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New Routes

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A journal of
peace research
and action

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grabbing?**

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**From independent farmers
to low-wage hired workers**

UGANDA

**Land disputes in the wake
of civil war**

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**Reconciling the 'global
land grab' with community
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EASTERN DRC:

**Local efforts to solve land
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SIERRA LEONE:

**Large-scale investments
develop hidden potentials**

BIOENERGY CROPS:

**A matter of choice with
far-reaching consequences**

BIOFUELS:

**Solving the energy crisis
or increasing food
shortage?**

ETHIOPIA:

**Foreign capital taking over
"abundant land"**

African soil for sale

Large-scale land acquisitions

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Food or biocrops: a delicate choice

AT FIRST GLANCE it seems quite easy to take a stand at large-scale land acquisition, or "land grab" for short: either you are for it or you are against it. Looking deeper into the matter, however, you realise that it is a complex business that needs to be critically analysed and explored.

This issue of *New Routes* reflects on the topic from different viewpoints, and I am proud to present Dr Michael Ståhl as guest editor. His lifelong inter-disciplinary experience of rural development in Africa includes various posts at universities and in the Swedish development cooperation programmes. He has held managerial positions at SAREC and Sida. During the period 2002 – 2010 he was Director of the International Foundation for Science.

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Editorial:

Why focus on land grabbing?

Michael Ståhl

The rationale for *New Routes* to focus on agricultural large scale commercial land acquisitions is that they tend to generate conflicts when local communities are bypassed in the process. 'Land grabbing' is happening on an increasingly larger scale in several African countries. The Life & Peace Institute (LPI) is engaged in community-based, peacebuilding and nonviolent conflict transformation in Africa. LPI is present in countries which experience protracted conflicts. It has adopted a bottom-up community-based approach in order to achieve transformation of conflicts from open violence to manageable peaceful long-term relations between the involved parties.

In this issue we examine the dynamics of large land acquisitions, the access to and control of land, and discuss how possible conflicts could be prevented or transformed in a positive way. We highlight the experiences of LPI which approaches the protracted conflicts in eastern Democratic Republic of Congo (DRC) with participatory action research methods in a conflict transformation perspective.

The context

The uncertain world financial outlook inspires investors to look for new opportunities. The food and energy sectors attract great interest. Arable land is the key resource for production of food, feed, fuel and fibre. A global land market is emerging. Africa is considered to provide an opportunity, as the continent is pictured as having available land where basic staples as well as energy crops can be grown on a large scale. From an investor's point of view, African countries have an advantage, because institutions governing the rights to land of peasant households and local communities are weak, and governments have a favourable attitude to foreign investment in agriculture. The purpose of investing in land in Africa can either be to grow staple foods (mainly cereals) for export to the investors' home country, or to grow energy crops which can be used

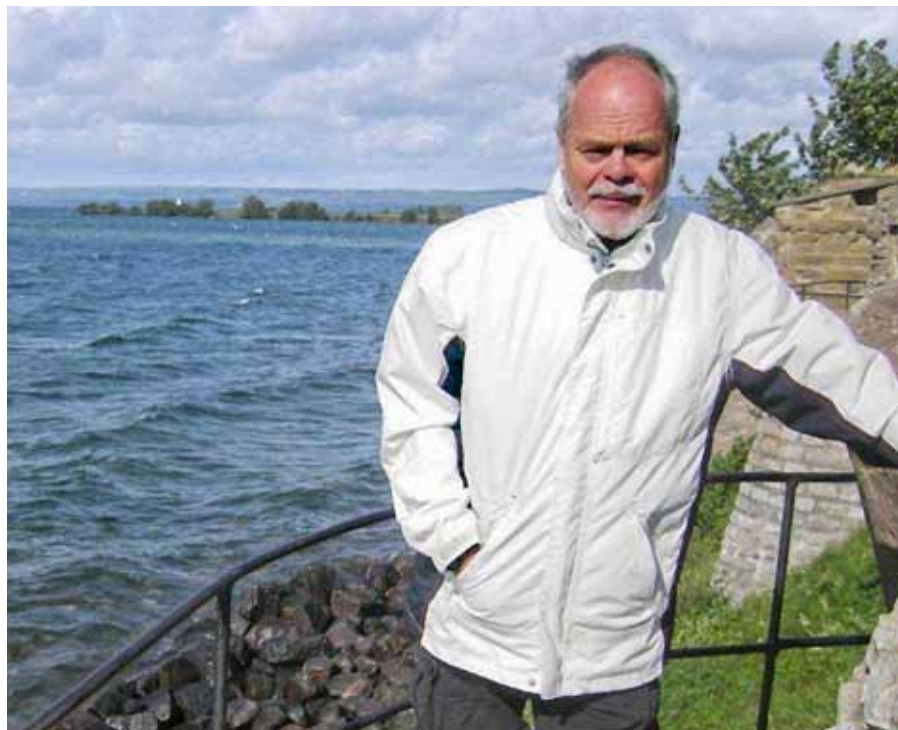


PHOTO: DORRIT ALOPAEUS-STÅHL

Guest editor Michael Ståhl presents risks and benefits with the large-scale land acquisitions that are taking place mainly in Africa, as the continent is seen as rich in available land for basic staples and energy crops.

as bio-fuels. The driving forces behind such investment are the global high food prices, and the EU and USA regulations stipulating a blend of renewables in petrol.

