeuw, Alden Wily, Cotula, and Taylor 2012:60; Huggins, 2011:11 [P; OBS fieldwork; ↑]).

Fourthly, although the evidence base is very slim, it is possible that some investors actually seek out countries with weak land governance systems. This strategy offers the opportunity to get land at low cost and/or without having to worry about local rights (Giovanetti and Ticci, 2013).

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<sup>8</sup> See Appendix 5 for an expanded version of this section with citations included.

<sup>9</sup> Unlike the rest of this REA, the sources in Section 3.2 are not the result of a structured search for material specifically on FDI and private sector investments, but were identified during the search for land-based investments using public resources from developed countries. Other relevant material came from the authors' and other collections. These sources are listed in Appendix 2 and Appendix 5.

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Finally, most FDI actors are aware of the need to accommodate local land rights. Large corporate investors are aware that how they treat local rights may affect their image vis-à-vis customers and home regulators. Thus Schanzenbaecher and Allen (2015) suggest that the *reputational risk of non-compliance* with international rules and standards is a strong motivating force to be 'doing the right thing'. But corporate rhetoric may not be borne out on the ground, as firms fail to stick to the required principles (Action Aid, 2015 [S; OR; →]).

### 3.3 PUBLIC INVESTMENTS BY DEVELOPED COUNTRIES

Of the 20 studies and papers, half deal with projects funded using public resources from developed countries. These cover situations where developed country cooperation agencies are present in a significant way, providing background support and facilitating the investment project behind the scenes.

These specific studies are summarised in Table 6, with further detail on each project (project overview; how the project has tried to ensure respect for land tenure rights; and project outcomes) provided in Appendix 1. Review of the key project features and outcomes, provides insight into three essential questions which the REA tries to answer, albeit with the very limited amount of evidence available:

- What does the evidence reveal about the types of actions public investors have used to promote respect for land rights? What does this reveal about their understanding of the nature of rights and how best to protect them?
- What does the evidence say about how prominent these actions have been within the overall public funding?
- Does the evidence permit any conclusions about how effective these actions have been?

All this is related back to the context of the REA, which aims to inform funding governments about whether they needed to do more with respect to the projects they support. The evidence is also assessed to see how the presence and use of internationally-agreed guidelines by donors can guide their support to project design and/or project facilitation.

This is a small body of evidence for drawing out trends and other general characteristics of investment projects where donors have been involved as funding sources or facilitating partners. Consequently, any lessons derived from individual papers are based on a very limited evidence base and should be used accordingly. However, all the documents are either high or medium quality, and taken together they do offer useful insights when it comes to making decisions about the future funding and support for new projects with significant land rights implications. Trends drawn from the studies broadly indicate that:

- Where a public donor is present (either directly funding or promoting a project) and is advocating the use of instruments (like the FAO Voluntary guidelines on the good governance of tenure of land, fisheries and forests (VGGT) and the RAI) investment projects can include effective mitigation measures and/or be designed so that they produce real benefits for those holding legitimate rights over the land in question

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- The studies also show, however, that this positive impact cannot be assumed and donor presence can also be used as an instrument or means to provide a positive gloss to projects which, in fact, do not adequately deal with local land rights
- Inclusive business and investment models are available which bring local people fully into the project process and turn it into an opportunity for social development and life-enhancing changes
- Donors must be fully informed about legitimate local rights at the design and appraisal stages of new projects and cannot assume that government or private sector partners will rigorously adhere to agreed approaches
- There is a need for more research into the question of public funding by developed countries for investment projects needing land or with land rights' implications. Specific issues include the gender and women's rights dimension of such investments and the intergenerational dynamics of land deals.



**Table 6: Cases funded by public resources or with donor agency presence**

Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Road building (peace building efforts in Afghanistan)	<b>Afghanistan</b>	Infrastructure and non-agricultural land-based investment	Road building and reconstruction project as part of peace building efforts	USAID	No efforts recorded during project development and implementation	Negative: large surge in land grabbing (issues exacerbated by the complex context in Afghanistan), ultimately setting back peace efforts	Highlights need to examine and understand the interaction between land rights and road infrastructure particularly in a complex post-war/recovery context	Unruh and Shalaby, 2012 [S; OR; ↑]
Collective Land Titles/capacity building  Land Allocation for Social and Economic Development (LASED)	<b>Cambodia</b>	Large agriculture and agro-forestry	Activities undertaken in response to allocation of economic land concessions to private investment interests by Cambodian Government - Funding provided by various donors to build capacity of authorities and indigenous communities to form Collective Land Titles Support under LASED to allocate land to landless/land-poor farmers under Social Land Concession (SLC) pilot sites	Various (including GIZ, Canada Fund, UNOHCHR, ILO)	Efforts through the Collective Land Titles/capacity building programme and LASED have focused on protecting/securing local land rights and enhancing	Mixed: despite efforts, difficult to influence government policy, indigenous livelihoods at risk despite donor support (limited allocation of SLCs) Administrative hurdles and resource conflicts have hampered outcomes	Efforts should be made to remain accountable to the rural poor and to seek engagement that does not lead to international donors/aid agencies becoming complicit with government elites through 'consensus-seeking discourses'	Pen and Chea, 2015 [P; OBS case studies; →]  Neef, Touch, and Chienthong, 2013 [P; EXP; ↑]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Pueblo to Panama Plan (road construction)	<b>Guatemala</b> (northern region)	Infrastructure and non-agricultural land-based investment	A road building project within the wider Pueblo to Panama Plan to link Central American states, being implemented in the northern region of Guatemala)	World Bank	More widely, recorded that the World Bank is funding an Initiative to survey and legalise settler claims to land in the northern region	Mixed: the road has opened up areas for investment, increasing the risk of land rights' violations for local communities; while simultaneously facilitating access to new markets	Such projects should acknowledge the inevitable increase in investment interest once previously isolated communities/areas are linked and accessible, to ensure accompanying attention afforded to local land rights	Grandia, 2013 [P; OBS; ↑]
Alatona Irrigation Project	<b>Mali</b> (Niger River)	Gender and women's rights	Project compact with the Government of Mali including investment to develop irrigated agriculture around the Niger River. Sub-components dealing with land tenure issues including: <ul style="list-style-type: none"> <li>- Irrigation</li> <li>- Infrastructure development</li> <li>- Resettlement</li> </ul> Land allocation	Millennium Challenge Corporation	Links to women's land rights built into design and implementation, with interventions designed to target women's land rights: <ul style="list-style-type: none"> <li>- Market gardens allocated to women</li> <li>- Joint titling of irrigated land allocated to households</li> </ul> Allocation of farms to women applicants	Positive: land irrigated, parcelled and ownership transferred to Malian farmers, including a significant share (37%) to women/women's associations	Investments should support women in securing land titles, integrating women into the design/implementation of projects to protect/enhance their rights	Giovarelli, Hannay, Scalise, and Richardson, 2015 [S; OR; ↑]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Mali Biocarburant	<b>Mali</b>	Large agriculture and agro-forestry	Follows a joint-venture/'inclusive business' approach to produce biofuel from Jatropha, and to contribute to poverty alleviation. Intercropping is used to limit the risk to food security from the production of Jatropha	Subsidised by Government of the Netherlands (and financed by Dutch private institutional investors)	Land rights protected through inclusive business approach: - Land used for the project is owned by the individual farmers (the only land acquired by the company has been for the processing plant) Representation is strong – Malian farmers union has a 20% stake in the company and are represented on the board	Positive: livelihoods diversification; increased incomes for farmers  Challenges: maintaining profitability of raw material production, reliance on external financial support in early phases	Evidence of significant achievements that can be made by adopting a more inclusive approach	CHR&GJ, 2010 [S; OR; ↑]  Cotula and Leonard, 2010 [S; OR; →]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Malonda Foundation	<b>Mozambique</b> (Niassa Province)	Large agriculture and agro-forestry	Support to forestry projects in Niassa Province to: - Promote SMEs and linkages between rural producers and urban markets Ensure that forestry investments were pro-poor and carried out in full compliance with the recently approved 1997 Land Law	Sida	Aimed to ensure that forestry investments were pro-poor and carried out in full compliance with the recently approved 1997 Land Law by: - Supporting delimitation of local community land rights and an ESIA - Identifying land for forestry and land for the community agriculture Setting up of a Community Fund by investors	Negative: land law not implemented adequately; little job creation or other benefits to local communities	Donors need to be more diligent when assuming that all actors on the national side fully understand or support a more progressive approach to local land rights	Åkesson, Calengo, and Tanner, 2009 [P; OBS fieldwork; →]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
ProSAVANA	<b>Mozambique</b> (Niassa Province)	Large agriculture and agro-forestry	<p>Project to increase agricultural production capacity targeting three provinces in the northern savannah area of Mozambique. ProSAVANA comprises three schemes:</p> <ul style="list-style-type: none"> <li>- Developing and transferring agricultural technologies</li> <li>- Developing an agricultural development master plan</li> <li>- Increasing production by adopting agricultural development models</li> </ul> <p>Small farmers to be involved as partners or agricultural labourers on large farms, with farming systems modernised and modified (including introduction of new crops – e.g. soybeans); and land delimited and titled (DUAT) to create investment climate</p>	Government s of Japan and Brazil (joint implementation)	<p>Negative link and no clear strategy identified, with the demarcation of land and registration of land titles (DUATs) not matching the traditional African land use system (with customary boundaries used for things aside from agriculture – e.g. grazing, firewood, fallow land, etc.). Land grabbing in ProSAVANA area not acknowledged by Government of Mozambique and violation of small farmers rights. However, some evidence of a shift in the ProSAVANA project focus to take into account local land rights including:</p> <ul style="list-style-type: none"> <li>- Developing guidelines for responsible investment</li> </ul> <p>Protecting the land use rights of local people under Mozambican Land Law (recognising traditional land use rights)</p>	<p>Negative: small-scale farmers’ rights violated; famers exposed to severe poverty</p> <p>Potential for positive outcomes with shifted project focus and recognition of local land rights (legal empowerment and rights-based development)</p>	<p>Donors are becoming aware of how the VGGT can encourage a re-assessment of ongoing projects, to pay more attention to the issue of respecting and protecting ‘legitimate local land rights’</p>	<p>Ikegami, 2015 [P; OBS case study; ↑]</p> <p>Tawa, Amameishi, Noguchi, and Tamura, 2015 [P; OBS fieldwork; →]</p> <p>Schlesinger, 2014 [S; OR; ↑]</p> <p>Tanner and Bicchieri, 2014</p>

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Extension of the SPREAD Project, SOPYRWA	<b>Rwanda</b> (Northern Province)	Large agriculture and agro-forestry	Investment project for pyrethrum production Project to provide farmers with information on: <ul style="list-style-type: none"> <li>- Health issues</li> <li>- Better production techniques</li> </ul> Intervening in the value chain (particularly in the areas of drying, transportation and shortage)	USAID (and J.C Johnston)	Project has taken place in the context of Rwanda's wider agricultural reform programme (involving titling of land). Government and operating company claim that lease agreements with farmers are secure and facilitate their participation in the project	Negative: while wider reform policy has increased agricultural yield, there are indications that the land lease arrangements are highly exploitative economically and indicative of state-controlled production	Donors should be more aware of the tenure relationships and the underlying and exploitative relationship between the large firm and the smallholder firms	Huggins, 2012 [P; OBS fieldwork; ↑]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Addax Bioenergy – the Makeni Project	<b>Sierra Leone</b> (Makeni, Bombali District)	Large agriculture and agro-forestry	<p>A large-scale sugar cane plantation to:</p> <ul style="list-style-type: none"> <li>- Produce biofuel (bio-ethanol) and sugarcane, with the products to be exported and used domestically (contributing to Sierra Leone’s national grid)</li> </ul> <p>Develop associated infrastructure</p>	Part-funded by eight international development finance institutions	<p>Consistent dialogue with local people and recognition of legitimate rights to land, including by:</p> <ul style="list-style-type: none"> <li>- Negotiating leases with local chiefs and ensuring enough land left for local food production</li> </ul> <p>Establishing District Liaison Committees and hiring a Community Liaison Officer to address grievances</p>	<p>Positive: employs over 2,200 Sierra Leoneans; injects an estimated USD20 million per year into the local economy; social indicators reflect increased population mobility and increased village accessibility</p>	<p>Success linked to continuous and careful community dialogue/engagement, and recognising legitimacy of local land rights and need to ensure enough land available for local food production. Dialogue resulted in awareness raising and acceptance of agreements between Addax and local leaders</p>	<p>English and Sandström, 2014 [P; OBS participation; →]</p> <p>Deininger and Byerlee, 2012</p> <p>English and Sandström, 2015 [P; OBS participation; →]</p>

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Addax Bioenergy – the Makeni Project	<b>Sierra Leone</b> (Makeni, Bombali District)	Large agriculture and agro-forestry	<p>A large-scale sugar cane plantation to:</p> <ul style="list-style-type: none"> <li>- Produce biofuel (bio-ethanol) and sugarcane, with the products to be exported and used domestically (contributing to Sierra Leone’s national grid)</li> <li>- Develop associated infrastructure</li> </ul>	Part-funded by eight international development finance institutions	<p>Consistent dialogue with local people and recognition of legitimate rights to land, including by:</p> <ul style="list-style-type: none"> <li>- Negotiating leases with local chiefs and ensuring enough land left for local food production</li> <li>- Establishing District Liaison Committees and hiring a Community Liaison Officer to address grievances</li> </ul>	<p>Positive: employs over 2,200 Sierra Leoneans; injects an estimated USD20 million per year into the local economy; social indicators reflect increased population mobility and increased village accessibility</p>	<p>Success linked to continuous and careful community dialogue/engagement, and recognising legitimacy of local land rights and need to ensure enough land available for local food production. Dialogue resulted in awareness raising and acceptance of agreements between Addax and local leaders</p>	<p>English and Sandström, 2014 [P; OBS participation; →]</p> <p>Deininger and Byerlee, 2012</p> <p>English and Sandström, 2015 [P; OBS participation; →]</p>



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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Bagamoyo and Rufiji Sugar Cane plantations	<b>Tanzania</b> (Bagamoyo and Rufiji Districts)	Large agriculture and agro-forestry	Investment project in sugar cane to produce ethanol and sugar. Initially projects owned by SEKAB BioEnergy (majority owned) then sold to EcoDevelopment Europe	Supported by Sida (though not through direct investment) Owned by EcoDevelopment Europe	Negative link, with some concerns raised regarding treatment of local land rights, village access to water and increasing in-migration as a result of employment opportunities on new plantations Reports from Rufiji that community members unaware of land rights	In 2010 report, both projects in 'preliminary stages' (with indications that in Bagamoyo approximately 22,000 ha of land leased; with an additional 250,000-500,000 targeted in Rufiji for future leases) Potential positive (market for crops; alternative energy sources) and negative (competition for water sources; economic dependency) affects detailed	Investments should respect the rights of host community members and community members should be educated about their land rights to enable community consent (women should be included in the process)	CHR&GJ, 2010 [S; OR; ↑]

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
Uganda Oil Palm Project	<b>Uganda</b> (Kalangala Island in Lake Victoria)	Large agriculture and agro-forestry	Project linked to efforts to increase domestic production of vegetable oil and contribute to poverty reduction by raising rural incomes. Farmers supported to increase the production of crushing material and build commercial links to processors	IFAD	<ul style="list-style-type: none"> <li>- Those living in the area are given the right to participate as stakeholders in the development process, with recognition of land rights as strong and legitimate</li> <li>- IFAD committed to applying the FAO VGGT, ensuring project adherence to this framework</li> </ul>	Positive: lifestyle benefits for resident population in housing and food security, as well as access to new banking facilities	Highlights need for genuinely inclusive development models which recognise local land rights	<p>Masaba, Kabuleta, Basaalidde, Augustinus, Antonio, Mabikke, Mkumbwa, and Liversage, 2015 [P; OBS field data; →]</p> <p>Masaba, Liversage, and Jonckheere, 2014 [P; OBS; →]</p>

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Name of project	Location	Type of project	Description of project	Public funding source	Link to promoting respect for land rights	Outcomes	Lessons	Evidence
New Alliance for Food Security and Nutrition*	<b>Africa-wide</b>	Agriculture and agro-forestry	Large-scale project in operation since 2012 to 'unlock responsible private investment in African agriculture to benefit smallholder farmers and reduce hunger and poverty' by bringing together various stakeholders to address key constraints to inclusive, agriculture-led growth in Africa	Ten African countries; G8 countries (+private companies)	Stated commitment to VGGT and other international instruments; countries to provide land required to support investments	Limited systematic evidence on outcomes.	Donors should be careful not to assume that partners – governments and private firms –, who they support with funding conditional upon RAI adherence, will in practice respect local rights and work with them. Some partners may use their stated commitment to mask poor practice on the ground. Belief in titling to protect local rights should be treated with care – the study suggests that titling can facilitate private sector access to land, which is then lost to local people - for good	ActionAid (2015) New Alliance, New risk of Land Grabs: Evidence from Malawi, Nigeria, Senegal and Tanzania

\* The reader should be aware that this report contains some information that is disputed by the parties involved.

## 4.0 CONCLUSION

The evidence underlines the role of governments, often with weak land governance systems, and national elites, in both attracting and facilitating LSLA-based investment. The wider body of evidence suggests that while most FDI projects recognise the need to take legitimate local rights into account, in fact very few do so with any degree of success. It is also possible that even where investors are committed to a 'responsible' approach (for example those participating in the New Alliance programme), in reality they are failing to adequately abide by the principles they have signed up to. In this case, if they are aware and they do not do it, then donors need to ask what incentives are needed to secure a better performance.

Moving on to projects either funded by donors or where donors are present in a significant way, it must be noted that this REA has revealed only a few studies of this specific issue. However, this evidence does suggest that a donor presence, particularly a donor committed to the FAO VGGT and/or the RAI, does result in better treatment of legitimate local rights than when private investors do deals directly with governments.

The VGGT and RAI instruments do seem to offer important new opportunities for donors to leverage more inclusive and progressive responses from both partner governments and commercial firms. There is also evidence that the advent of the VGGT and RAI has prompted some donors to re-assess the form and philosophy of projects conceived in earlier times. One example discussed above is the ProSAVANA project in Mozambique, where a shift in position by the main donor, Japan, seems to be a result of it becoming more aware of the mismatch between the initial project concept and new international guidelines on responsible investment (Tawa, Amameishi, Noguchi, and Tamura, 2015 [P; OBS fieldwork; →]).

However, while donors providing funds and technical support for new projects have a strong lever to influence the projects they fund, it seems that not all donors use it effectively to ensure land rights are respected. Thus, the available evidence, although limited, suggests that donors assume too much about how their views on land rights and social impacts are being taken into account by government and other actors (Pen and Chea, 2015 [P; OBS; →]; CHR&GJ, 2010: p34 [S; OR; ↑]; Åkesson, Calengo, and Tanner, 2009 [P; OBS fieldwork; →]).

Furthermore, one of the studies which looks at several projects in four countries where governments and donors are working with private sector investors suggests that the new guideline frameworks can be used 'cosmetically'. While claiming to respect and work with local rights' holders, states and firms may use a stated compliance with the best VGGT principles as a way of securing land more easily (Action Aid, 2015 [S; OR; →]). This implies that donor governments should take a more active role in monitoring progress and disseminating lessons from VGGT implementation.

Evidence from the limited number of projects discussed above suggests that alternative approaches to land development, called for in a range of sources (Liu, 2014; Riddel, 2013; Cotula and Leonard, 2010 [S; OR; →]; Cotula, Vermeulen, Leonard, and Keeley, 2009) are indeed feasible. The Addax Bioenergy case and the Oil Palm Project in Uganda (English and

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Sandström, 2015 [P; OBS participation; →]) and Masaba, Kabuleta, Basaalidde, Augustinus, Antonio, Mabikke, Mkumbwa, and Liversage, 2015 [P, OBS field data; →]) demonstrate how accepting the reality of pre-existing legitimate land rights then brings local people far more actively into the design and implementation of large investment projects. It ensures that they gain as stakeholders and not just through compensation in the form of jobs and promises of better social services. Åkesson, Calengo, and Tanner (2009 [P; OBS fieldwork; →]) sum this up well: it is not a question of ‘if to do large-scale investments, but how to do them’. ‘Respecting and protecting’ legitimate local rights is not just about compensation – providing jobs for example – but it would also seem to open the way for a range of alternative investment and business models that are more equitable and sustainable.

Other writers confirm this view of a mix between commercial scale investment and active participation with local rights holders. One article looking at what Africa can learn from the Chinese experience advocates for greater African government commitment to supporting smallholder agriculture (Xiaoyun, Lixia, Xiuli, Gubo, and Haimin, 2013:11). Deininger and Byerlee (2012:12) comment that “If property rights are well defined, technology is available, markets work well, and nonfarm sectors lead economic growth and employment generation, investment in large-scale farming can lead to positive social outcomes.” The authors add that “If decisions on land transfers are taken with the consent of local people [investments can then] help improve economic and social outcomes.”

#### 4.1 RESEARCH GAP – PUBLICLY FUNDED LAND-BASED INVESTMENTS BY DEVELOPED COUNTRIES

The lack of detailed and reliable studies about public investment and land issues, in general, is also referred to in bibliographic reviews uncovered during the searches (for example Lee, 2014). It was also commented upon in an opening presentation by Klaus Deininger at the 2015 World Bank Land and Poverty Conference. This situation, confirmed by the results of the searches carried out for this REA, points to a significant information gap when looking at developed country public funding for land-based investments in developing countries. More research is clearly needed in this area.

The available evidence suggests that new research should not merely focus on essentially *compensatory and mitigating* approaches (e.g. jobs in exchange for giving up land), but also should look at how being holders of legitimate rights over land needed for investment projects gives local people another, more proactive right – the right to participate as stakeholders in the design and implementation of new projects, and share in the distribution of income and other benefits.

Some of the available evidence comes from sources with ideological views on land rights, and these findings should be treated with caution. Important issues are raised however – genuine compliance with VGGT and RAI principles in the New Alliance programme, and the titling of customary or informal rights making it easier for investors to access local land with greater ‘legitimacy’. These issues require more quality research to establish if, indeed, these

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findings are valid, and/or provide donor governments with the information and insights needed to design, implement and monitor better programmes in the future.

The paper by Giovarelli, Hannay, Scalise, and Richardson (2015 [S; OR; ↑]) also underlines the paucity of work looking at the gender dimensions of land-based investment. The need to do more research on this question is confirmed by Hall, Edelman, Borras, Scoones, White, and Wolford, 2015 [S; SR; ↑] among others, who also indicate the need for more work on the intergenerational dynamics of land deals and the responses to them, including intergenerational conflict, and implications for future generations and the possibilities for agrarian livelihoods (Hall, Edelman, Borras, Scoones, White, and Wolford, 2015 [S; SR; ↑]).

## APPENDIX 1: CASE STUDIES OF PUBLIC INVESTMENT FROM DEVELOPED COUNTRIES

The search process has yielded 20 studies (Table 5 and Appendix 4) that report case studies of projects and programmes funded by developed country public resources, or with a developed country agency closely involved behind the scenes. Detail on each of the projects drawn from the studies and providing evidence of public investments in developed countries are presented below, where possible, in the following manner:

- Overview of the project
- How the project has tried to ensure respect for land tenure rights
- Outcomes

Projects are grouped according to the following ‘types’:

- Large agriculture and agro-forestry projects
- Infrastructure and non-agricultural land-based development
- Gender and women’s rights
- The New Alliance for Food Security and Nutrition

### LARGE AGRICULTURAL AND AGRO-FORESTRY PROJECTS

#### MOZAMBIQUE: LARGE-SCALE FORESTRY WITH SUPPORT FROM SIDA

##### OVERVIEW

This programme sees several international forestry groups, including a firm linked to the Church of Sweden, investing heavily in large forestry plantations in the north of Mozambique since the mid-2000s. The area first requested from the Provincial Government was of the order of 400,000 ha. The investors were given to believe by the Province that this land was available. Their own investigations revealed that the land was occupied by dispersed communities practicing extensive, itinerant agriculture.

Sida has been present in the area supporting small and medium size business development which would link with community producers and provide better access to urban markets. Sida provided support to the plantation programme through a Sida-funded development foundation, Malonda, which assisted with the delimitation of community-held land, and the subsequent consultations between the communities and the investors that are required under the 1997 Land Law of Mozambique. Since its inception, the original investors have pulled out to be replaced by others; the Church of Sweden remains however.

##### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

The investing firms did their own check to see if the land was ‘free’ as indicated by the Provincial Government. When they realised it was not, they received advice from Malonda

consultants about the Mozambican Land Law and its progressive provisions to facilitate partnerships between local communities and investors. The investors then funded a rights delimitation exercise that identified nine local community land holding units. They also conducted consultations with the communities to work out agreements over how they would gain the use rights over the land they needed. The agreements allowed for substantial areas (some 30-40,000 ha) to remain with the communities for food crops. Farmers were also to be encouraged to plant trees on their land to later sell to the plantation firms. A community development fund was to be set up, supported directly by the companies and topped up by them every year. This fund was in some sense a compensating mechanism for the land. It was also intended to support social programmes, local farming, education for community children, etc.

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## OUTCOMES

The evidence identified (Åkesson, Calengo, and Tanner, 2009 [P; OBS fieldwork; →]) presents findings from field research several years after implementation began. Research involved interviews with key actors (government officials, civil society actors, businesses, development partners/donors and specialists) centrally and at the provincial level. In addition, it included field work in local communities (including meeting with men's/women's groups, local traders and community representatives) and comparison with other similar projects. Also, legal frameworks – specifically the Land Law – were studied and project documentation analysed. While the investors appeared receptive to the principles of the 1997 Land Law of Mozambique, and received guidance and support from the Malonda foundation, the Sida-commissioned research found that the delimitations were never formally concluded with official certificates. And they only covered the land left for the communities and not all the land over which they had pre-existing rights. Consultations took place only with local leaders, and failed to reach the villages and people most affected by the projects. The key mitigating instrument of the Development Fund was never implemented. The researchers found that ex-government forestry sector staff had moved into Malonda, and were applying the law selectively with a limited understanding of its more progressive elements and a restrictive view of local land rights. The focus shifted mainly to investment support; little attention was paid to the details of partnership agreements; villages have lost land rights up to their homes; job creation was virtually zero.

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## IMPLICATIONS FOR THE REA

Donors need to be far more diligent when assuming that national partners fully understand or support a more progressive approach to local land rights. The authors conclude that such investments should be allowed (the communities welcomed the investment and related opportunities for change), but that the key issue is *how they are implemented* on the ground. Donors who advocate a more inclusive and participatory strategy need to be more fully involved and committed in their dealings with government and commercial partners.



## SIERRA LEONE: LARGE-SCALE SUGAR CANE PLANTATION FOR BIOFUEL AND SUGAR

### OVERVIEW

This is large-scale bioenergy project planting large areas of sugarcane as the raw material for ethanol, to be produced in a project-build factory. The project is funded by eight international financial institutions, and has from the outset been guided by the RAI-focused concerns of its backers.

### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

Addax Bioenergy presents itself as “a sustainable model in the making” (English and Sandström, 2014:2) [P; OBS participation; →]<sup>10</sup>. The firm maintains that its relationship with its funders “...requires project compliance with the highest standards in all of these aspects in terms of corporate social responsibilities, observing tenure rights, monitoring of land use, environmental and social monitoring and management of the plant and related agricultural operations. The highest possible international standards are being implemented and monitored and the company has committed to a range of programmes to further local development.” (English and Sandström, 2014:2 [P; OBS participation; →]). Planning for the project included a full environmental and social impact assessment (ESIA) carried out independently. It also included a baseline study, which established an extremely low level of general well-being among the resident population. The company began activities with a clear stakeholder engagement plan for working with affected local communities. Land leases were negotiated with local chiefs with attention being paid to ensuring that sufficient land was left for local food production. District Liaison Committees were set up, a Community Liaison Officer was hired and a quarterly stakeholder forum arranged alongside formal grievance mechanisms.

### OUTCOMES

The project now employs over 2200 Sierra Leoneans and an estimated USD20 million a year goes into the local economy for goods and services. In terms of social indicators, “The population is now more mobile and all villages more accessible. Improved access and exposure to outside influences has increased communities sense of civic responsibility and encouraged citizenship as well as opening possibilities for employment both on the project and in Makeni [the nearby town].” (English and Sandström, 2014:43 [P; OBS participation; →]). The report indicates that, “Land is being used productively to sustain village communities (...) work is now ongoing to develop and manage the residual land.” (English and Sandström, 2014:44 [P; OBS participation; →]) and that efforts have been made throughout to “...ensure equitable solutions to land issues.” (English and Sandström, 2014:39 [P; OBS participation; →]).

<sup>10</sup> The paper, commissioned by and for Addax Bioenergy, was written from ‘an Investor’s Perspective’.

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## IMPLICATIONS FOR THE REA

The project illustrates the reality behind many LSLAs, which tend to use far less land than they initially indicate (Deininger and Byerlee, 2012:711). Thus Addax began by leasing 54,000 ha as the 'area in which development would take place'. In the end, the final project design involved 24,600 ha, only 11,200 of which will be operational, with the residual areas remaining with the local communities. The second Addax study (English and Sandström, 2015 [P; OBS participation; →]) argues that the key to success has been careful and consistent dialogue with local people, starting from recognising that the land required by the company has legitimate rights over it. Land was only accessed and used through agreements worked out with the communities, and in a way that gave time and space for internal discussions at the community level. This resulted in widespread awareness and acceptance of the agreements between Addax and local leaders.

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## UGANDA OIL PALM PROJECT

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### OVERVIEW

The Uganda Oil Palm Project is large oil palm project on an island close to the shore of Lake Victoria. It has been supported by the International Fund for Agricultural Development (IFAD) from the outset (Masaba, Kabuleta, Basaalidde, Augustinus, Antonio, Mabikke, Mkumbwa, and Liversage, 2015 [P, OBS field data; →]). A key feature of the project is that the farmers retain ownership of their land and also have a 10% stake in the processing company that receives the crops they produce.

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### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

The project reflects IFAD's understanding that local rights not only exist, but are strong, legitimate and give those living in the intended project area a right to participate not just as 'beneficiaries', but as stakeholders in the entire development process. The evidence cited (drawn from various Ministerial reports, and previous reports on the project as well as 'case studies' of project beneficiaries) confirms that the design and implementation of the project has been on the basis of initial discussions with local people. These produced agreements on which land would be used and what the local population would gain. Local people have been centrally involved in implementation.

IFAD is also committed to applying the FAO VGGT and ensuring that the project adheres to this framework.

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### OUTCOMES

From a moribund backwater, the project area has become a hub of new activity. Residents are enjoying significant lifestyle benefits in housing and food security, and banking facilities have been opened. The participatory approach adopted since the beginning is predicated on

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the fact that having legitimate land rights in the project areas gives people a real voice and right to participate in the project.

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## IMPLICATIONS FOR THE REA

IFAD has underlined the need for genuinely inclusive development models predicated on the recognition of legitimate local rights. This sets the stage for moving beyond promises of jobs in return for giving up land, to local people using their rights to obtain a real and productive stake in what is happening using their resources. IFAD has worked closely with the Government of Uganda to ensure that its framework has been applied and respected.

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## MALI BIOCARBURANT

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### OVERVIEW

This Jatropha-based biofuel investment in Mali is financed by private institutional investors in the Netherlands, but has also been subsidised by the Dutch Government, which has strongly supported its pro-poor and community-based approach (CHR&GJ, 2010 [S; OR; ↑]). The investing firm has established a processing plant using raw material from several thousand local farmers. The project goes beyond being just another out-grower project however, as the farmers (organised into an association) are also shareholders (20%) in the processing firm.