In the past few years there has been a surge in land leases. Exact figures are impossible to come by, since negotiations between investors and national governments or local authorities are typically classified. According to World Bank data, the magnitude of land sales and leases for commercial purposes was about four million hectares per annum in the middle of this decade, while it jumped to 45 million hectares in 2009 and two thirds of these affected Africa.¹ Another compilation from 27 African countries reported 177 deals during the period August 2008 - April 2009. Together they amounted to more than 50 million hectares.² Other reports provide different amounts. However, they are all based on incomplete data. Nevertheless, the trend is clear: ever more land is being purchased or leased to international and national investors.

When these projects reach the production stage, major socio-economic consequences can be anticipated.

The phenomenon of large scale land acquisitions has already generated a heated debate and a large volume of articles and research reports. The topic is controversial as mass poverty and food shortages plague many African countries. The arguments for large investments where the produce is exported usually emphasise that underutilised land is available, that African peasants are inefficient producers (there is a yield gap between what subsistence farmers produce and what a mechanised farm can produce) and that foreign investments bring infrastructure, training and jobs to the local communities and revenues to the governments.

The counterarguments stress that the seemingly large swaths of available land (swamps, river valleys, bushland etc.) are actually necessary for the livelihood of pastoralists, shifting cultivators, and also sedentary farmers who revert to such areas in times of drought. The alleged yield

gap is questioned, as studies have shown that smallholders can achieve higher yields per hectare than large farms if the smallholders are properly supported. As for benefits to the communities, the critics maintain that few health clinics, schools and local roads have been built and that jobs tend to be unqualified, insecure and low-paid. Compensation for farmers who give up their land to large farms is said to be meagre. Available information about leases paid to local or central government authorities indicate that they are low and only marginally boost the revenues.

Most land deals are still in an early phase. The World Bank report of 2010 estimated that only 25 per cent had reached the production stage. Hence it is not possible to generalise about benefits and drawbacks of large agricultural investments. Nevertheless, most reports accentuate negative outcomes on the part of local communities. The term 'land grabbing' is often used in this context. The definition we will use is that a large scale land acquisition takes the form of a land grab when the legal and business deal leading up to the acquisition bypasses the local community (no written agreement is produced, the community members are not consulted or informed in advance, compensation is inadequate and the members may even be physically evicted). Media reports claim that the majority of large scale acquisitions take place under circumstances that can be described as land grabbing. Hence their potential for conflict generation is high.

The articles

In this issue of *New Routes* we examine how local communities are affected when a commercial estate is underway to be established. We have invited researchers to contribute articles. They include case studies as well as national and regional overviews. The articles deal with policy, practice and technical aspects. They call attention to actual and potential conflicts and the prospects for conflict resolution.

One set of articles deals with concrete cases. *Girma Gebresenbet* describes a situation in central Ethiopia where the local community has become alienated from their land. A landscape with small farms cultivated on household basis has given way to plastic greenhouses housing flower farms. The peasant farmers have lost their land. Some have left, while others remain as daily workers

on the flower farms. The new entrepreneurs make money. The formerly self-reliant peasant farmers have been reduced to poverty and insecurity.

A totally different situation is pictured by *Anders Sjögren*. Civil war has ended in northern Uganda and abandoned land is taken up for cultivation again. Investors from outside are eyeing the area. Rumours are circulating about an upcoming land grab by a multinational company. But the local communities and elites are preparing themselves. They will not be passive bystanders, and they are prepared to put up armed resistance. The issue is debated both in the parliament and in local forums. Confusion prevails amidst conflicting perceptions about who has the right to the land.

David Deng's article about South Sudan on the brink of independence shows similarities with the Ugandan case. The new legislation explicitly recognises customary land tenure. At the same time, the government encourages large private investors who bypass local interests. This carries seeds of social unrest and conflict.

LPI staff contributes an article from eastern DRC exploring the relationship between land and conflict in South Kivu, which puts communities in opposition to each other in a context marked by the presence of armed groups, weak public institutions, and international intervention. It provides insight into the role of land in systemic violence in the region.

Reinier Bulstra's article from Sierra Leone gives the investor's perspective (Addax Bioenergy). A starting point was that a long-term investment by an international corporation cannot be profitable in a sustainable way if the local community is against it. Hence the investor took explicit measures to create a win-win situation where the investor, the local communities and the national government all benefit. The sugar cane plantation and development projects spearheaded by Addax have generated positive as well as critical comments.³

Another set of articles give national, regional or thematic overviews. *Isabella Soi and Juan Gonzales* discuss the economic and social consequences of choosing one or another crop for biofuel production. *Judi Wakhungu, Ben Muok and Patricia Bunyasi* analyse the current debate on land grabbing and biofuels in Africa and show that the discussion involves dimensions of technology, institutions and governance. *Dessaegn*

Rahmato discusses how the Ethiopian government's plan for export promotion includes leasing out huge tracts of land to foreign and national investors. This programme of land investments is taking place at the expense of local communities.

There are reasons to believe that the large investments will continue and be scaled up. Unpredictable weather conditions have caused harvest failures in surplus producing regions (Russia, Australia, USA), making reliance on the world food market questionable. A number of rich countries, which themselves are food insecure in terms of national agricultural production, are keen to secure food supplies through direct involvement in production in countries with food-growing potential. In addition, energy policy in the EU and the USA stimulate overseas production of biofuels.

Land grabbing is already discussed in the media and is becoming an international debate which also includes the issue of responsible investment principles (to be adhered to by corporations) as well as responsible governance of land tenure to be adhered to by governments).

I hope that you will find a useful entry into the debate about 'land grabbing' and a variety of perspectives in this issue of *New Routes*. 

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- 1 World Bank (2010), Rising Global Interest in Farmland: Can it yield sustainable and equitable benefits?
 - 2 Cecilie Friis & Anette Reenberg (2010), Land Grab in Africa – emerging land system drivers in a teleconnected world (GLP Report No. 1. GLP-IPO, Copenhagen).
 - 3 Olivier de Shutter (UN Special Rapporteur on the Right to Food) interviewed in *Le Temps*, 25 February, 2010; Mike Anane and Cosmos Yao Abivu (2011), Independent Study Report of the Addax Bioenergy Sugarcane to Ethanol Project in the Makeni Region in Sierra Leone – study carried out on behalf of the Sierra Leone Network on the Right to Food, Bread for all (Switzerland), Bread for the World and Evangelischer Entwicklungsdienst (Germany)

Commercial floriculture in Africa for markets in Europe has expanded rapidly in the last two decades. While Kenya used to be the number one target for investors, Ethiopia is rapidly taking increasing shares of the European market. International companies as well as national entrepreneurs have invested in large farms and they are offered favourable conditions by the government. While floriculture has provided local job opportunities, it can, however, also threaten workers' health and safety, degrade the environment and displace local communities.

Large scale flower production in Oromia:

From independent farmers to low-wage hired workers

Girma Gebresenbet

This article briefly reviews and elaborates the effects of flower farming in rural areas close to the capital Addis Ababa. It is based on a case study conducted in 2009 and in 2011.¹ Interviews were made with current flower farm workers and with ex-workers who had left due to health problems. However, obtaining information from farm managers and other responsible staff was difficult, sometimes impossible. Workers were afraid of losing their jobs in case the authorities were to discover that they were involved in the interview.

The rolling highlands south of Addis Ababa are very fertile and receive ample rainfall. Until five years ago they were occupied by peasant small-scale farmers cultivating cereals, pulses and vegetables. They catered for their subsistence needs as well as for the urban market (the capital and small neighbouring towns). The farmers were well off according to Ethiopian standards.

Today most of the small farms are gone. In their place is a complex of huge plastic greenhouses housing flower farms. They are owned by multinational companies as well as Ethiopian entrepreneurs. The peasant farmers have lost their land. Some have left, while others remain as daily workers on the flower farms. The new entrepreneurs make money. The formerly self-reliant peasant farmers have been reduced to poverty and insecurity.

This article tells the story.

Success for some, tragedy for others

Flower farming in Ethiopia got to scale some ten years ago. It is concentrated and expanding in the central part of the

Federal State of Oromia in Ethiopia. Flower farms are expanding along main roads from the capital to the regional cities at a high rate, particularly in the very fertile settlement areas. The large farms are mainly concentrated within a radius of 50 km from the capital city and along the rift valley. In the process, hundreds of peasant families have been displaced – forced to yield their small holdings and given inadequate compensation. There has been little or no encouragement of small scale farmers to organise themselves and produce flowers.

The Ethiopian government encourages investors, offering them a five-year tax holiday and duty-free import of machinery and cheap or even free land for flower farming. Therefore the economic incentives for both foreign and local investors are favourable.

Flower production for commercial purposes started in Ethiopia in the 1980s on a few state-owned farms. Private investments were initiated in the 1990s and this sector is growing at a high rate at the moment. According to the Ethiopian Investment Agency, about 235 projects were registered in 2007 with the capital of 7.5 billion Birr (approx. one billion USD). About three fourths of the projects belong to foreign investors, accounting for 5.3 billion Birr, and the remaining are local investors. Until 2011, according to the Ethiopian government, 3.8 million hectares has been given to foreign investors, of which a significant part is allocated to floriculture. There are some 60 flower farms in operation and they employ close to 50,000 workers, most

of them women. The estimated export value from cut flowers for 2011 is 150 million USD.

None of the flower farms are unionised. They are not allowed to form labour unions. Hence, there is no way for workers to bargain for salaries and working conditions.

When investors acquire land for large scale agricultural enterprises, the local farmers have to comply with instructions to accept compensation and give up their land. The compensation is marginal. As a consequence, many farmers migrate to towns and take up whatever jobs they can find. Others find employment on the flower farms.

Opportunities and hazards

Commercial production of flowers may bring in earnings of up to five times as much per acre compared to fruit crops. The Netherlands remains the world's largest producer of cut flowers. Dutch firms own many flower farms in East Africa. Ethiopia is emerging as a favourite place for new investments.

The rapid growth of flower farming has its costs, environmental as well as human. The flower industry depends on fertilisers to increase yields and improve quality, pesticides and fungicides to control spider mites, caterpillars, and other pests which invade the flower crop. Workers on flower farms in Ethiopia are usually unprotected. Floral workers, particularly the sprayers and handlers, suffer the brunt of the trade's pesticide use. Poisoning symptoms include headaches, dizziness, hand-trembling and blurred vision, diarrhoea, skin eruptions and other symptoms.

The toxic chemicals affect the nearby environment, poisoning groundwater, water ways and the soil.

Most of these negative effects can, in theory, be mitigated. However, in many developing countries the environmental legislation and workers' protection are insufficiently developed. Currently

Commercial production of flowers may bring in earnings of up to five times as much per acre compared to fruit crops.

numerous organisations are working for sustainable flower production on local, regional and global levels. Environmental awareness and ethical concerns of consumers in developed countries are growing. They, along with trade unions, are putting pressure on the global floriculture industry to develop and conform to codes of conduct for workers' health and safety. When the societal environmental awareness in developed nations may not allow chemical producers, then manufacturers often move this chemical production into developing countries where the general population needs money for survival and thus accepts a high risk for health and life in exchange for being able to support their families. In the case of Ethiopia, a code of practice for sustainable flower production has been drafted and certification of farm enterprises is on-going.