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### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

This is the only project of the 20 studies identified that has followed a joint-venture or 'inclusive business' approach to resolving the issue of 'respecting and protecting' legitimate land rights. "The company's stated goal is to produce biofuel in a manner that is sustainable as an independent profit making venture, while at the same time supplementing farmers' incomes and contributing to poverty alleviation." (CHR&GJ, 2010: 83 [S; OR; ↑]). The key features are that:

- The company has not in fact had to acquire any land for production (with farmers producing for the firm on their own land)
- All farmers involved have representation on the board of the company
- A Malian farmers' union of those taking part owns a 20% share of the company.

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### OUTCOMES

From its start in 2007 until the research evidence gathered in 2009, the company was working with some 2600 farmers who had planted around 1.6 million Jatropha trees on 3250 ha of land. Overall projections of the impacts on local incomes and diversification of livelihoods strategies are positive. Farmers gain both from employment with the firm (which

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pays 50% above the Malian minimum wage) and from *Jatropha* production which can raise their incomes by between USD1 and USD2 per day per 1000 trees planted (CHR&GJ, 2010:95 [S; OR; ↑]). The evidence points out that *Jatropha* production may contain risks to food security in the longer term because of its need for high inputs of fertilizer and water. These risks are addressed by the company through intercropping and the use of residues from the processing factory as fertilizer.

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## IMPLICATIONS FOR THE REA

The study affirms that the approach “...avoids many of the risks to food security associated with other forms of production.” (CHR&GJ, 2010:93 [S; OR; ↑]). The evidence does underline the challenge of producing sufficient quantities of raw material to maintain profitability, with heavy dependence upon external financial support through the early years until trees are fully productive. There are also issues related to the internal arrangements of the farmers’ union, with difficulties in maintaining clear membership records and thus determining who should benefit and how. The document also underlines that Mali Biocarburant is “...an exceptional case in Mali...”, which is “...otherwise facing a rise in medium- and large-scale acquisitions that often lack the positive features of this project.” (CHR&GJ, 2010:96 [S; OR; ↑]). Nevertheless, the project is a clear example of what can be achieved with a more inclusive approach. This is re-affirmed by Cotula and Leonard, (2010 [S; OR; →]) when reviewing cases of inclusive business models in various countries.

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## RWANDA, USAID-SUPPORTED AGRICULTURAL INVESTMENTS

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### OVERVIEW

The evidence (Huggins, 2012 [P; OBS fieldwork; ↑]) covers two agricultural projects, one implemented by the Government of Rwanda with EU funding and the other with USAID backing and inputs from J.C. Johnston, a US-based multinational. The first of the projects is a national pyrethrum production enterprise (SOPYRWA) which allocates “...plots of 2 ha to households for use in perpetuity, on the basis that they commit to grow pyrethrum on 40% of that land area. Households could grow other crops on the remaining 60%. According to SOPYRWA, there are about 7000 households currently producing pyrethrum over four districts.” (Huggins, 2012:30 [P; OBS fieldwork; ↑]). The EU funded this project between 1999 and 2009, but “The factory and commodity chain were poorly managed and total exports fell from 30 tonne in 2006 to just 4.6 tonne in 2008.” (Huggins, 2012:30 [P; OBS fieldwork; ↑]). Since 2009, farmers have been encouraged by SOPYRWA to organise into producer cooperatives.

The second project is an extension of an existing project in Rwanda (targeting the coffee sector) to work with pyrethrum farmers for the improvement of their livelihoods. This project “...aims to provide farmers with information on health issues as well as better production techniques, and to intervene in the value chain, particularly in the areas of

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drying, transportation and storage.” (Huggins, 2012:31 [P; OBS fieldwork; ↑]). It is backed by USAID, in partnership with J.C. Johnston, who invested USD6 million over the five years between 2006 and 2011, and J.C. Johnston added an undisclosed additional amount in 2009.

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## OUTCOMES

These projects have taken place in the wider context of Rwanda’s agricultural reform programme, which has included the titling of almost every parcel of land in the densely occupied rural landscape. While recognising that this reform policy has achieved ‘massive increases in agricultural yields’, Huggins goes on to argue that in the case of this project, what has happened is the accruing of rents (to SOPYRWA) from the use of public sector funds, and “...the siphoning off of the private surplus of farming households, through coercive regulation.” (Huggins, 2012:36 [P; OBS fieldwork; ↑]). The fieldwork (which involved interviewing key stakeholders, such as SOPYRWA delegates, government administrators, community representatives, producers/farmers, scholars and funders) supporting this evidence suggests that the land lease arrangements supporting the pyrethrum production are extremely economically exploitative and are a “...particularly stark example of a broader pattern of state-controlled production experienced throughout Rwanda.” (Huggins, 2012:35 [P; OBS fieldwork; ↑]).

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## IMPLICATIONS FOR THE REA

The involvement of donors such as USAID in a public–private partnership (PPP) enterprise in the name of ‘improving smallholder livelihoods’ appears to endow a quite exploitative production process with certain legitimacy<sup>11</sup>. This suggests that the donor should be more aware of the nature of the tenure relationships and the underlying and exploitative relationship between the large firm and the smallholder farmers.

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## TANZANIA, SUGAR CANE PLANTATIONS WITH SUPPORT FROM Sida

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### OVERVIEW

This study centres on a large-scale sugar cane project on Tanzania, first implemented by SEKAB BioEnergy and now sold on to another Swedish firm, EcoDevelopment in Europe AB. While not a direct investor, the Swedish Government has actively supported the biofuel industry in Tanzania. Swedish support to the National Biofuels Task Force (NBTF) has sought to “...develop a sustainable programme [for Swedish investments], taking into consideration national, community and commercial interests, and the links between these interests and issues such as economic growth, poverty reduction, and economic empowerment.” (CHR&GJ, 2010:26 [S; OR; ↑]).

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<sup>11</sup> The author cites other work to support this observation.

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The investments have been the focus of research cited by the CHR&GJ report, which raises concerns over the treatment of local land rights, village access to water, and the impact on increasing in-migration by people seeking employment in the new plantations. The impacts on the daily lives of women are also noted. An Action Aid representative from Sweden, cited in the report, underlines that, “All the land in [Tanzania] is under use of some kind”, and thus a large project like this will inevitably impact on local livelihoods strategies (CHR&GJ, 2010:22 [S; OR; ↑]). The basis for saying this is not clear however.

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## IMPLICATIONS FOR THE REA

The authors argue that this case study reveals a “...particular need for greater education about land rights among community members...”, and a need to ensure that women “...are able to play an active and meaningful role in community consent procedures.” (CHR&GJ, 2010:34 [S; OR; ↑]). The response of the Swedish Government is not made clear in the document, but the authors claim that the case does show how the presence of an important donor can influence the discussion of land rights’ issues, including by being subjected to criticism by its own civil society groups.

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## MOZAMBIQUE, PROSAVANA AND THE INVOLVEMENT OF JAPAN AND BRAZIL

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### OVERVIEW

The ProSAVANA Programme in northern Mozambique is described by Ikegami (2015 [P; OBS case study; ↑]) as “...a typical private investment example’. However, “It is implemented by triangular cooperation between Mozambique, Brazil and Japan ... [and] is closely related to the Nacala Corridor Project, which is an Agricultural Growth Corridor Development initiated by the G8.” (Ikegami, 2015 [P; OBS case study; ↑]). The project encompasses 6 million ha of land to be made available by the Government of Mozambique. It includes a large monoculture and modern small farmer component, and a road and port building.

The agro-industry component originally aimed to bring Brazilian entrepreneurs to establish a large-scale soya monoculture and create some 50,000 modern small-scale and commercial farmers. These would then form a “...larger consumer market for Japanese companies.” (Ikegami, 2015:3 [P; OBS case study; ↑]). Both sides of the project are funded by Japan using trust funds held at the World Bank and the African Development Bank, and is part of a major USD5 billion expansion of Japanese funding for infrastructural projects in Africa over five years from 2013.

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### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

There is no clear strategy or approach to respecting and protecting local land rights in the ProSAVANA Programme, although one of the papers (Tawa, Amameishi, Noguchi, and Tamura, 2015 [P; OBS fieldwork; →]) notes that Japan supports the establishment of “...responsible

agricultural investments” in accordance with principles laid out in the RAI, VGGT, and so on. They see the project as aiming “...to improve the livelihoods of local people, especially small-scale farmers, through sustainable agricultural development.” Measures to achieve this include the “...development of guidelines for responsible agricultural investments and a system for managing and monitoring agricultural investment under Mozambique laws and local circumstances in the master plan ... [and] the registration of land use rights to protect the rights of local people, under the Mozambique Land Law which equally certifies traditional land use rights and modernised land use rights.” (Tawa, Amameishi, Noguchi, and Tamura, 2015:2 [P; OBS fieldwork; →]).

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## OUTCOMES

The project has produced critical responses in Mozambique, both among its civil society and the donor community, who have long supported a pro-poor, rights-based approach to land governance and development (see the Malonda case above for example). A Brazilian researcher looking at evidence (drawn from interviews with representatives from agri-business companies, reviews of proposals and secondary sources of information from donor reports, reviews, etc.) in both Brazil and Mozambique underlines how the ProSAVANA Programme is the result of Brazilian firms influencing their country’s international investment and cooperation programmes. Thus the programme is “...strongly compromised around a production model that is likely to deliver poor results in terms of local and regional development.” (Schlesinger, 2014 [S; OR; ↑]).

The government argues, however, that on-farm and construction employment will alleviate poverty. Ikegami is concerned, however, that because “The government has never acknowledged the use of land grabbing in the ProSAVANA area; small farmers are left with having their basic human rights violated and to falling into severe poverty.” (Ikegami, 2015:15 [P; OBS case study; ↑]). It is not clear what evidence he uses to support this conclusion.

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## IMPLICATIONS FOR THE REA

The limited evidence from the ProSAVANA case study suggests several ways in which land rights could be protected (Ikegami, 2015 [P; OBS case study; ↑]):

- Small farmer organisations ‘to contest and to be persistent in negotiations with the government’ (a group of small farmers has successfully recovered its land this way)
- ‘Reputation approach’, where multinational corporations are increasingly sensitive to reputational risk arising from dealings with local people and their management of supply chains (civil society and farmers’ organisations can also lever public opinion)
- ‘Extraterritorial obligations’, which involve a state’s obligation to respect the human rights of the citizens working outside their territories (citing the 2012 Maastricht Principles on the Extraterritorial Obligations of States in the area of Economic, Social and Cultural Rights).

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There is also limited evidence to suggest that the existence of strong non-governmental organisations (NGOs) supporting local land rights and legal empowerment programmes advocating rights-based development have strengthened the respect for land rights in Mozambique (Tanner and Bicchieri, 2014).

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## CAMBODIA, GOVERNMENT-SPONSORED LARGE-SCALE LAND ACQUISITIONS

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### OVERVIEW

Two documents refer to land-based investments in Southeast Asia, but in both cases the donor organisations are more in the background than involved with the actual investments that are underway. These are the documents by Pen and Chea (2015 [P; OBS case studies; →]); and Neef, Touch, and Chiengthong (2013 [P; EXP; ↑]).

### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

The Pen and Chea paper on indigenous land rights in Cambodia does not involve donor funding, but shows how GIZ and others are supporting efforts to carry out collective titling (using Cambodian legislative instruments) of land occupied by communities in indigenous areas. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the Canada Fund, UN agencies, such as International Labour Organization (ILO) and the United Nations Office of the High Commissioner for Human Rights (UNOHCHR) and NGOs have “...worked intensively with [the responsible government ministries and departments] to build capacity at the level of provincial authorities and indigenous peoples’ communities, in order to formulate Collective Land Titles as effectively as possible.” (Pen and Chea, 2015:14 [P; OBS case studies; →]).

### OUTCOME

In spite of strong donor pressure to secure local rights using existing national legislation, the state has handed out over 2 million ha of land to private sector interests as ‘economic land concessions’ (ELCs), affecting the land rights and livelihoods of between 400,000 and 700,000 people (Pen and Chea, 2015:2 [P; OBS case studies; →]). Thus, “In rural Cambodia the rampant allocation of state land to political elites and foreign investors’ has been associated with encroachment on farmland, community forests and indigenous territories and has contributed to a rapid increase of rural landlessness. In contrast, less than 7000 ha of land have been allotted to land-poor and landless farmers under the pilot sites for social land concessions (SLCs) under the Land Allocation for Social and Economic Development (LASED) programme.” (Neef, Touch, and Chiengthong, 2013:1085 [P; EXP; ↑]). Neef, Touch, and Chiengthong, 2013 find that international donors have little leverage on the accelerating land grabbing and dispossession processes in their target areas’ (Neef, Touch, and Chiengthong, 2013:1099 [P; EXP; ↑]).



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Neef, Touch, and Chiengthong, 2013 note that although the World Bank (main donor) and the National Committee for Democratic Development (NCDD) present success stories featuring female-headed households on their websites, SLC allocation has been “...slow and marred with persistent administrative hurdles and resource conflicts in the three LASED pilot provinces.” A poor evaluation of the LASED programme did in fact result in GIZ pulling out (Neef, Touch, and Chiengthong, 2013:1088 [P; EXP; ↑]).

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## IMPLICATIONS FOR THE REA

In Cambodia the limited evidence seems to suggest that, “By perpetuating the myth of partnership, poverty reduction and participation through consensus-seeking discourses and *non-controversial development narratives*, international aid agencies involved in the land reform sector have unwillingly become accomplices of government elites that have proven increasingly unaccountable to the rural poor.” (Neef, Touch, and Chiengthong, 2013:1011 [P; EXP; ↑]). This is similar to the conclusions reached with regard to the USAID involvement in the pyrethrum industry in Rwanda.

## INFRASTRUCTURE AND NON-AGRICULTURAL LAND-BASED DEVELOPMENT

Only two studies were identified by the searches in this specific area of investment. Consequently, the evidence base is not large enough to produce conclusions about how local land rights are being treated that can be generalised. Nevertheless, the studies are assessed as high quality, and do provide useful information. Infrastructure projects of this kind often involve donors using public resources, both for direct funding and other forms of critical support (technical assistance, equipment, etc.). One of the studies points to a general lack of awareness of land rights implications on the part of those planning and implementing the projects (Unruh and Shalaby, 2012 [R; OR; ↑]). The other suggests an almost open disregard for land rights when the focus is on pushing a road through remote countryside as part of a larger international road network (Grandia, 2013 [P; OBS; ↑]). Both papers underline the clear link between infrastructural development – especially roads – and new pressures and impacts on ‘legitimate local land rights’.

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## GUATEMALA: ROAD BUILDING IN A REMOTE AREA

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### OVERVIEW

Development banks are sponsoring a renewed wave of mega-infrastructure projects across the Americas to support corporate trade and commerce. Grandia (2013 [P; OBS; ↑]) presents findings from an ethnographic study of the impacts on local land rights of one such large road project, which is part of the IIRSA (Integration of Regional Infrastructure in South

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America), the Puebla to Panama Plan. The new road penetrates into a remote area of Guatemala where there are already indigenous communities and where smallholder settlers adjacent to the road are also meant to benefit.

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## RESPECTING AND PROTECTING LOCAL LAND RIGHTS

Donors are funding initiatives to modernise land administration systems, including a USD31 million World Bank loan (1998–2007) to survey and legalise settler claims in the northern Guatemalan department of Petén.

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## OUTCOMES

The research finds that contrary to the project planners' stated goals of sustainable development, infrastructure projects have coincided with widespread land grabbing (up to 46% of smallholder lands) by, for instance, cattle ranchers, African palm plantations and narcotics traffickers. Documenting the crossings and conjunctures of the Puebla to Panama Plan with market-led agrarian reform, this ethnographic study suggests that even the Guatemalan military may be a 'shadow beneficiary' of 'narcotics/cattle/agro-industrial land concentration' occurring in Petén.