In some cases the population concerned is simply kept in ignorance about any possible danger involved with handling chemical agents used in many manufacturing processes, while government authorities, knowingly or unknowingly, allow foreign investors to use the cheap but forbidden and dangerous chemicals.

Flower farms transform the society

The land acquisition system of today is different from the days when floriculture was initiated. Most of today's floriculture investors acquired land directly from the central government. However, this has been changed recently and the regional government in Oromia is responsible for negotiations with inves-

tors. The process of land acquisition includes approval in several steps including the Federal Investment Authority, the Regional (Oromia) Investment Authority, the Oromia Land Authority, as well as local authorities.

The first step is that the investors are expected to have a complete proposal and investment details and submit their applications to the Federal Investment Authority to acquire permission for investment and to complete trade registration. After the approval of the investment plan, the Federal Investment Authority writes a letter to the Oromia Investment Authority. The Oromia Investment Authority usually has a so-called land bank, that is, a list of land areas that are ready for investment and that the authority may suggest for investors.

The land south of Addis Ababa is attractive. Under the imperial regime (until 1974) it was under the control of the Ethiopian feudal elite, while the local farmers were tenants. After the revolution land ownership was radically changed. All land was decreed to be state property, while user rights were given to the former tenants now organised in Farmers Associations. Sale of land was not allowed. With the new government coming into power in 1991, the system in principle continued. However, a privatisation process has gradually taken place in the areas considered to be suitable for large agricultural enterprises and capital invest-

Out of five farms investigated, only one provided shoes (already torn), gloves and masks for its workers.

ment. During the past decade ever more land has been given to investors. Since the member households of the Farmers Associations do not have formal ownership rights, they have few means to oppose government decisions to transfer actual land use rights.

Marginal compensation

The land transfer arrangement works as follows: After preliminary discussion between the prospective investor and the Oromia Investment Authority, the

latter writes a letter to the local authorities where the land intended for investment is located. After confirming the availability of land, the final decision is made by the Oromia Investment Authority Board, and finally the agreement is signed between the investor and the Authority.

To the knowledge of the author, and according to information from the people in the administration chain, there is no involvement of local communities, e.g., Farmers Associations. The farmers are informed only when they have to evacuate the area and of the amount of compensation they may receive.

The government has set a guide on compensation principles. The yearly output from the specific land is evaluated and thereafter multiplied by 10, i.e. compensation for 10 years. However, most of the compensation amounts actually paid are marginal. Moreover, many farmers have misused the money and have been reduced to daily workers. Only few have had the chance to be employed on the floriculture farms with very low daily wages of about 1 to 1.8 USD.

Emerging conflict pattern

The immediate consequence of the establishment of a flower farm is that the local farmers are dislocated and their home villages destroyed. The members of the communities and families are dispersed. So the impact is not only on economy of the community, but also on the social structure.

The investors comprise two categories, international companies and Ethiopian entrepreneurs. There is a slight difference in how they treat workers, as the foreign-owned farms tend to provide better, but not sufficient, protection regarding the immediate toxic effects of spraying. They also pay slightly higher salaries and provide rudimentary health care. Also the foreign-owned farms tend to employ workers from the nearby locality (often family members from evicted peasant households). The Ethiopian entrepreneurs are not locals. They come from other parts of the country and tend to bring workers from their home areas, people they consider to be trustworthy.

Hence the transformation of the subsistence-oriented peasant economy into large scale agricultural operations brings about economic growth, but also social and environmental stress. The relations between the members of the original community (now partially



PHOTO: FUFA SORRI

Many of the young women working in the greenhouses are ignorant of the injuries that the chemicals sprayed on the flowers may cause to their bodies.

dispersed) and the workers brought in from other regions have a potential of becoming conflict-laden.

High risks, low wages

According to those who were interviewed, only workers who spray chemicals in the greenhouse use masks. Spraying is usually performed early in the morning, and when other workers who cut flowers arrive at about 9 am, they feel the smell of chemicals that sometimes make them faint while working. As many of those who became sick and left the flower farms explained, whenever the chemical drops on their uncovered hands, they swell and sometimes burst into wounds.

Very limited information and instructions are available for workers on how to take care and protect themselves from chemicals. Most of the workers are young women who may not have sufficient information on the consequences of being exposed to chemicals.

Regarding wages there is a significant difference between male and female workers. The mean daily wage for all workers is 13.2 Birr (0.79 USD),

but for women the amount was 9.3 Birr (0.55 USD). The minimum daily wage for men and women is 12 Birr (0.72 USD) and 8 Birr (0.48 USD), respectively. With this marginal wage the workers support their own families with the possibility of having one or two meals per day.

Out of five farms investigated, only one provided shoes (already torn), gloves and masks for its workers. The masks, gloves and suits are made from local cotton materials and the chemicals were simply passing through the clothes to the worker's body. According to the workers, even if the suits and gloves were new, they could still not be used more than two weeks. The chemicals destroy the materials, and the whole body of the workers is affected.

The workers use their own clothes and shoes (but almost one-third of the workers work barefoot). None of the interviewed reported that they use any eye-glasses, gloves or shoes when they spray. All the interviewed reported and showed that the chemicals affected their whole body, particularly their hands, feet and face.

Only one out of the five farms had a health centre. The most common medicine the workers get is paracetamol. In other cases the patients were told to visit hospitals at their own cost.

According to the workers, skin damage is the most common reason why a majority of the workers were forced to leave the flower companies after sickness. Some of them were labelled as HIV positive. Fortunately, after medical check-ups, all of the young women who were labelled as HIV patients were found to be free from HIV.

Concluding remark

Flower farming in Ethiopia delivers incomes to investors and revenue for the governmental authorities. The impact on the local population, on whose land the farms are established, is mixed. There is an employment effect as flower farming is labour-intensive. Workers are hired both from small towns where unemployment is high, and from among the former peasant households who have given up their land. The income for workers is very small (about one dollar a day). In fact it can be argued that the former small farmers turned into workers have lost out, as their current and future income is dependent on continued work on flower farms without secure contracts and at risk of falling ill due to the toxic work environment.

Equally important is that they have been forced to give up the profession where they are experts – cereal cultivation which requires sophisticated farming techniques. Their identity as self-reliant farmers guarding their holdings on a long term basis has been lost. Instead they have become labourers without any secure future.

This predicament certainly causes resentment and despair. However, no overt conflicts have taken place. The former farmers just do not have any institutional procedures through which to voice their concerns. 🌿

¹ Girma Gebresenbet, *Effect of Flower Farming on Environment and Health with Special Reference to Oromia in Ethiopia* (paper presented at the 4th ECAS conference, Uppsala, 2011).

The Acholi sub-region in Northern Uganda is a fertile place. However, agricultural investments were unthinkable as long as the civil war dragged on. Today the local communities are leaving wartime camps and taking up cultivation again, and investors from outside are eyeing the area. Rumours about planned land grabs are circulating, but the local communities and elites will not be passive bystanders. They are even prepared to put up armed resistance if outsiders try to grab their land.

Uganda:

Land disputes in the wake of civil war

Anders Sjögren

Until recently, land issues in the Acholi sub-region were not subject to political struggles to the extent that they were in other parts of Uganda. When the civil war ended in 2006, this changed dramatically. As people started returning home from the refugee camps, conflicts over access to land began to take centre stage. Small-scale land conflicts soon became increasingly common. There have been daily reports of communities, neighbours and family members being locked in disputes over boundaries, ownership and access. Numerous cases of large-scale land-grabbing by well-connected individuals have also been reported over the last few years.

The potential for conflict has taken on new proportions. The land policies are contradictory. They endorse popular control of land, while at the same time encouraging large scale investment. Life in the refugee camps has torn the social fabric apart. The authority of clan leaders has weakened and they have, in many cases, lost their specific knowledge. The alleged opportunities to make money out of land sales have created conflicts among and within communities. In 2007 it became public knowledge that the Madhvani group,

a local business conglomerate, had the intention of acquiring 40,000 hectares in Amuru in the western part of Acholi for the purpose of growing sugar cane. The response from locals was fierce and immediate. The media got quite some assistance in presenting a sensationalist angle from an Acholi Member of Parliament, who was quoted as having said something to the effect of “we will spear them” – “them” referring to anyone who was out to purchase land in Acholi without seeking the consent of the local population. The matter has continued to evoke strong reactions and is currently in court.

Recent land issues

After it came to power in 1986, the National Resistance Movement (NRM) found itself facing the land question with dual loyalties to consider, particularly in Buganda. One faction of the party was made up by radicals who pushed for the abolition of *mailo* land (a semi-feudal arrangement with landlords and tenants). At the same time, the NRM had incorporated Buganda landlords into its top ranks; their position was arguably strengthened by the restoration of Kingdoms in 1993. During the debate over the proposed new constitution, the resolution of the land question was postponed. However, the Constituent Assembly agreed to come up with a land policy within two years of the enactment of the constitution of 1995.

The Land Act was passed by parliament in 1998.

The abovementioned divide in the NRM over the land question was reproduced in the legislation. At the policy level, the Act pulled in different direc-

tions: it aspired to create security of tenure for different categories of occupants, it claimed to reduce poverty, and it sought to promote a land market for liberalised production. Its instruments for implementation were vague and contradictory, and funding proved to be inadequate. The general assessment some years down the line is that rather than having enabled a productive compromise, the Act produced a stalemate (Green 2006: 377). Probably not least for that reason, land issues have refused to go away. One significant strand of both popular and elite discourse over the last decade has concerned land grabbing by “outsiders”.

Political controversy over land intensified in the legislative arena too. For a long time, the government had hinted that the Land Act needed to be revised, and in 2007 it tabled a motion with proposals for doing so. Among other things, the proposals included a pronounced direct role for the minister in expropriating land “for development”. After two years of intense debate, the bill was passed by the parliament in December 2009. By that time, the contentious clauses no longer extended to the domain of customary tenure, with the effect that the conflict was now solely between the government and Buganda.

From trust to confusion

With regard to Acholi, land as a political issue is recent development but already prominent. For twenty years (1986-2006), the region suffered from war, with different rebel groups fighting the government and attacking the civilian population. It was estimated that more than one million Acholi lived in camps during the last years of the conflict.

“Since 2006 the region has seen relative peace. Still, many people are hesitant to return to their homes.”



PHOTO: ANDERS SJÖGREN

During the war in the Acholi region in northern Uganda more than one million people lived in refugee camps. They are now returning to their villages, but many are still hesitant, not being sure that their land is still theirs.

Since 2006 the region has seen relative peace. Still, many people are hesitant to return to their homes. There are a lot of reasons for that, security being one of them, but the land question is important. Many are not sure whether they can live off the land. Others fear that their land has been grabbed. Still others, and mainly orphans who have grown up in the camps, may not even know where their land is.