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## IMPLICATIONS FOR THE REA

The research shows how road projects going through relatively isolated areas are likely to transform the lives of those who live there. The project may not use a lot of land in a given area, but has huge impacts on the demand for surrounding land, rendering local rights vulnerable to capture by more powerful actors. Grandia (2013 [P; OBS; ↑]) describes such projects as being a double-edged sword – on the one hand peasants need better access to market, while on the other hand their land is now more accessible to large land speculators and investors.

Grandia (2013 [P; OBS; ↑]) also shows that the outcome observed is not inevitable. Grandia (2013:66 [P; OBS; ↑]) cites the case of Belize (neighbouring Guatemala and with similar large road projects), where "Maya groups successfully lobbied the state to place at least a paper moratorium on land sales along roads." This allowed for other interventions which helped the Mayan communities to solidify their land rights along the road routes, helped by a local NGO which 'creatively used global positioning system technology to revitalise customary management and communal tenure' (Grandia, 2013 [P; OBS; ↑]).

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## AFGHANISTAN, ROAD BUILDING AS PART OF PEACE BUILDING INITIATIVES WITH USAID SUPPORT

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## OVERVIEW

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This paper by Unruh and Shalaby (2012 [S; OR; ↑]) looks at a highly specific context – ‘peace building’ efforts in Afghanistan – and the impact of USAID-funded road building on land rights.

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#### RESPECTING AND PROTECTING LOCAL LAND RIGHTS

No apparent efforts were made as the project was developed and implemented to respect and protect local land rights.

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#### OUTCOME

The authors conclude that “The large increases in land values brought about by road (re)construction, occurring within a context of a debilitated capacity and status of both customary and statutory tenure systems, increased the ease of access to lands (via roads).” It helped corruption to flourish and the absence of many landowners, tenants and their relatives/heirs (because of dislocation) has given rise to “...a large surge in widespread land grabbing.” (Unruh and Shalaby, 2012:49 [S; OR; ↑]).

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#### IMPLICATIONS FOR THE REA

The impact on local land rights of the building a road of this sort should be foreseen and planned for in any country, but especially in contexts where land tenure is highly complex (involving, for example, statutory, customary and religious (e.g. Islamic) tenure) and further complicated by conflict (e.g. from the breakdown of legitimate national structures to regulate tenure). Furthermore, in contexts (as highlighted in the case of Afghanistan) where efforts at post-conflict reconstruction rely on local level recovery through agriculture, considering the impact of infrastructure developments on land rights is especially pertinent, as highlighted in Unruh and Shalaby (2012:55 [S; OR; ↑]).

### GENDER AND WOMEN’S RIGHTS

Of the 20 studies identified by the search process, just one focuses on gender and women’s rights (Giovarelli, Hannay, Scalise, and Richardson, 2015 [S; OR; ↑]). The lack of evidence reflects that historically, gender has not been a primary consideration of investments that require or impact upon large areas of land. However, the neglect of gender may be changing, driven by new international instruments responding to concerns about the gender impacts of LSLAs and other large land-need projects (see for example Landesa Centre for Women’s Rights, 2013 [S; SR; ↑]). Examples include USAID’s *Gender Equality and Female Empowerment Policy* (USAID, 2012) and FAO’s *Gender Technical Guide* (FAO, 2013), supplementing the implementation of the VGGTs. These policies are relatively recent and there is, therefore, very little evidence available yet to show their impact.

That said, there are examples of investments that have included specific attempts to respect, protect or advance the legitimate land tenure rights of women. The Millennium

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Challenge Corporation's (MCC's)<sup>12</sup> USD461million Compact with the Government of Mali includes an investment to develop irrigated agriculture around the Niger River (the Alatona irrigation project), with sub-components dealing with land tenure issues, including irrigation infrastructure development, resettlement, and land allocation (Giovarelli, Hannay, Scalise, and Richardson, 2015 [S; OR; ↑]). This project explicitly builds women's land rights' issues into its design and implementation. From the outset it targeted women as beneficiaries and reached them in two ways – through the process of due diligence and design. It required a gender analysis for the Government of Mali's proposal to the MCC, and a gender specialist provided inputs during the due diligence process, making specific recommendations on how to ensure that women benefitted from the project.

The final design was then assessed for its handling of gender. With regard to design elements, the project includes three innovative approaches to ensure that women benefitted from the investment. These are:

- Allocating portions of the irrigated land for market gardens for women who were displaced and resettled in the Alatona zone
- Joint titling of irrigated land allocated to households displaced and resettled by the irrigation development (this was not a requirement, but households were given a choice on how to title land after a robust and gender-integrated outreach effort)
- Promoting the allocation of 5 ha farms designated for non-resettled people to women applicants.

The Alatona project report recommends that investments of this kind should support women in securing land titles and citizenship documentation so that their rights are protected or enhanced. They should also ensure that women's livelihood strategies are captured in the baseline studies for resettlement negotiations, because even those strategies that are very informal (such as collecting herbs for medicine while tending sheep) may be pivotal to a woman's well-being.

One high quality study by the FAO (2013a [S; SR; ↑]) indicates that good practices relating to gender and land in agricultural investments are:

- Having a flexible, gender-sensitive and participatory agricultural extension and training approach
- Helping to develop the capacity for female and male farmers to improve productivity and gain greater benefits
- Supporting production groups for female and male farmers, linking them to markets and creating an enabling environment for further investment.

Underlying land tenure related imbalances between men and women can have an impact on whether women benefit equally from agricultural investments. For instance, an FAO report on agribusiness investments in the Philippines highlights women's limited benefit from agricultural investments as a direct result of their being previously discriminated against

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<sup>12</sup> The Millennium Challenge Corporation (MCC) is an independently-funded US Government foreign aid agency, with no institutional links to USAID.

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during the redistribution of land. The report highlights how individuals were required to become cooperative members in order to benefit from the agribusiness venture, but that cooperative membership was contingent on having been an Agrarian Reform beneficiary. Thus, exclusion during the land redistribution programme subsequently precluded women's participation in cooperatives and therefore business ventures. The same was true for women's participation in decision-making and other livelihood opportunities related to the agricultural investment (FAO, 2015).

Conversely, providing land to out-growers rather than predicating participation on owning land that was used in the scheme, can be helpful for women's participation, because women are less likely to own land to begin with (FAO, 2013b).

## NEW ALLIANCE FOR FOOD SECURITY AND NUTRITION

The New Alliance for Food Security and Nutrition is a partnership between ten African countries and the G8 – the United States of America, United Kingdom, France, Italy, Canada, Japan, Germany and Russia – and the European Union, and large private sector agro-processing multinationals and regional firms. Its objective is 'to unlock responsible private investment in African agriculture to benefit smallholder farmers and reduce hunger and poverty' by bringing 'together the capacities and interests of diverse stakeholders, including African governments and institutions, the private sector, civil society, donors, and other development partners.'<sup>13</sup>

The G8 has committed USD\$4.4 billion to the 10 partner countries. Partner companies include Monsanto, Diageo and Unilever, and many other multinational enterprises and regional and national African enterprises<sup>14</sup>. For their part, the African partner governments are committed to initiate policy reform to enable legal and transparent access to the land needed to support the investments implemented using G8 funding.

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<sup>13</sup> [www.new-alliance.org](http://www.new-alliance.org)

<sup>14</sup> For a list see the Grow Africa/New Alliance website.

## APPENDIX 2: BIBLIOGRAPHY

This appendix provides the bibliography of sources that were cited, but do not form part of the systematic searches.

African Union. (2010) *Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods*, Addis Ababa: African Development Bank

Cotula, L. (2013) *The Great African Land Grab: Agricultural Investments and the Global Food System*. London: Zed Books.

Deininger, K. and Feder, G. (2009) 'Land registration, governance, and development : evidence and implications for policy', *World Bank Research Observer*, 24, 2, pp.233–266. Available at <https://openknowledge.worldbank.org/handle/10986/4430>

[Food and Agriculture Organization of the United Nations \(FAO\). \(2002\) \*FAO Land Tenure Studies 3: Land Tenure and Rural Development\*, Rome: FAO.](#)

[Food and Agriculture Organization of the United Nations \(FAO\). \(2009\) \*Towards Improved Land Governance\*, FAO Land Tenure Working Paper 11, Rome: FAO.](#)

[Food and Agriculture Organization of the United Nations \(FAO\). \(2012\) \*Voluntary Guidelines on the Responsible Governance of Tenure, of Land, Fisheries and Forests in the context of National Food Security\*, Rome: FAO. Available at <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>](#)

[Food and Agriculture Organization of the United Nations \(FAO\). \(2014\) \*Principles for Responsible Investment in agriculture and Food Systems\*, Rome: FAO.](#)

[Karg, M. and Zoomers, A. \(eds.\) \(2014\) \*The Global Land Grab – Beyond the Hype\*, London: Zed Books and Halifax: Fernwood Publishing.](#)

[Serra, C. \(2012\) \*Colectânea de Legislação sobre a Terra\* \(4<sup>th</sup> edition\) Matola, Mozambique: Ministry of Justice, Centre for Legal and Judicial Training.](#)

USAID. (2013) [http://rmportal.net/library/content/tools/land-tenure-and-property-rights-tools/copy\\_of\\_definition-land-tenure](http://rmportal.net/library/content/tools/land-tenure-and-property-rights-tools/copy_of_definition-land-tenure)

### APPENDIX 3: SEARCH STRINGS AND METHODS USED

The methodology used was guided by the DFID 'How To' notes, involving a series of clear sequential steps. These were subjected to a slight modification as the initial results came out, as explained below. The sequential steps followed are shown below and in Figure 1:

- i. Selection of appropriate search engines
- ii. Creation of inclusion and exclusion criteria for screening research material
- iii. Development of search strings
- iv. Systematic search of the research literature using the search strings
- v. Initial appraisal of results based on relevance to question, compared with the inclusion and exclusion criteria
- vi. Consideration of using additional sources and identification of these sources
- vii. Second systematic search of research literature in new sources
- viii. Screening of results for relevance using inclusion and exclusion criteria applied to titles and abstracts
- ix. QA of all material screened for relevance
- x. Closer screening of content, applying *only* inclusion Criterion 1 (publicly funded investments in developing countries)
- xi. Synthesis of findings based on final 'close screening'.

### DEVELOPMENT OF SEARCH STRINGS

The evidence researcher and the research team worked together to generate appropriate search strings (Table 1), based upon the inclusion and exclusion criteria that had previously been discussed and agreed with DFID:

#### INCLUSION CRITERIA

- i. Only public overseas investments from developed countries (with a focus on the G7 countries)
- ii. Investments where local land rights are explicitly an issue, with sub-sets as follows:
  - a. Either up front (i.e. they are built into the project plan)
  - b. Or they arise during implementation (not planned for, reactive not proactive)
- iii. Investments that require land, with a focus on:
  - a. Agriculture/forestry
  - b. Infrastructure (such as large dams with resettlement implications)
  - c. Minerals (such as large coal mines that require resettlement)
  - d. Tourism/conservation, including existing and proposed parks and reserves
- iv. Public-private partnerships can be considered, where these require land
- v. NGO programmes with G7 bilateral funding direct or passed through other frameworks
- vi. Countries with a weak or non-existent legal/policy framework and poorly functioning land management/governance systems

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- vii. Countries which have good legal/policy frameworks but poorly *functioning* land management/governance systems.

#### EXCLUSION CRITERIA

- i. Self-funded private sector projects (e.g. a biofuel firm using its own capital)
- ii. Self-funded NGO programmes
- iii. Countries with well-*functioning* land management/governance systems (note that these might also have high conflict levels; avoid including these but *keep an eye out for interesting cases that might provide a perspective of the kind 'even with good systems this is the kind of thing that can go wrong')*
- iv. Programmes in early stages of implementation where it is still too early to assess impacts (although where specific land strategies are included these can be noted)
- v. Exclude documentation that presents narratives about the issues being discussed that are partisan or lack technical rigour and valid evidence
- vi. All programmes and projects that pre-date 1995.

The search strings were then inputted across the pre-selected search engines. As the work progressed the evidence researcher refined the search strings to narrow in on the specific target area of the assessment. The final set of search strings is shown in Table 1.

**Table 7: Search strings developed using the inclusion and exclusion criteria**

Search string	Comments
G8 or world bank or IFAD or canada* or france or French or russia* or america* or USA or UK or united kingdom or british or italy* or japan* or german* or donor assist* or donor fund* or development assistance or ODA	Strings combined by “and” in variety of combinations
developing country* or Africa* or Mozambique or sierra leone or brazil or Indonesia* or Kenya* or Honduras or Ethiopia* or india* or Zambia*	*used to show truncation of word e.g. india* will retrieve India, Indian and Indians
land acquisition or land grab* or land occupation or land concession*	Search strings translated across databases depending on sophistication of search engines
land tenure or existing land right* or customary land right* or traditional land right* or local land right* or land issue* or land conflict*	
invest* or forest* or infrastructure* or tourist* or conservation or mineral* or enterprise zone* or coal mining or hydroelectric or dam or agriculture* or biofuel or plantation* or sugar cane or out-grower or contract farm*	
“large scale land acquisition”	Phrases used in search engines that will support searches of whole phrases
“foreign direct investment”	
case study or case studies	Terms used to search full text where appropriate (e.g. conference papers)
projects	
fieldwork or field research	

A limitation of replicating searches across different search platforms is that the setup of each search engine is different. For example, some are set up to search the entire document, some only the title and abstract and some the title only. This meant that to



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produce statistics on individual search strings would not reflect the variety of ways in which the search string was inputted, potentially leading to unrealistic comparisons.

## OVERVIEW OF SEARCHES

### MAIN SEARCH

The first or 'main' search involved the pre-selected search engines and databases described above. It was immediately clear as the results were emerging from the main database searches that there would be a very small number of papers and documents about the specific issue being assessed – public overseas investments from developed countries in developing countries. Very few if any of the cases emerging made any reference to whether funding from developed countries was 'public' or not; nearly all referred instead to 'foreign direct investment' (FDI) and similar terms.

While completing these searches, the evidence researcher observed references made to specific journals and conferences that are widely believed to be key sources for information on this subject. This was confirmed by the expertise of the evidence team. Therefore, it was decided to perform supplementary searches on the selected journals and conferences.

### SUPPLEMENTARY SEARCHES

The journals identified during the first search as being most relevant to the issue being researched were the Journal of Peasant Studies, Journal of Development Studies and Review of African Political Economy. Other sources identified were FAO publications, the World Bank Open Knowledge Repository and USAID. The specific international conferences that have looked at so-called 'land grabbing' and land and development in general included the 2011 Land Grabbing Conference 1 at the University of Sussex, UK, the 2012 Land Grabbing Conference 2 at Cornell University and successive World Bank Land and Poverty Conferences (2010–2015).

Collections of conference papers and the databases of the three journals above were searched using the same search strings as for the main searches. The results from these searches were then integrated into the still small, but growing, body of material about public investments from developed countries.

### OTHER MATERIAL

At this point the total number of items resulting from the searches was still small. The other members of the research team had access to other research and papers that were relevant to the topic under discussion and it was decided to include these with the papers and publications retrieved from the main and secondary searches.

**APPENDIX 4: OUTPUT LIST OF MATERIAL ON PUBLIC INVESTMENT BY DEVELOPED COUNTRIES**

	Reference	Source and QA	Overview
1	Action Aid. (2015) <i>New Alliance, New Risk of Land Grabs: Evidence from Malawi, Nigeria, Senegal and Tanzania</i>	OS S; OR; →	Review of the New Alliance for Food Security and Nutrition in four of its 10 partner African countries. This is the main G8 strategy for supporting agriculture in Africa, launched in 2012. It has been under way for three years, and some of its impacts can now be examined. The document presents evidence from Nigeria, Malawi, Tanzania and Senegal that some large companies involved in the New Alliance are already taking part in land grabs. It also presents evidence suggesting that the initiative is increasing the risk of rural communities losing their access to and control over land to large investors, mainly through policy commitments on land titling and land reform
2	Åkesson, G., Calengo, A. and Tanner, C. (2009) <i>It's Not a Question of Doing It or Not Doing It – It's a Question of How To Do It. Study on Community Land Rights in Niassa Province, Mozambique</i> . Upsalla: Sida Helpdesk for Environmental Assessment	OS P; OBS fieldwork; →	Field-based study of how large-scale forest plantation investments are proceeding in Niassa Province, Mozambique, in an area where the Sida-funded Malonda Foundation prepared the scene for the investment process including ensuring that local land rights were fully taken into account using the community delimitation methodology available in Mozambique's progressive land legal framework. Several years later there are major problems and conflicts because of flawed consultation processes and the implementation being taken over by ex-state officials who failed to ensure that all aspects of the joint agreement were implemented
3	Centre for Human Rights and Global Justice. (CHR&GJ) (2010) <i>Foreign Land Deals and Human Rights: Case Studies on Agricultural and Biofuel Investment</i> , New York: CHR&GJ	OS S; OR; ↑	This collection of case studies includes the Mali Biocarburant biofuel investment using Jatropha planted in close collaboration with local farmers. The case is cited as a positive example of inclusive development, with local farmers having a share in the firm processing the raw materials they produce, and also retaining full rights over their land. The project is financed by the Government of the Netherlands from its Programme for Cooperation with Emerging Markets

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	Reference	Source and QA	Overview
4	Clements, E. and Fernandes, B. (2012) 'Land grabbing, agribusiness and the peasantry in Brazil and Mozambique'. Paper presented at the International Conference on Global Land Grabbing II, Cornell University	COR  S; OR case study; ↑	This paper looks at the complex relationships between the development of 'land grabs' and agribusiness expansion in Brazil and Mozambique and their effects on peasant farmers in both countries. It examines relations between the governments of Brazil and Mozambique to understand Brazil's relatively recent involvement in land acquisitions in Mozambique. It looks at the role of Brazil as a country affected by land grabbing, in promoting such practices in Mozambique. The paper sets the two countries in the global context of LSLAs to contribute to the Land Deal Politics Initiative debate
5	Cotula, L., Buxton, A. and Leonard, R. (2010) 'Conclusion', in: Cotula, L., and Leonard, R., (eds.). (2010) <i>Alternatives to land Acquisitions: Agricultural Investment and Collaborative Business Models</i> , London, International Institute for Environment and Development, pp.105–124	OS  S; OR; →	This article is not a study <i>per se</i> (hence its 'moderate' rating), but summarises a collected edition looking at cases of alternative and inclusive business models for agricultural investment using local land. It talks about Mali Biocarburant S.A., an investment by a private company that is financed by the Netherlands Government and thus falls exactly within the remit of this REA. The chapter by Cotula and colleagues demonstrates how a proactive and rights-based approach can result in a 'win-win' for all sides, albeit facing challenges along the way
6	Effective Development Group. (2014) <i>Evaluation of the Mozambique Community Land Use Fund</i> , London, Effective Development Group	OS  S; OR evaluation; →	The Mozambique Community Land Use Fund ( <i>Iniciativa para Terras Comunitárias</i> , or iTC) began in June 2006 and continued until April 2014 with financing totalling £GBP15.1 million from seven donors. The programme has delimited legally recognised customary rights for local communities under Mozambique's progressive 1997 Land Law, and prepared communities to engage with both the state and external investors through capacity building, legal empowerment (paralegals), and the development of local development and land use plans
7	English, C. and Sandström, J. (2014) 'Implementing a large land-based investment in Sierra Leone. Land grab or real development – an investors' perspective'. Paper for the Annual Land and Poverty Conference, The World Bank, Washington DC, March 2014	WBC  P; OBS participation; →	This paper (by the investor) describes how the Adda Bioenergy project was developed and implemented. It rejects allegations of land grabbing and argues that land access was negotiated with local chiefs, with ample land left also for local food production (with Addax support). Donor funding complements Addax resources; the company is clear about respecting FAO VGGT and other codes of best practice, while asserting they are not a development agency and cannot assume the role of one (for example, by building schools and hospitals)

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	Reference	Source and QA	Overview
8	English, C. and Sandström, J. (2015) 'Lessons learned in implementing resettlement, compensation and land rent payments for a large land-based investment in Sierra Leone'. Paper for the Annual Land and Poverty Conference, The World Bank, Washington DC, March 2015	WBC  P; OBS participation; →	Presents the implementation of 'not only an innovative technical project – with consequent risks – but also a bold and innovative social experiment'. Extensive data is presented to support assertions that the project is implemented to the highest international standards, with land access negotiated with local leaders and substantial compensation and land rental payments being paid to the 50–60 participating villages. The paper underlines the fact that Addax had to assume management of the benefits because of very poor local government capacity and that it has had to face difficult management challenges, and assume a 'heavy burden of responsibility' which would be 'unpalatable or too risky to most investors and would drive many away'. The paper urges that the lesson learned are 'built into the ongoing debates on best practice'
9	Giovarelli, R., Hannay, L., Scalise, E., Richardson, A., Seitz, V. and Gaynor, R. (2015) <i>Gender and Land: Good Practices and Lessons Learned from Four Millennium Challenge Corporation Compact-Funded Land Projects</i> , Seattle: Landesa Center for Women's Land Rights	WBC  S; OR; ↑	The paper describes a MCC-funded irrigation project which explicitly builds women's land rights issues into its design and implementation. It includes three innovative approaches to ensuring that women benefit from the investment – carving out portions of irrigated land for market gardens for women displaced and resettled in the Alatorna zone, joint titling of irrigated land allocated to households displaced and resettled by the irrigation development (not a requirement, but households were given a choice on how to title land after a robust and gender-integrated outreach effort) and promoting allocation to women applicants of 5 ha farms designated for non-resettled people
10	Grandia, L. (2013) 'Road mapping and land grabs in northern Guatemala', in: Wolford, W., Borras Jnr, S., Hall, R., Scoones, I, and White, B. (eds.) 2013. <i>Governing Global Land Deals: The Role of the State in the Rush for Land</i> , Oxford: Wiley Blackwell	OS  P; OBS; ↑	This paper looks at the impact on local land rights created by a World Bank funded road building project set within the mega-project Pueblo to Panama Plan for linking Central American states. Roads inevitably open up areas for investment, and local rights are immediately vulnerable. Assumptions about cadastral mapping and titling overlooked deeper issues of local production systems and customary land management, and effectively served to open up the area for state-backed interests linked to the military and even narcotics-traffickers
11	Huggins, C. (2012) 'Consolidating land, consolidating control: what future for smallholder farming in Rwanda's 'Green Revolution'?' Paper presented at the International Conference on Global Land Grabbing II, Cornell University	COR  P; OBS fieldwork; ↑	This paper looks at two land investments in Rwanda, one a 10,000 ha area for Jatropha production is private sector funded, the other, an enterprise producing pyrethrum, is funded through the USAID SPREAD programme. The USAID project partnered with a local institution and the multinational pharmaceutical corporation SC Johnston

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	Reference	Source and QA	Overview
12	Ikegami, K. (2015) 'Corridor development and foreign investment in agriculture: implications of the ProSAVANA Programme in northern Mozambique'. Paper at the Conference on Land Grabbing, Conflict and Agrarian-Environmental Transformations: Perspectives from East and Southeast Asia, Chiang Mai University	SSRN  P; OBS case study; ↑	Study of the genesis of the ProSAVANA Programme in Mozambique, involving triangular cooperation between Mozambique, Brazil and Japan
13	Masaba, M., Liversage, H. and Jonckheere, S. (2014) Agricultural Investment, Gender and Land: Lessons from an IFAD-supported project in Uganda'. Paper prepared for presentation at the Annual World Bank Conference On Land And Poverty, The World Bank, Washington DC, 24–27 March	WBC  P; OBS; →	Early results suggest that the project has been successful in improving land rights. This seems to have particularly enabled women to access land. The contribution of Oil Palm Uganda Ltd. to the local government revenue of Kalangala District is being invested in improving facilities (schools, clinics, etc.) and infrastructure (roads and electricity). The government has also benefitted from the taxes that are being paid by Bidco Uganda Ltd. on an annual basis. Ultimately, the project has had a significant positive impact on reducing poverty on the island
14	Masaba, M., Kabuleta, R., Basaalidde, N., Augustinus, C., Antonio, D., Mabikke, S., Mkumbwa, S. and Liversage, H. (2015) Impacts of large scale land-based investment, implementation challenges, and policy implications: lessons from the Uganda Oil Palm Project', Paper for the 2015 Land and Poverty Conference, Washington DC, The World Bank	WBC  P; OBS field data; →	This paper presents the Oil Palm Project in Uganda as a successful investment in large-scale agriculture where both smallholder farmers in the community, the government, and private investors are benefiting. The project area has resulted in meaningful employment for more 2500 workers and provided an alternative source of income for 1610 smallholder farmers who currently earn a steady, monthly income hence improving the livelihoods of these farmer's families. About 600 of these farmers are women who have secured land for oil palm production, hence improving their access to and control of land. The project has resulted in farmers increasing their earnings to about USD390 per ha per month from hardly any income

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	Reference	Source and QA	Overview
15	Millgroom, J. (2015) 'Policy processes of a land grab: at the interface of politics 'in the air' and politics 'on the ground' in Massingir, Mozambique', <i>Journal of Peasant Studies</i> , 42, 3-4, pp.585–606	BRISTOL  P; OBS with fieldwork; ↑	This articles looks at how policies that have been developed to protect rural dwellers from dispossession by land grabs have failed to do so. They are 'insufficient' because of failures to 'consider the influence of the micro-politics of the policy implementation phase'. The in-depth case study from southern Mozambique describes a 'collision between a green grab and a land grab' and how two policies were used, first to facilitate a land grab and then to rescind the land concession. The paper is included for analysis because of the present of donors and the World Bank in the background, and how this did little to influence politics 'in the air' and politics 'on the ground' as powerful groups shaped the space for policy enactment
16	Neef, A., Touch, S. and Chienthong, J. (2013) 'The politics and ethics of land concessions in rural Cambodia', <i>Journal of Agricultural and Environmental Ethics</i> , 26, pp.1085–1103	SSRN  P; EXP; ↑	Findings suggest that large-scale and non-transparent land leases in the form of ELCs are discursively justified as land policy measures supporting national development, creating employment opportunities in rural areas, and restoring 'degraded' and 'non-use' land, while SLCs are presented <b>by the government and its international donors</b> as a complementary policy to reduce landlessness, alleviate rural poverty, and ensure a more equitable land distribution. This paper concludes that, 'By perpetuating the myth of partnership, poverty reduction and participation through consensus-seeking discourses and non-controversial development narratives, international aid agencies involved in the land reform sector have unwillingly become accomplices of government elites that have proven increasingly unaccountable to the rural poor'
17	Pen, R., and Chea, P. (2015) 'Large-scale land grabbing in Cambodia: failure of international and national policies to secure the indigenous peoples' rights to access land and resources', Paper for the 2015 World Bank Land and Poverty Conference, Washington DC	WBC  P; OBS case studies; →	This paper looks at the large number of land concessions made to foreign companies by the Cambodian government, which has endorsed all the relevant international guidelines on investment, yet which appears not to have applied them in any meaningful way. The paper concludes that the World Bank and UN policies have essentially failed, manifested in the loss of rights, culture, community cohesion and traditional governance structures of indigenous peoples
18	Schlesinger, S. (2014) Brazilian cooperation and investment in Africa: the case of ProSAVANA in Mozambique. TEMTI Series of Economic Perspectives on Global Sustainability, EP 01-2014, TEMTI –CEESP/IUCN, Rio de Janeiro, – Federação de Órgãos para Assistência Social e Educacional	SSRN  S; OR; ↑	

	Reference	Source and QA	Overview
19	Tawa, M., Amameishi, S., Noguchi, T. and Tamura, S. (2015) 'Inclusive development with special consideration to small-scale farmers: addressing land rights issues in the Nacala Corridor, Northern Mozambique'. Paper for the 2015 Land and Poverty Conference, The World Bank, Washington DC	WBC P; OBS fieldwork; →	In developing countries, small-scale farmers play an important role in ensuring regional food security. However, in many cases, the productivity of smallholders is low and is vulnerable to threats such as climate variation. This is because small-scale farmers have difficulty in accessing new agricultural production techniques, funding for input materials, and agricultural markets. In the context of global concerns to eradicate poverty and hunger (MDGs), the global community is aware that it is important to solve these issues for small-scale farmers. The role of the private sector is important, as it can bring economic benefits to small-scale farmers by supporting agricultural development and contributing to ending poverty and hunger
20	Unruh, J. and Shalaby, M. (2012) 'A volatile interaction between peacebuilding priorities: road infrastructure (re)construction and land rights in Afghanistan', <i>Progress in Development Studies</i> , 12, 1, pp. 47–61	BRISTOL S; OR; ↑	This paper looks at land issues in the context of the peace building 'building blocks' which are largely isolated from each other in their planning, analysis, implementation and measures for success. Two of these – land rights and road infrastructure – are regarded separately, but are crucial to post-war recovery, and their 'interaction has not yet been examined'. The authors choose Afghanistan to study this, and find that the interaction between roads and land rights has created a large and acute problem of land seizures, which the government and international community in-country are unable to manage. This land grabbing is a direct result of pervasive corruption, ongoing conflict, a mistaken understanding of the benefits of road reconstruction, large-scale dislocation and widespread use of explosive devices. This pervasive problem sets back recovery, detracts from durable peace and fuels the insurgency

### Sources

Bristol	University of Bristol database	OS	Other sources (internet searches, authors' files)
COR	International Conference on Land Grabbing 2 (2012)	SSRN	Social Science Research Network
FAO	Food and Agricultural Organization website	USAID	United States Agency for international Development
Google	Google Scholar	WBC	World Bank Conference (2010–2015)
IDS	International Conference on Land Grabbing 1 (2011)	WBOKR	World Bank Open Knowledge Repository
JPS	The Journal of Peasant Studies		

**APPENDIX 5: OUTPUT LIST OF MATERIAL ON FDI IN GENERAL AND PRIVATE INVESTMENTS**

GREEN SHADING

Positive examples

ORANGE SHADING

Gender related items

Reference	Overview
Abbink, J. (2011) ‘Land to the foreigners’: economic, legal, and socio-cultural aspects of new land acquisition schemes in Ethiopia’, <i>Journal of Contemporary African Studies</i> , 29, 4, pp.513–535	The paper looks at Ethiopia’s policy to allocate large areas of land to foreign companies and governments for commercial farming, in areas seen as sparsely populated and under-used, and with weak/non-existent local land rights. It examines how ‘national development’ arguments justify this strategy, claiming that anticipated economic benefits will benefit the country as a whole. However, the LSLAs have created controversy over the treatment of local rights and their long-term ecological and food security impact. Culturally significant sites are also being leased, threatening local social systems and cultural identities. The paper explores how nationalist issues mingle with social, economic and cultural heritage issues, while critical discourse and protest is discouraged by government. It also proposes research into the legal and social issues
Action Aid. (2015) <i>Act On It: Four Key Steps to Prevent Land Grabs</i> , Johannesburg: Action Aid International Secretariat	To prevent further land grabbing and help realise the right to food for all, ActionAid urges governments and donors to adopt a human rights-based approach to development. This document sets out four steps for governments using a detailed checklist of policy reforms and actions, including concrete examples from countries where these were implemented
Alden Wily, L. (2011) ‘The law is to blame’: the vulnerable status of common property rights in sub-Saharan Africa’, <i>Development and Change</i> 42, 3, pp.733–757	Farmers in the case study area perceive their tenure situation as being insecure despite the fact that they possess a legal title to their land
Alden Wily, L. (2013) ‘Enclosures revisited: putting the global land rush in historical perspective’, in Allan, T., Kerletz, M., Sojani, S. and Potts, D. (eds.), <i>Handbook on Water Grabs in Africa</i> , London: Routledge	Review of various issues surrounding customary occupation and land use in Africa, with the key observation that in most countries there is in fact very little ‘free land’ if one analyses the way that landscapes and resources are used to support a range of subsistence/livelihoods strategies
Allan, T., Kerletz, M., Sojamo, S. and Warner, J. (eds.). (2013) <i>Handbook of Land and Water Grabs in Africa</i> , London. Routledge	A collection of ‘high QA’ articles on the land and water acquisitions that have taken place in Africa in the last decade, including discussions of technical questions as well as specific examples
Anseeuw, W., Alden Wily, L. Cotula, and M. Taylor. (2012) <i>Land Rights and the Rush for Land: Findings of the Global Commercial Pressures on Land Research Project</i> , International Land Coalition: Rome	This is a thorough overview of the process of LSLAs around the world, providing background reading for anyone interested in the phenomenon and an objective assessment of what is happening on the ground