The 1998 Land Act has therefore not begun to have an impact in the region until very recently. Its fundamental principle is to vest the radical title with the people. For the purpose of doing so, it recognises four types of land tenure – freehold, leasehold, *mailo* and customary tenure; the latter is the one practised in Acholi region. The meaning of customary tenure is roughly that land is unregistered, and under the control and custody of one of several social units (most commonly the individual or the family), but that it cannot be sold without the consent of all parties involved. It needs to be distinguished from *communal* (another legal category)

and *ancestral* (not a legal category at all, but a folk notion which tends to trigger inter- and intraethnic contestation) land. Under the current law, there is still no titling. However, Certificates of Communal Ownership are available. Clan leaders are supposedly in charge of land allocation and dispute resolution. Historically, land in an area has been functionally subdivided into land for settlement, grazing and hunting, the latter two open to the entire clan and beyond, given permission.

The letter of the law enjoys widespread support. The problem, though, is that the social, economic and cultural institutions that used to be the pillars of customary tenure were largely eroded during the war. The pre-war land regime was to a great extent socially embedded and rested on tradition and trust. Access to land was negotiated and allocated through one institutional channel, by and large uniformly recognised as legitimate. This amounted to a land regime of customary tenure, regulated by (sub-)clan leaders. The new post-1998 regime is, with regard to de-

“Historically, land in an area has been functionally subdivided into land for settlement, grazing and hunting.”

cision making, legal and institutional in nature. For its functionality, however, it assumes the continuous existence of informal aspects of communal life which may not exist anymore.

Dynamic challenges

Acholi is in a process of dynamic change. Sebina-Zziwa et al (2008) identify four major shifts, each of which is in itself serious enough to set off major challenges. Taken together, they have changed the ground for livelihoods and identity in Acholi. The *demographic* shift means that more people share the same amount of resources. The *political* shift is towards decentralisation and the in-



Girado Ajenga (left) and his son George Okiror inspect their harvest. They and other families who have been displaced by internal conflict for years have returned to their home and are renewing their bond with the land.

roduction of ever more administrative units bringing about new boundaries and political structures, new political constellations and power struggles and new institutional channels for accessing land. The *economic* shift comes by way of liberalisation. At the macro level, the economic strategy promotes privatisation. At the micro level, this creates incentives to treat land as less of a cultural asset and more as a commodity. Contradictions between commercialisation and socio-cultural value system are becoming evident. The *social* shift cuts across all aspects of life. Life in the camps has torn the social fabric apart. All in all, the social, economic and political circumstances that prevailed prior to the war were, with regards to land, more closely connected and internally coherent than are the social, economic and political underpinnings of the current land regime.

When returning home finally became a meaningful possibility in Acholi in 2006, all manner of social distinctions were made significant. In the context of social crisis and scarce resources, many distinctions were made rigid. Under such circumstances, the politics of territory and identity easily turns into zero-sum games. As discussed above, “customary”, “communal” and “ancestral” are frequently confused concepts – sometimes out of ignorance, sometimes deliberately, for political expediency. Implications can be grave. When a notion of “community” takes hold, which places supremacy upon an-

cestry at the expense of residence, narratives and practices that enforce inflexible distinctions between “natives” and “settlers” easily follow.

Clan leaders have often lost their specific knowledge, and their authority has been weakened. Conceptions of land have changed. Whereas previously, land was essentially a source of status that was rarely bought and sold, it is under current hardships rapidly turning into a commodity. The land is considered to be a good investment as the soil has been fallow for two decades and attracts a lot of attention. For years, suspicion has been rife among the local population that outsiders or local elites are either planning to grab the land or buy it for a song. A complicating factor in this regard is oil, believed soon to be ready to be exploited.¹ All of this has triggered “a mad scramble for land” in the Acholi region in general, and in the Amuru district in particular.

Sugar cane for development or a government grab?

In 2007, the Madhvani group made public its intention to acquire 40,000 hectares of land in what was then the Amuru district – but after a division in 2010 is now the Nwoya district – to cover an out grower plantation for sugar cane and a factory to process it. This project had strong backing from the government, which in early 2008 decided that half of the requested land, 20,000 hectares, should be given to the Madhvani Group for a long term

lease, and that the government should hold 40 per cent of the shares. This triggered strong protests. President Museveni and the ruling party, NRM, were deeply unpopular in the region. When the Amuru District Land Board allocated 20,000 hectares for a long-term lease, some Members of Parliament and private citizens took members of the board, representatives of the Madhvani Group and local politicians to court. They succeeded in securing a court injunction from the High Court in Gulu, barring any activities in relation to the land in question. The actors taken to court had ties to Amuru Sugar Works Limited, a company that has as its owners the Madhvani family, Major General and MP Julius Oketa, representing the Uganda People’s Defence Force, and Christine Atimango, former acting secretary of Amuru District Land Board. The case is still in court, in spite of appeals by the accused.

The main demands made by the critics of Madhvani Group are three-fold: that no land at all should be sold until everybody has settled on his/her land; that while investments may be welcome, any negotiation needs to be made directly with the community; and that any land allocation needs to be on the basis of leasehold – freehold is not an option. The proposal has drawn many actors into the conflict, all claiming to have an authoritative role in land matters. A conspicuous feature in the eyes of many critics is the pronounced role played by the government in pushing for the project, in marked contrast to the low-key profile of the Madhvani group itself. President Museveni himself visited Amuru a number of times in late 2007, only to be told repeatedly that the targeted land was and would remain under customary tenure. This has led to widespread speculation that, as Amuru is within the oil belt, Madhvani’s sugar cane factory may be just a front for the real venture: oil exploration within the designated area.