Reference	Overview
<p>Ansoms, A. (2011) 'The 'bitter fruit' of a new agrarian model: large-scale land deals and local livelihoods in Rwanda'. Paper presented at the International Conference on Global Land Grabbing, Sussex, UK</p>	<p>In a context of globalisation and liberalisation, Africa is increasingly confronted with the commercialisation of its space. Various so-called large-scale actors - international private investors, 'investor' states and local entrepreneurs – search for large quantities of land for production of food crops or biofuels. This paper presents two Rwandan case studies and analyses the impact of large-scale foreign and local elite-led land acquisitions upon local livelihoods. On this basis, the paper identifies broader agrarian and social changes taking place in Rwanda and Africa. In its conclusion, it gives some clues as to how the table can be turned to make sure that local livelihoods are protected in the future shape of agriculture</p>
<p>Arezki, R., Deininger, K and Selod, H. (2011) 'What drives the global land rush?' World Bank Policy Research Working Paper, Washington, DC, World Bank</p>	<p>This paper explores determinants of foreign land acquisition for large-scale agriculture. It quantifies demand for land deals, showing how in Africa land expansion is about 20 times the level it was in the past. The analysis uses data on bilateral investment relationships, and newly constructed indicators of agro-ecological suitability in non-protected and forested areas with low population density as well as land rights security. The results confirm the central role of agro-ecological potential as a pull factor. Key findings for this REA are that the <i>quality of the business climate is insignificant, whereas weak land governance and tenure security for current users make countries more attractive for investors</i></p>
<p>Baleira, S and Tanner, C. (2004) <i>Study of Land Conflicts</i>, FAO Project GCP/MOZ/069/NET, Maputo: Centre for Legal and Judicial Training of the Ministry of Justice</p>	<p>This study of 165 land and natural resources conflicts in Mozambique was carried out as part of an FAO-supported training programme for judges and public prosecutors in the new land and natural resources legislation. The research was linked to an impact assessment of the training and found widespread abuse and/or manipulation of the progressive elements of the 1997 Land Law, in particular the mandatory community consultation. In many instances investors asserted that they were 'merely following government guidance' regarding the level of compensation and treatment of local rights that could be over-ridden because 'land belongs to the State' (and thus the state can determine how it is used). The study revealed the need for legal empowerment at the local level and to train local government officers in how to use the legal instruments correctly</p>
<p>Behrman, J., Meinzen-Dick, R. and Quisumbing, A.R. (2011) <i>The Gender Implications of Large-Scale Land Deals</i>, International Food Policy Research Institute (IFPRI) Policy Brief 17, Washington, DC: IFPRI</p>	<p>This paper strives to introduce a discussion of gender dimensions into the growing debate on large-scale land deals. It addresses the current information gap on the differential gender effects of large-scale land deals through (1) an overview of the phases of large-scale land deals and discussion of related effects on rural men and women based on new literature on large-scale land deals and past literature on the gender effects of commercialisation and contract farming; (2) a presentation of further evidence using several recent case studies on the gender effects of large-scale deals; (3) an identification of knowledge gaps and areas where further research is needed; and (4) a recap of promising initiatives, followed by recommendations and conclusions</p>

Public overseas investments: ensuring respect for and protecting legitimate land tenure rights

Reference	Overview
<p>Benjaminsen, T., Bryceson, I., Maganga, F. and Refseth, T. (2011) 'Conservation and land grabbing in Tanzania'. Paper presented at the International Conference on Global Land Grabbing, Sussex, UK</p>	
<p>Bernasconi, N., Dixie, G., Mirza, H., Smaller, C. and Speller, W. (2015) Investment contracts for agriculture: how to maximise the gains and minimise the risks of private sector participation in developing country agriculture'. Paper for the 2015 Land and Poverty Conference, World Bank, Washington DC</p>	<p>This paper analyses the role of contracts between host countries and investors in helping to ensure sustainable, positive outcomes from investments in agriculture. The paper marries two bodies of research to show how investment contracts can be set up in the local interest. It uses empirical examples (the top five positive and top five negative outcomes from agricultural investments) from UNCTAD and World Bank research on what works, and what does not, for local communities, host countries and investors. These translate into guidance on how to deal with issues through the contracting process. The proposed contractual provisions derive from work conducted by the International Institute for Sustainable Development, which is working with countries to find legal solutions to creating net positive outcomes from agricultural investments</p>
<p>Bues, A. (2011) 'Agricultural foreign direct investment and water rights: an institutional analysis from Ethiopia'. Paper presented at the International Conference on Global Land Grabbing Sussex, UK</p>	<p>This paper aims to analyse the impacts of agricultural foreign direct investment on the local institutional setting of water management in a country in which most of the population depends on agriculture. It presents the case of a small-scale irrigation scheme in Ethiopia where floricultural and horticultural farms have started to use the same canal water as local farmers. The study found that the institutional arrangement changed towards a setting that favoured distribution to the investment farms and led to a shift in blue and green water rights towards the foreign actor. This institutional change is explained by the diverging bargaining power resources of the actors</p>
<p>Bomuhangi, A., Doss, C. and Meinzen-Dick, R. (2011) 'Who owns the land? Perspectives from rural Ugandans and implications for land acquisitions'. International Food Policy Research Institute Discussion Paper 01136, Washington, DC: IFPRI</p>	<p>Based on a study of land tenure in Uganda, this paper analyses how different ways of defining landownership – based on household reports, existence of ownership documents, and rights over the land – provide very different indications of the gendered patterns of landownership and rights. Although many households report that husbands and wives jointly own the land, women are less likely to be listed on ownership documents, especially titles, and women have fewer land rights. A simplistic focus on title to land misses much of the reality regarding land tenure and could especially have an adverse impact on women's land rights</p>
<p>Broomes, V. (2009) 'Triple wins from foreign direct investment - potential for commonwealth countries to maximize economic and community benefits from inward investment negotiations (case studies from Belize and Botswana)', Commonwealth Policy Studies Unit. Available at SSRN <a href="http://ssrn.com/abstract=1682522">http://ssrn.com/abstract=1682522</a></p>	<p>Belize and Botswana were selected as pilot countries in this study to explore how governments across the Commonwealth could leverage the corporate social responsibility or inclusive business practices of transnationals in investment negotiations. The author argues for a 'paradigm shift' from PPPs to public-private community partnerships</p>

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Reference	Overview
Buckley, L. (2011) 'Eating bitter to taste sweet: an ethnographic sketch of a Chinese agriculture project in Senegal'. Paper presented at the International Conference on Global Land Grabbing, Susses, UK	This is a case study of Chinese agriculture interventions in Senegal. The focus is on a single government-run agriculture demonstration centre outside Dakar to provide insight into the daily realities of Chinese and African interactions on African land. The article underlines how agreements reached between states often impose unworkable restrictions and constraints on both foreign and national technicians on the ground, and documents an adaptive response which brings in a local NGO to bridge the gap between the Chinese technical staff and village farmers
Bues, A. (2011) 'agricultural foreign direct investment and water rights: an institutional analysis from Ethiopia'. Paper presented at the International Conference on Global Land Grabbing, Sussex, UK	This paper aims to analyse the impacts of agricultural foreign direct investment on the local institutional setting of water management in a country in which most of the population depends on agriculture. It presents the case of a small-scale irrigation scheme in Ethiopia where floricultural and horticultural farms have started to use the same canal water as local farmers. The study found that the institutional arrangement changed towards a setting that favoured distribution to the investment farms and led to a shift in blue and green water rights towards the foreign actor. This institutional change is explained by the diverging bargaining power resources of the actors
Bujko, M., Fischer, C., Krieger, T. and Meierrieks, D. (2014) 'How institutions shape land deals: the role of corruption' CESifo Working paper Series No. 5178. Available at SSRN <a href="http://ssrn.com/abstract=2559718">http://ssrn.com/abstract=2559718</a>	Large-scale land acquisitions, or 'land grabs', concentrate in developing countries which are also known for their corruption-friendly setting caused by a weak institutional framework. We argue that corrupt elites exploit this given institutional set up to strike deals with international investors at the expense of the local population. Using panel data for 157 countries from 2000–2011, we provide evidence that these land deals indeed occur more often in countries with higher levels of corruption
Chinsinga, B., Chasukwa, M. and Zuka, S. (2013) The political economy of land grabs In Malawi: investigating the contribution of Limphasa Sugar Corporation to rural development', <i>Journal of Agricultural and Environmental Ethics</i> , 26, pp1065–1084	Families whose land has been appropriated for the establishment of the factory have either not been adequately compensated or not compensated at all. Communities are losing out in the deals because of their inability to bargain because of a lack of knowledge and the shrewdness of the elites in exploiting the legislative impasse for their own selfish benefits
Chu, J. (2011) 'Gender and 'land grabbing' in sub-Saharan Africa: women's land rights and customary land tenure', <i>Development</i> , 54, 1, pp.35–39	Review of how the World Bank's and other international approaches to the Principles for Responsible Agricultural Investment, etc. fail to take into account the realities of customary structures and gender issues at local level when advocating for more inclusive approaches
Cotula, L., Vermeulen, S., Leonard, R. and Keeley, J. (2009) <i>Land Grab or Development Opportunity? Agricultural Investment And International Land Deals In Africa</i> , London and Rome: IIED/FAO/IFAD	

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Reference	Overview
De Schutter, O. (2011) 'The green rush: the global race for farmland and the rights of land users', <i>Harvard International Law Journal</i> 52, 2, Summer pp.504–599	
Deininger, K. (2015) 'Methodological lessons for large farm data collection'. Pre-conference presentation, Land and Poverty Conference, Washington DC, The World Bank	Overview of the range of issues covered by the Conference but also pointing out that in fact there is still very little quality analysis and data available in real terms
Deininger, K. and Byerlee, D. (2011) <i>Rising Global Interest in Farmland – Can It Yield Sustainable and Equitable Benefits?</i> Washington DC: The World Bank	Among a range of findings this review assesses evidence from around the world to come up with the conclusion that the vast majority of land subject to LSLAs is not used, estimating that just 21% of leased land is fully cultivated
Deininger, K. and Byerlee, D. (2012) 'The rise of large farms in land abundant countries: do they have a future?', <i>World Development</i> , 40, 4, pp.701–714	
D'odorico, P., Rulli, M., Casirati, S., Davis, K. and Dell'angelo, J. (2015) 'Land use change induced by large scale land acquisitions'. Paper prepared for presentation at the 2015 World Bank Conference on Land and Poverty, The World Bank, Washington, DC, 23–27 March 2015	Results show that large-scale land acquisitions for oil palm cultivation are a driver of deforestation in Indonesia so raising social and environmental concerns
Exner, A., Bartels, L., Windhaber, M., Fritz, S., See, L., Politti, E. and Hochleithner, S. (2015) 'Constructing landscapes of value: capitalist investment for the acquisition of marginal or unused land – the case of Tanzania', <i>Land Use Policy</i> , 42, pp.652–663	The current global wave of land acquisition – variously debated as land grabbing or investment in land – is promoted by the World Bank and the FAO as creating win-win situations for local populations and investors alike. Common policy recommendations suggest expanding the production of export crops, by making use of marginal or unused land. Considerable potential for such an expansion is assumed. Taking Tanzania as a case study, the evidence for such types of land is assessed by using a broad range of statistics
Food and Agriculture Organization of the United Nations (FAO). (2013a) <i>The Gender and Equity Implications of Land-Related Investments on Land Access and Labour and Income-Generating Opportunities. A Case Study of Selected Agricultural Investments in LAO PDR</i> . Rome: FAO	<a href="http://www.fao.org/docrep/017/aq293e/aq293e.pdf#sthash.PrllJr65.dpuf">http://www.fao.org/docrep/017/aq293e/aq293e.pdf#sthash.PrllJr65.dpuf</a> .

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Reference	Overview
Food and Agriculture Organization of the United Nations (FAO). (2013b) <i>Gender and Equity Implications of Land Related Investments on Land Access and Labour and Income-Generating Opportunities. A case study of selected Agricultural Business Investments in Zambia</i> . Rome: FAO	<a href="http://www.fao.org/docrep/018/aq536e/aq536e.pdf">http://www.fao.org/docrep/018/aq536e/aq536e.pdf</a>
Food and Agriculture Organization of the United Nations (FAO). (2012) <i>Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security</i> . Rome, FAO	The VGGT were approved by the Council on Food Security at its 38th (special) session in Rome on 11 May 2012, after a comprehensive consultation process at global and regional levels, with a range of different stakeholders, governments, the private sector (land administration and investors) and civil society groups. Since it was approved FAO and its partners have been progressively disseminating the VGGT among member states of the organisation and all interested stakeholders, promoting its use as a framework against which to assess how best to both develop and implement policy and land programmes, and develop and implement investment projects which require large areas of land
Food and Agriculture Organization of the United Nations (FAO). (2015) <i>Gender Opportunities and Constraints in Inclusive Agribusiness Models. The Case Study of Unifrutti in Mindanao, Philippines</i> . Rome: FAO	<a href="http://www.fao.org/3/a-i4444e.pdf">http://www.fao.org/3/a-i4444e.pdf</a>
Fairburn, M. (2013) 'Indirect dispossession: domestic power imbalances and foreign access to land in Mozambique', <i>Development and Change</i> , 44, 2, pp.335–356	Analysis of the role of domestic institutions and elites in effectively subverting 'one of the most progressive land laws in Africa' to orchestrate and benefit from investor interest in large-scale land investments in Mozambique. These institutions and elites are close or even part of the state, which by implication is also involved in circumventing the progressive provisions of its own Land Law. Activity by other national institutions however, notably a dynamic and pro-poor civil society as well as key political actors questioning current trends, may effect change from below
Feintrenie, L., Akoa, S., Dessard, H., Iyabano, A., Karpe, P., Levang, P., Miaro, L. and Ndoutoume, E. (2014) Are Agribusiness Companies Responsible For Land Grabbing In Central Africa? Paper for the 2014 Land and Poverty Conference, The World Bank, Washington DC	One positive case in a study of four countries – Cameroon, Gabon, the Republic of the Congo and the DRC. Only case not questionable in terms of land grabbing is the Herakles Farms plantation project in Cameroon. This demonstrates how agribusiness companies with genuine social corporate responsibility policies working with responsive governments can produce a more positive outcome from FDI in agriculture

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Reference	Overview
Fenner, S., Caron, C. and Monchuk, D. (2014) 'The implications of uncertain land tenure on investment success: incorporating local land tenure into investment decisions'. Paper for the 2014 Land and Poverty Conference, The World Bank, Washington, DC	Investors generally fail to adequately consider the role of local tenure and the land rights of local people. As a result, they end up exposed to greater risk as conflict and other forms of resistance can hold up and even completely undermine their investment entirely
Fortin, C. (2011) 'The biofuel boom and Indonesia's oil palm industry: the twin processes of peasant dispossession and adverse incorporation in West Kalimantan'. Paper for the International Conference on Global Land Grabbing, Sussex, UK	This paper presents results from field study of oil palm expansion in Indonesia, in the upland district of Sanggau, West Kalimantan. It documents 'highly uneven access to land and distinct labour regimes determined by ongoing class differentiation...enflaming outstanding and unresolved conflicts over land and labour which date back to earlier development schemes, and resistance is on the rise as the state, allied with domestic and transnational private interests, rely on deception, coercion, and violence to quell opposition and to allow for continued expansion at an unbridled pace.' The paper analyses all this in a political economy framework and identifies the mechanisms and processes of agrarian transformation as they relate to the changing social relations of production where land and labour are reconfigured to serve the interests of capital
Ismar, J. (2013) 'How to govern the global land rush?', in Allan, T., Keulertz, M., Sojamo, S. and Warner, J. (eds.) <i>Handbook of Land and Water Grabs in Africa: Foreign Direct Investment and Land and Water Security</i> , Abingdon and New York: Routledge, pp.286–298	This paper looks at the 'blue dimension' of land grabs – water resources – and analyses it together with land acquisitions from a political economy perspective. The paper concludes that 'the debate should not be concerned with the ultimate shape and legal status of international agreements, but rather about recognising the delicate land and water management systems in place, scrutinising international interference, and acknowledging the adaptive and management capacities of the people concerned.' She takes a highly critical line on new 'codes' like the VGGT arguing that they are shielding 'deep-seated changes concerning the loci of power over water and agricultural production, and the relationships between international markets, states and people'
Gerlach, A-C. and Liu, P. (2010). 'Resource-seeking foreign direct investment in African agriculture. A review of country case studies'. FAO Commodity and Trade Research Working Paper., Rome: FAO	This paper reviews the main findings of eight case studies in selected African countries. It shows a mixed picture, as the impacts vary significantly across countries and also across locations within a given country
German, L., Schoneveld, G. and Mwangi, E. (2013) 'Contemporary processes of large-scale land acquisition in sub-Saharan Africa: legal deficiency or elite capture of the rule of law? <i>World Development</i> , 48, pp.1–18	This paper reviews a range of case studies and finds that there is wide variability in the legal and institutional foundations for the protection of customary rights and processes of consultation of customary land users. The vast majority of cases outcomes are similar: customary rights to vast areas of land are lost – often permanently, with limited or no compensation

Reference	Overview
<p>Gildseth, I. (2013) <i>Land Tenure Practices and Land Acquisitions in Oil Region: The Case of Hoima, Western Uganda</i>. Master thesis, Uppsala: Norges teknisk-naturvitenskapelige universitet, Fakultet for samfunnsvitenskap og teknologiledelse, Geografisk institutt</p>	<p>Master's thesis looking at how a road and oil refinery investment funded by the Government of Ghana has impacted on the tenure security and livelihoods of communities along the road corridor and displaced by the refinery project. The research takes place in Hoima, Albertine Graben region, an area of newly discovered oil resources. Local tenure systems were overlooked and the road has created demand for land in areas where local rights are vulnerable; <i>compensation</i> paid has been insufficient to facilitate new livelihoods strategies and tenure insecurity has led to a fall in local agricultural investment and production</p>
<p>Giovanetti, G. and Ticci, E. (2013) <i>Foreign Direct Investment in Sub-Saharan Africa: Drivers and the Challenge of the Land-Energy Nexus</i>. Working Paper Series - Economics, WP No 09/2013, Florence: DISEI – Università degli Studi di Firenze</p>	
<p>Giovanetti, G. and Ticci, E. (2013) <i>Biofuel Development And Large-Scale Land Deals In Sub-Saharan Africa</i>. Working Paper Series - Economics, WP No 27/2013, Florence: DISEI – Università degli Studi di Firenze</p>	<p>Econometrics analysis of the determinants of foreign investors' land demand for biofuel production in SSA. The study finds that 'foreign investors acquiring large tracts of farmland for biofuel project tend to select countries with better institutional environments, higher endowments of land and water resources. <i>However, they prefer countries with weaker protection of land rights and a stronger role of public property of rural land, namely land institutional settings which might facilitate acquisition of land and water resources at favourable conditions</i>'</p>
<p>Gobena, M. (2010) 'Effects of large-scale land acquisition in rural Ethiopia: The case of Bako-Tibe Woreda'. Master thesis, Uppsala: Swedish University of Agricultural Sciences. Available at <a href="http://stud.epsilon.slu.se/3542/1/gobena_m_111108.pdf">http://stud.epsilon.slu.se/3542/1/gobena_m_111108.pdf</a></p>	<p>Master's thesis presenting results of a field study into the process and impacts of LSLAs in Ethiopia, with field data on socio-economic conditions and livelihoods of small-scale farmers in Bako-Tibe Woreda, Western Ethiopia. To this effect, issues of livelihood, food security, sustainable natural resources management and participation were used as guiding concepts. Qualitative and quantitative methods were used to collect data, with interviews with 145 farm households in the two kebeles of Bako-Tibe Woreda</p>
<p>Grajales, J. (2015) 'Land grabbing, legal contention and institutional change in Colombia', <i>The Journal of Peasant Studies</i>, 42, 3-4, pp.541–560</p>	<p>This study argues that legal arenas have served to address land conflict in a context of egregious violence. With their own dynamics and rules, they have not completely disrupted the logics of violent dispossession, yet they have defined land not only as an object of business transactions but also as an issue of human rights and collective identities. The author underlines how recourse to law by groups defending local rights has 'been a key step in the process of defining land not only as an object of business transactions but also as an issue of human rights and collective identities', resulting in the positive development of a new restitution Land and Victims Law</p>

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Reference	Overview
Guillozet, K. and Bliss, J. (2011). 'Household livelihoods and increasing foreign investment pressure in Ethiopia's natural forests', Paper presented at the International Conference on Global Land Grabbing, Sussex, UK	Foreign investment in Ethiopia's forestry sector is currently limited, but agricultural investments that affect forests, largely through forest clearing, are commonplace. The authors describe the nature of forest investments and outline the challenges and opportunities associated with implementing them. Given the key role that forests play in rural livelihoods, new tenure arrangements will have significant implications for communities located at the forest-farm interface. Evidence from a case study in the Arsi Forest area of Oromia Regional State is used to examine historic and contemporary forest benefit distributions and investigate the potential for conflict over competing forest access claims associated with new investments
Gunawansa, A. (2005) 'Foreign Investment for Infrastructure Development. Changing nature of risks and challenges for developing countries'. PhD thesis Singapore, National University, Law Faculty	Doctoral thesis, study of different modalities of financing for large infrastructure projects in developing countries with a focus on the period since the 2008 financial crisis; with case studies on how subsequent projects have impacted on local communities (land rights, livelihoods, cultures, etc.). The paper argues that since the 2008 crisis, most developing countries are looking to the private sector 'to develop new infrastructure projects, and in many parts of the world, government funded and operated infrastructure is increasingly being replaced by privately financed schemes.' This has implications for the pressure to comply with international standards, as demonstrated by the case studies used
Häberli, C. and Smith, F. (2014) 'Food security and agri-foreign direct investment in weak states: finding the governance gap to avoid 'land grab'', <i>The Modern Law Review</i> , 77, 2, pp.189–222	This article maps the multilevel system of governance covering agri-FDI. The paper argues that this system creates asymmetric rights in favour of the investor to the detriment of the host state's food security and how these problems might be alleviated. Solutions proposed include ensuring that FDI does not undermine the food security of both host country citizens affected by the investment and the wider food security of the host state. The authors argue that international law in fact creates a 'governance gap' whereby investors are only 'invited' to be responsible and to take food security of the host into account
Hall, D. (2012) 'Where is Japan in the global land grab debate?' Paper presented at the International Conference on Global Land Grabbing II, Cornell University	The paper starts with the premise that as a land-short, high density population country, Japan might be predisposed to be a 'land grabbing' power. It is the fourth largest importer of food in the world, and yet has the wealth to pursue a strategy of LSLA-based food security. This does not appear to be the case, as the country has avoided land acquisitions and has sought to resolve food supply issue through 'international agricultural investment' and trade with food surplus countries and regions like the USA, EU and Argentina. The paper asks, however, if in fact Japan is involved in land-based investments, but goes largely unnoticed given its traditionally low profile in the ODA context and as a focus of research
Hall, R. (2011) 'Land grabbing in Southern Africa: the many faces of the investor rush', <i>Review of African Political Economy</i> , 38. 128, pp.193–214	This paper summarises initial evidence of the characteristics of recent acquisitions of public lands and land held under customary tenure in Southern Africa, and their distribution across the region



Reference	Overview
Hall, R., Edelman, M., Borras, S., Scoones, I., White, B., and Wolford, W. (2015) 'Resistance, acquiescence or incorporation? An introduction to land grabbing and political reactions 'from below''. <i>The Journal of Peasant Studies</i> , 42, 3-4, pp.467-488	This essay introduces a collection of ground breaking studies (published in the JPS May 2015) that discuss responses that range from various types of organised and everyday resistance to demands for incorporation or for better terms of incorporation into land deals. Initiatives 'from below' in response to land deals have involved local and transnational alliances and the use of legal and extra-legal methods, and have brought victories and defeats
Hall, R. (2011) 'Land grabbing in Southern Africa: the many faces of the investor', <i>Review of African Political Economy</i> , 38, 128, 193-214	Hall observes that the term 'land grabbing' 'obscures vast differences in the legality, structure and outcomes of commercial land deals and deflects attention from the roles of domestic elites and governments as partners, intermediaries and beneficiaries'. Her paper summarises initial evidence from recent acquisitions of public lands and land held under customary tenure in Southern Africa, and their distribution across the region. It draws attention to their diverse manifestations – to questions of size, duration and source of the investments; the commodities and business models through which they are implemented; the tenure arrangements and resources accessed; the terms of leases and compensation; the degree of displacement; labour regimes and employment creation; and changes in settlement and infrastructure. The article proposes a schematic analytical framework for distinguishing between different types of land deals and considers the implications for unfolding and future trajectories of agrarian change
Hoops, B. (2015) 'change of purpose in expropriation law: a comparative perspective'. Paper for the 2015 Land and Poverty Conference, The World Bank, Washington DC	In this comparative study, Canadian, German, Dutch, French, Malaysian, Philippine and US law are examined with respect to expropriation of rights and the question of whether or not these rights should or can be returned (restitution) to their original holders. The paper asks two questions in this context: 1) Can the project developer use the property for another purpose? and, 2) if so, what requirement does the new purpose have to meet?
Landesa Centre for Women's Rights. (2013) <i>GENDER and LAND. Good Practices and Lessons Learned from Four Millennium Challenge Corporation Compact-Funded Land Projects</i> , Washington, DC: Millennium Challenge Corporation	The past ten years has seen a growing consensus and greater emphasis on gender equality; and within this, women's land rights, as both an end in itself and as a means to economic growth and other development objectives. There is still much to learn about how to better consider gender in land projects, especially in the face of large-scale land-based investments, the trend towards recognising/documenting community land rights, land scarcity and degradation, climate change, and other land pressures. There are still too few practical examples of large land projects seeking gender equality and even fewer cases documented and lessons shared with other land sector practitioners

Reference	Overview
<p>Lee, J. (2014). 'Contemporary land grabbing, research, and bibliography'. Article based on the presentation 'Land grabbing: accessing information to protect property rights of indigenous people', American Association of Law Libraries 107<sup>th</sup> Annual Meeting and Conference, San Antonio, Texas, 16 July 2013</p>	<p>Researching contemporary land grabbing issues is complicated and more difficult than traditional land grabbing research, which covered the colonial period to the early 21<sup>st</sup> century. This article first investigates issues relating to contemporary land grabbing, land alienation and their definitions, and identifies the difficulties of research</p> <p>Next, it delineates various mechanisms and international principles which can be useful for the protection of the rights of indigenous and local peoples from the attack of state and non-state actors. Finally, it selectively reviews treatises, articles and reports with annotations that the author believes will provide good starting points for contemporary land grabbing research</p>
<p>Lavers, T. (2012) 'Land grab' as development strategy? The political economy of agricultural investment in Ethiopia', <i>The Journal of Peasant Studies</i>, 39, 1, pp.105–132</p>	<p>This paper examines the domestic political economy of 'land grabbing' in Ethiopia, assessing the motivations of the Ethiopian government, which has strongly promoted foreign agricultural investment. It draws on a unique set of federal and regional databases detailing foreign and domestic investments to analyse the likely role investment will play in the Ethiopian economy and the areas which have been targeted for investment. The analysis identifies increased foreign exchange earnings as the main likely contribution of investment, but in doing so highlights concerns for food security in Ethiopia, as the goal of national self-sufficiency has given way to a risky trade-based food security strategy. The paper also argues that the federal government's attempts to directly invest in the sparsely populated lowlands have important implications for the ethnic self-determination that is a key tenet of Ethiopia's federal system</p>
<p>Liu, P. (2014) <i>Impacts of Foreign Agricultural Investment on Developing Countries: Evidence from Case Studies</i>. Commodity and Trade Policy Research Working Paper 47, Rome: Food and Agriculture Organisation of the United Nations</p>	<p>This paper summarises the results of FAO's case studies on the impacts of foreign agricultural investment on host communities and countries. The studies suggest that the disadvantages of large-scale land acquisitions often outweigh the few benefits to the local community</p>
<p>Liu, P., Koroma, S., Arias, P. and Hallam, D. (2013). <i>Trends and Impacts of Foreign Investment in Developing Country Agriculture: Evidence from Case Studies</i>. Rome: Food and Agriculture Organisation of the United Nations</p>	<p>There has been much debate about the potential benefits and risks of international investment, but no systematic evidence on the actual impacts on the host country and their determinants. In order to acquire an in-depth understanding of potential benefits, constraints and costs of foreign investment in agriculture and of the business models that are more conducive to development, FAO has undertaken research to provide better knowledge on the trends and impacts of foreign direct investment on host communities and countries, to gather evidence on inclusive business models, to identify good practices and to develop guidance for host governments. This publication summarises the results of this research, with case studies in nine developing regions in selected countries in Africa, Asia and Latin America</p>

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Reference	Overview
Locher, M. (2011) 'How come that others are selling our land?' – customary land rights, rural livelihoods and foreign land acquisition in the case of a UK-based forestry company in Tanzania'. Paper presented at the International Conference on Global Land Grabbing, Sussex, UK	This study analyses the case of a UK-based forestry company that has leased several plots of land in different villages in the Kilolo district. Interviews with various stakeholders in one of the cases reveal that even though the legal procedure has been followed in a formally correct way from the side of the investor, weaknesses at local government level have led to conflict, with a number of affected villagers losing their land rights - the base for their livelihoods - against their will
Makochekanwa, A. (2012) 'Foreign land acquisitions in Africa – an analysis of the impacts of individual land deals on local communities'. Presented at The World Bank Conference On Land and Poverty 23–26 April 2012, Washington DC	Most, if not all land deals were mostly arranged between government (whether local governments or national governments) and the foreign company, without serious involvement of local communities. Thus most of the land deals have not delivered meaningful benefits to the affected communities. Overall, the case studies show that most of these land deals have had negative impacts for local communities, resulting in <i>de facto</i> forced relocation in many cases
Martin, A. and Ayalew, M. (2011) 'acquiring land abroad for agricultural purposes: 'land grab' or agri-fdi? Surrey Law Working Paper 08/2011. Guildford: Surrey International Law Centre and Environmental Regulatory Research Group	Following the 2008 world food crisis, many international investors have engaged in a race for land acquisition and food production. This new form of foreign direct investment (FDI) is increasingly criticised in the public sphere, which commonly refers to it as a 'land grab.' In the absence of primary sources relating to the subject matter, however, this paper provides an overview of what the authors describe as an 'agri-FDI' trend, based on the cross analysis of secondary sources. It first draws a geographical map of the trend as a means of emphasising who invests and where. Second, it considers the origins of the trend, including the 2008 food crises and the impact of increased demand for biofuel. The document is the basis for a forthcoming paper which will formulate hypotheses and questions as to whether these investments differ from traditional FDI
McAuslan, P. (2013) <i>Land Law Reform in Eastern Africa, Traditional or Transformational?: A Critical Review of 50 Years of Land Law Reform in Eastern Africa, 1961-2011</i> , London, Routledge, Development and Globalisation series	A thorough and detailed review of the wave of land law reform that has taken place in several East African countries since the 1960s
Mirza, H., Speller, W., Dixie, G. and Goodman, Z. (2014) 'The practice of responsible investment principles in larger scale agricultural investments: implications for corporate performance and impact on local communities'. Perspective. paper for the 2014 Land and Poverty Conference, Washington DC, The World Bank	Disputes over access to land, especially between investors and those with informal rights to land based on use. Lack of transparency, especially on conditions and process for land acquisition. Some positive impact via social development programmes (e.g. schools, medical centres). Improved food security through rising rural incomes due to direct and indirect employment
Mugera, H. (2015). 'Land tenure contracts: the role of risk and asymmetric information'. Paper for the 2015 Land and Poverty Conference, Washington DC, The World Bank	