Rise of the Anti-Land Grabbers

Acholi MPs (all but one belonging to the opposition Forum for Democratic Change in the 2006-2011 Parliament) predictably made much political mileage out of this. Some solidified their already strong position, while for others it served as a temporary lifeline. The saga has also witnessed the emergence of Amuru Anti-Land Grabbers Association, a local pressure group which man-

aged to disrupt a high-profile visit to the area, and which transported people to a protest meeting. On closer examination, however, it appears that this group is rather much of a one-man entity, run by a local associate of a prominent regional MP.

A controversial role is played by Acholi cultural/traditional leaders under the umbrella of Ker Kwaro Acholi. This institution, headed by the paramount chief, *rwot* Achana, is a recent creation and mirrors similar ones in other regions in the country. It does not seem, however, to enjoy much public confidence. There is a widespread feeling that the top cultural leaders have been compromised and are siding with the Madhvani group. In 2009, one clan leader was attacked by an agitated crowd following such allegations, and accusations are continuously being directed against Ker Kwaro Acholi by the Acholi Parliamentary Group. There have also been claims that surveying activities are being conducted under military protection, in spite of the court injunction.

The Amuru conflict also enters the wider scheme of things. In the context of a sugar production crisis, in August 2011 President Museveni reintroduced some controversial ideas of the past, namely to allocate large tracts of land to sugar producing companies. The most contentious of these is the proposal to assign a part of Mabira forest in central Uganda to the Mehta group. This sugges-

the other. Such discrepancies between and within systems create grey areas with ample room for informal manoeuvring, typically to the detriment of subordinate groups. Hence, the acknowledged flexibility of the old order may turn out to be an obstacle for equitable and just land regulation under new circumstances. This is so because social relations (mainly gender and generation) have changed, and what was regarded as discrete units (household, sub-clan) may have become charged with internal conflicts, and because individualisation and monetisation are likely to subvert both sets of institutions.

Resolving emerging conflicts

Demographic, social, economic and political conditions are all currently changing rapidly in the Acholi region. Many actors claim authority with regard to regulation of land matters: local councils, clans and cultural leaders, and the court system. Due to perceived inefficiency and corruption, most enjoy limited credibility and confidence, something that results in frequent cases of people taking the law into their own hands in order to settle disputes. The problems arise when territorial, institutional and social bases of claims to access are unclear in themselves, multiple and occasionally competing, and informal and prone to manipulation in the context of inequality and vulnerability. Social identities along lines of class, ethnicity, gender and generation may, in theory, be used as a basis for claims on behalf of subordinate groups, provided that organisation is reasonably strong. If it is not, the same social identities may serve as an implicit basis for exclusion by superordinate counterparts – who will make use of their own particular identities to enforce their position, but, obviously, will choose not to refer to it.

The challenged credibility of most actors and arenas for representation renders demand-making fluid and unpredictable from the perspective of local communities. For a start, the latter are evidently not necessarily united in their views. Even though opposition to the project appears to be fairly widespread, opinions range from hostility to support, with the latter often connected to hopes for employment opportunities. Furthermore, opposition MPs and local leaders are also rumoured to have engaged in dubious land acquisition themselves. Also, the 2011 elections

changed the political dynamic in Acholi. A number of NRM parliamentary candidates captured what used to be opposition seats. Alliances are tenuous. The resistance to the Madhvani project has so far depended upon the foothold created by the court injunction in combination with outspoken political representatives. The prospects for a peaceful and just resolution of the conflict discussed here may appear uncertain. Local communities are exposed in the wake of war and displacement and are vulnerable to “persuasion”. Effective demand-making requires continuous presence, not only in the courts of law, but also in other arenas of decision-making, including political assemblies and the

Clan leaders have often lost their specific knowledge, and their authority has been weakened.

backrooms of informal deal-making. Conflicts of a more distinct local nature are evidently easier to resolve by using local mechanisms. The Madhvani case, with its high-stake, high-profile involvement from the President, is different, and successful engagement depends on forceful commitment in many arenas, not only locally, but also at the level of national politics. It remains to be seen whether the groups claiming to speak on behalf of the interests of local communities will have the necessary tenacity, strategic skills and resources for sustained representation. 

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The pre-war land regime was to a great extent socially embedded and rested on tradition and trust.

tion resulted in riots all across the country in 2007 and is certain to cause conflicts, should the President decide to push it further. But Museveni also mentioned Amuru, saying he expected the matter to be concluded within three months.

What, then, is the scope for solving this and other cases of land conflicts in Acholi in peaceful and just ways, taking into account the concerns of local communities? The land tenure regime in contemporary Acholi is characterised by a gulf between formal roles and nominal expectations on the one hand and hampered real functional capacity on

¹ See also Banfield, Jessica (International Alert), “Oil in Uganda: Soothing troubled waters or fuelling new conflicts”, *New Routes* no 2.2010, pp. 18-20

The government of South Sudan formally committed itself to community land ownership with the 2009 Land Act, which was fundamentally a process of land reform. By giving customary land rights equal force in law with freehold and leasehold rights, the government of South Sudan was reversing the state-centric policies of the pre-independence national government in Khartoum. Yet, even as these land reforms were underway, government institutions were leasing large tracts of community land to foreign and domestic companies, often without the consent of community landowners.

Post-war South Sudan:

Reconciling the ‘global land grab’ with community land ownership

David K. Deng

Large-scale land investments in South Sudan that are taking place parallel with comprehensive land reforms threaten to concentrate both land ownership and development benefits in the hands of a small number of private investors in direct opposition to a land administration system based on community landownership. As currently conceived, the government’s approach to land-based investment carries seeds of social unrest and violence, which may erupt when investments become operational.