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Mutopo, P. and Chiweshe, M. (2012) 'Large scale land deals, global capital and the politics of livelihoods: experiences of women small- holder farmers in Chisumbanje, Zimbabwe'. Paper presented at the International Conference on Global Land Grabbing II, Cornell University	The paper investigates how large-scale commercial land deals have affected the livelihoods of women small-holder farmers, the role of global capital in entrenching discrimination of women and how the politics of resource use and distribution has become a central force in shaping livelihoods in Zimbabwe's communal areas. The paper is based on field work conducted in Ndowoyo communal area, in Chisumbanje village in mid-2012, using in-depth interviews, interviews with officials from Platform for Youth Development (a NGO), Macdom Pvt Ltd and Ratings Investments, focus group discussions and personal observations/interactions
Narula, S. (2012) 'The global land rush: markets, rights, and the politics of food'. Paper presented at the International Conference on Global Land Grabbing, Cornell University	This paper looks into the question of whether local people can block LLA deals if they do not want them, within the specific context of the Tanzanian Land Conservation Trust. The central question guiding the inquiry is whether these land deals constitute conservation and development icons, and to what extent the affected local communities have been involved in the framing of the deals
Kabiri, N. (2011). 'Wildlife conservation and land acquisitions: a case study of the Tanzania Land Conservation Trust'. Paper presented at the International Conference on Global Land Grabbing, IDS/Sussex University	Large acquisitions are being justified in terms of a convergence of three factors – idle land, resource-hungry investors and the imperatives of conservation and economic development in Africa. Africa is modelled as endowed with a potential that, however, is currently idle. African governments justify their accommodation of these investors by the need to effectively utilise resources for national development. The paper explores the impact of this in a conservation area in Tanzania. Thus the 'green grabs' declare a win-win verdict for people and nature, even though local communities remain apprehensive of the land acquisition projects
New Alliance. (2012) Cooperation Framework to Support the New Alliance for Food Security and Nutrition in Mozambique	A Government of Mozambique (GoM) presentation stressing commitment to food security and development, inclusive economic growth and the 'dignity of all women and men'; welcomes the New Alliance for Food Security and Nutrition (NAFSN) as a follow-on from the Comprehensive Africa Agriculture Development Programme. The presentation presents a strategy to <i>expand public and private investment in</i> agriculture and build on progress of African governments in advancing a vision for agricultural development. Mozambique is committed to improved food security and nutrition by focusing on agricultural growth corridors with existing infrastructure and agricultural potential. Within the NAFSN the GoM will 'promote private investment in agricultural development, scale innovation, achieve sustainable food security outcomes, reduce poverty and end hunger'
Nolte, K. (2012) 'Large-Scale Agricultural Investments under Poor Land governance systems: actors and institutions in the case of Zambia'. Paper for the 2012 Land and Poverty Conference, Washington DC, The World Bank	The Zambian land governance system has serious shortcomings. It has attracted investors who are not keen on complying with the local regulations. There is a problem of enforcement. Even though formal rules order consultation with the local communities using the land, we have found alarming evidence of case where this is not the case

Reference	Overview
<p>Nolte, K. and Voget-Kleschin, L. (2014) 'Consultation in large-scale land acquisitions: an evaluation of three cases in Mali', <i>World Development</i>, 64, pp.654–668</p>	<p>The paper develops a framework for consultation in the case of land acquisitions and analyses proposals for consultation contained in voluntary guidelines and private governance instruments as well as <i>de jure</i> and – by way of three case studies – <i>de facto</i> consultative processes in Mali. It acknowledges that consultations take place in complicated settings of power relations that determine the aims of the consultation. In countries with serious background injustice, regulatory changes that alleviate these inequities are necessary before implementing land acquisitions</p>
<p>Rahmato, D. (2014) 'Large-scale land Investments revisited', in Rahmato, D., Ayenew, M., Kefale, A., and Habermann, B. (eds.) <i>Reflections on Development in Ethiopia: New Trends, Sustainability and Challenges</i>. Addis Ababa:Forum for Social Studies and Vienna, Friedrich Ebert Stiftung</p>	<p>Review of the history and recent developments surrounding the much documented 'land grabbing' in Ethiopia, involving hundreds of thousands of hectares of land and the displacement of tens of thousands rural households. The author concludes that in fact the LSLA-led strategy of the government has failed, with many investors leaving and abandoning their land due to lack of real capacity and knowledge regarding the agro-ecology of the areas allocated</p>
<p>Riddel, P. (2013) 'Land grabs' and alternative modalities for agricultural investments in emerging markets', in Allan, T., Keulertz, M., Sojamo, S. and Warner, J. (eds.) <i>Handbook of Land and Water Grabs in Africa: Foreign Direct Investment and Land and Water Security</i>, Abingdon and New York: Routledge, pp.160–177</p>	<p>This is a well-argued case for an approach to investment that includes LSLAs as a matter of necessity to meet growing global demand from 'non-producers' who will become the planetary majority in the near future, but also for seeking out new modalities that include local rights holders in ways that are respectful of their rights and which bring real gains to local populations through income diversification and new economic opportunity</p>
<p>Schanzenbaecher, B. and Allen, J. (2015) 'Responsible investments in agriculture, in practice: results and conclusions from a case study review'. Paper presented at the 2015 World Bank Conference on Land and Poverty, Washington DC</p>	<p>This paper presents a series of cases studies commissioned by the German Development Agency, on the practical implementation of responsible investment principles – particularly around land tenure – by private investment companies. The study team contacted over 35 asset managers with exposure to land who are known as 'leaders' in responsible investment; eight investment funds responded to questions about which responsible investment principles they adhere to, what due diligence they undertake, how they approach land tenure and how impacts are monitored. The results showed that all investors are concerned about achieving secure rights over the land they need, and they undertake extensive due diligence. They often prefer to acquire existing businesses or assets rather than green-field sites, since this makes land tenure more secure. Every investor aims to create positive impacts for local stakeholders, typically via improved infrastructure, healthcare and education, better pay and access to markets. But some see responsible investment as a cost of doing business, rather than a point of principle and the quality of impacts varies relative to the obligations implied by the international principles to which they are all signatories</p>

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Suryana, E. and Bachriadi, D. (2012) <i>Land grabbing and speculation for energy business: a case study of ExxonMobil business expansion in Bojonegoro of East Java, Indonesia</i> . International Conference on Global Land Grabbing II, Cornell University	Various studies on contemporary land grabbing focus only on control of large parcels of land by corporations for food and biofuel industries. Fewer cases have shown the phenomena of land grabs for investment and production in the conventional business of non-renewable energy. This fieldwork-based paper contributes to filling that gap through a case study on land deals for oil and gas exploitation owned by ExxonMobil Corporation in East Java Province, Indonesia (the 'Cepu block')
Tamrat, I. (2010) Governance of large scale agricultural investments in Africa: the case of Ethiopia'. Paper presented at the World Bank Conference on Land Policy and Administration, Washington DC, 26–27 April 2010	There is an absence of transparency and consultations with other stakeholders and the public regarding public land transactions for large-scale agricultural investments. The fact that land use plans are virtually absent in rural areas means that the decisions on land allocation for large-scale agricultural investments are not based on assessing the suitability of land for a specific investment purpose, which may entail negative consequences (economic, environmental and social) for all stakeholders concerned
Tanner, C. (2012) 'Mozambique: engaging indigenous groups to develop sustainable business', in Shen, X., and Sun X. (eds.) <i>Untying the Land Knot: Making Equitable, Efficient, and Sustainable Use of Industrial and Commercial Land</i> . Washington DC: The World Bank	This is an account of a successful community-investor partnership between a sports hunting concession and the local communities that live in the hunting reserve conceded to the firm by the Mozambican government. Prior recognition of the presence of communities with legitimate long-term land rights allowed the investors to negotiate working agreements to end hunting in return for sharing trophy fees paid by hunters; the results has been rising cash revenues accruing to local communities and a relatively successful conservation effort to restock war and poaching-degraded wild animal populations, essential for the future of the business
Tanner, C. and Bicchieri, M. (2014) <i>When the Law is not Enough: Paralegals and Natural Resources Governance in Mozambique</i> . FAO Legislative Study No 110. Rome: Food and Agriculture Organization of the United Nations	This is an account of the FAO and Netherlands supported community legal empowerment and local government training programme run by the Centre for Legal and Judicial Training (IMC) of the Mozambican Ministry of Justice. The programme trained paralegals and local government officers in the basics of Constitutional rights, the land and other resources laws, planning and development, with a primary focus on using the progressive legal instruments to achieve an inclusive and equitable model of rural development, including promoting community rights over land and developing community-investors partnerships where projects require local land. The study also documents the background to the programme including the evolution of Mozambique's active civil society movement in defence of legitimate local land rights
Temper, L. and Martinez-Alier, J. (2012) 'Mapping resistance and resilience to the global land grab: definitions, financial activism and alliances'. Paper presented at the International Conference on Global Land Grabbing II, Cornell University	The paper reviews different forms of resistance to the 'land grab' through the work of three grassroots NGOs, and a comparative review of 13 cases of land grabbing around the world which share a common characteristic – all have succeeded in preventing projects from going forward. The paper compares and contrasts the targets, strategies and effectiveness of varying resistance tactics. It finds that activism aimed at companies tends to be most successful when it impacts upon profits or future profits (often related to reputation with specific audiences)

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United State Agency for international Development (USAID). (2012) <i>Gender Equity and Female Empowerment Policy</i> , Washington, DC: USAID	
United State Agency for international Development (USAID). (2014) <i>Responsible Land-Based Investment: A Practical Guide for the Private Sector (Draft)</i> , Washington, DC: USAID	<p>This guide discusses USAID’s recommendations for best practices related to the due diligence and structuring of land-based investments, with the goal of facilitating responsible projects that benefit both the private sector and local communities</p> <p>The guide does <i>not</i> endorse large-scale acquisitions of land. USAID recommends that investors consider alternatives, such as contract farming and smallholder out-grower schemes that avoid or limit the transfer of land and resource rights. However, it does recognise that LSLAs are occurring, and will continue to occur. Faced with this reality it provides advice for how to structure LSLAs in the most sustainable way possible</p>
Vhugen, D. (2010) ‘Large-scale commercial investments in land: seeking to secure land tenure and improve livelihood’. Paper prepared for the Conference Subsistence Agriculture: Confronting Environmental Change and Social Justice. Organised by Haramaya University College of Law’s Environmental Policy Center and the Social Justice Center, 23–25 April 2010	<p>The Karuturi company did not consult with local communities on its investments. The company boasts that its investment will create 20,000 jobs; the jobs that have been created pay a wage below the World Bank’s poverty limit. More so, the crops to be grown on the land are for export, thus raising food security concerns in a country with a history of famine and where millions experience chronic food shortages</p>
White, J. and White, B. (2011) ‘The gendered politics of dispossession: oil palm expansion in a Dayak Hibun community in West Kalimantan, Indonesia’. Paper presented at the International Conference on Land Grabbing, IDS, University of Sussex	<p>This paper explores the gendered politics of monocrop oil palm expansion in a Hibun Dayak community in Sanggau District, West Kalimantan (Indonesia). The expanding corporate plantation and contract farming system has undermined the position and livelihoods of indigenous women in the already patriarchal community. The shifting of land tenure from the community to the state and the practice of the ‘household head’ system of smallholder plot registration has eroded women’s rights to land and women are becoming a class of plantation labour. At the same time, as in other cases of expansion of agrarian corporate commodity production, we discern a familiar pattern of ambivalence between the attractions of a regular cash income on the one hand and on the other the loss of resource tenure and autonomy, exploitation and intimidation, which helps to explain the community’s gendered experience of coercion, intimidation, consent and resistance</p>

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Reference	Overview
Wisborg, P. (2013) 'Human rights against land grabbing? a reflection on norms, policies, and power', <i>Journal of Agricultural and Environmental Ethics</i> 26, pp.199–1222	The paper argues that generally, we have so far seen limited direct application of human rights by states in their governance of transnational land acquisition. Normative responses to transnational land acquisition – codes of conduct, principles of responsible agricultural investment or voluntary guidelines – do not in themselves secure necessary action and change. Applying human rights approaches one must, therefore, also analyse the material conditions, power relations and political processes that determine whether and how women and men can secure the human rights accountability of the corporations and governments that promote large-scale, transnational land acquisition in the global south
Wolford, W., Saturnino, M., Hall, R., Scoones, I., White, B. (2013) 'Governing global land deals: the role of the state in the rush for land', <i>Development and Change</i> 44, 2, pp.189–210	
World Bank. (2014) <i>The Practice of Responsible Investment Principles in Larger-Scale Agricultural Investments: Implications for Corporate Performance and Impact on Local Communities</i> . Washington, DC: World Bank	This report presents findings from a field-based survey on the conduct of agricultural operations at 39 large-scale, mature agribusiness investments in sub-Saharan Africa and Southeast Asia, focusing in particular on their approaches to social, economic and environmental responsibility. The report aims to provide first-hand, practical knowledge of the approach, behaviour and experience of these investments, their relationships with surrounding communities and the consequent positive and/or negative outcomes for these communities, host countries, other stakeholders, and the investors themselves
World Bank, International Institute for Sustainable Development (IISD) and United Nations Conference on Trade and Development (UNCTAD). (2015) <i>Investment Contracts for Agriculture: Maximizing Gains and Minimizing Risks</i> , Washington DC: World Bank Group	This paper focuses on large-scale agricultural projects in developing countries, involving leasing farmland, the number of which rose sharply after the food crisis of 2008. It is important that such investments are sustainable not only in the long term, but also beneficial in the short term with minimal risks or negative effects. This paper looks at one approach to achieving this, namely, carefully devised contracts with investors. In doing so it offers a number of concrete solutions. The paper marries two substantial bodies of research to show how investment contracts can be set up to promote sustainable development. The paper presents the top five positive outcomes and the five downsides from private sector investments in large-scale agricultural projects
Xiaoyun, L., Lixia, T., Xiuli, X., Gubo, Q. and Haimin, W. (2013) 'What can Africa learn from China's experience in agricultural development?' <i>IDS Bulletin</i> 44, 4, pp.31–41	A review of what Africa can learn from China's agricultural development experience, concluding that Africa should not focus on LSLA-based investment at the expense of food production (i.e. smallholder) models. A mixed economy approach is proposed instead

Sources:



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Bristol	University of Bristol database	OS	Other sources (internet searches, authors' files)
COR	International Conference on Land Grabbing 2 (2012)	SSRN	Social Science Research Network
FAO	Food and Agricultural Organization website	USAID	United States Agency for international Development
Google	Google Scholar	WBC	World Bank Conference (2010–2015)
IDS	International Conference on Land Grabbing 1 (2011)	WBOKR	World Bank Open Knowledge Repository
JPS	The Journal of Peasant Studies		

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