The adoption of a restorative justice element into land and economic reform efforts may help the government to reconcile its contradictory policies as they relate to land. Closely related to the field of transitional justice, restorative justice refers to the various tools that states use to repair harms resulting from past human rights abuses. Under a restorative justice approach, government policies would recognise community landownership as a form of reparation for abuses that communities were subject to during the civil war. In order to meet its obligations under international human rights law, the government would have to ensure that community land is only leased to private interests with the full participation and consent of the community landowners, and that local development needs are prioritised in every aspect of investment negotiation, contracting, implementation and monitoring.

“You are the government, you have the powers...”

In August 2011, just weeks after the Republic of South Sudan declared its independence from Sudan, a delegation from Mukaya Community travelled 100 kilometres to the capital city of Juba in order to protest the lease of their ancestral homeland to an American company. The lease, issued in 2008 by the Central Equatoria State government, transferred 6,000 square miles of community land to a company called Nile Trading and Development for a period of 49 years.¹ While in Juba, the Mukaya delegation met with Clement Wani, the governor of Central Equatoria State, and Salva Kiir, the president of South Sudan, to ask the government to void the lease. In a letter to the governor, the community leaders “unanimously with strong terms condemn, disavow or deny” the lease, stating that “as indigenous inhabitants of their ancestral land ..., we weren’t consulted on the matter and therefore we are not part and parcel of the deal.”² After receiving the community’s complaint, the president responded: “This issue has to be addressed according to your will. You are the government and you have the powers.”³ The governor too reportedly acquiesced to the community’s demands. The governor did not, however, explain how his state government could lease such a large area of land to a foreign company without the knowledge of the community residing in the area.

Nile Trading’s investment, part of a global phenomenon that has come to be known as ‘land grabbing’, illustrates many of the complexities of large-scale land-based investment in South Sudan. According to a recent study, in just four years, between 2007 and 2010, private interests sought or secured leasehold rights to 51,500 square kilometres of land – more than eight per cent of South Sudan’s total land area – for investments in the agriculture, biofuel, carbon credit, forestry and ecotourism sectors.⁴ Almost across the board, these investments display shortcomings in terms of a lack of community participation and one-sided contract that strongly favour the private investor. Companies rarely negotiate investment agreements directly with landowning communities or their legally empowered representatives as required by law in South Sudan, preferring instead to enter into bilateral agreements with government ministries.⁵ The leases typically involve nominal lease payments that do not take into account the loss in land-based livelihoods for host populations. Companies’ social obligations also tend to be vague and unformalised, leading to long delays or non-performance in the delivery of social benefits such as education and health services or road and building infrastructure for affected communities.

The Nile Trading investment provides a typical example. The director of the company, a retired United States

ambassador named Howard Douglas, says that the investment is meant to be a collaborative venture, in which the community will receive a portion of the profits over the life of the investment. However, a closer examination reveals that the company negotiated its lease with just three community leaders, two of whom did not even live in Mukaya district.⁶ The rest of the community was left completely unaware of the existence of the lease until media reports about the investment began surfacing in mid-2011. Although the company claims that its primary purpose is to implement an agro-forestry project, the lease agreement purports to grant it full rights to exploit all natural resources in the area,

including mineral, petroleum and natural gas. Furthermore, the community has not received any benefit from the lease, nor is there any guarantee that they will. Other than 75,000 Sudanese pounds in fees for the registration process, Nile Trading is not obligated to pay any rental payments for the property.

'More-is-better' approach to investment

The government's rationale in issuing the lease to Nile Trading becomes clearer when one understands its approach to development. Both policy-makers and the general public in South Sudan view private investment as a 'silver bullet' that can solve all the challenges of de-

velopment facing the country. This approach finds its theoretical justification in a neoliberal ideal, which maintains that the free market is capable of finding solutions to any problem encountered by society. Typically associated with the 'Washington Consensus' of the 1990s, this position counsels that in terms of economic development, the overriding goal of post-conflict states is to create enabling conditions for private investment. It characterises the private sector as an "apolitical and accommodating development partner,"⁷ emphasising a hands-off approach to the private sector coupled with a host of incentives to attract foreign capital, such as tax holidays, unlimited capital repatriation and streamlined procedures for land acquisition. By creating an investment climate that is favourable to private investment, particularly foreign direct investment, this position maintains that states can spur macroeconomic growth that will eventually translate into improved livelihoods at all levels of society.

Public statements from officials in the government of South Sudan show a clear intent to pursue this type of a 'more-is-better' approach to investment. Riek Machar Teny, the vice-president of South Sudan, recently announced that the government was hoping to mobilise 500 billion dollars of foreign investment in the first five years of independence. This would represent an enormous influx of foreign capital, equivalent to almost 70 times the government's annual budget.⁸ Despite the implausibility of initiatives such as these, South Sudan is by no means alone in promoting unrestrained, free market-based reform as a solution to the development challenges facing post-conflict states. According to Lisa J. Laplante, a visiting professor at Marquette University Law School and the Deputy Director of the Massachusetts-based Praxis Institute for Social Justice:

The independence of South Sudan in July 2011 was widely celebrated, as by this Shilluk lady. But large-scale land investments that are taking place in the region raise the risk of social unrest and outbreaks of violent clashes.



PHOTO: HENRIK STABELL

“[U]ntil recently, the dominant economic development model has meant that conflict recovery schemes focus on military intervention to keep the peace; humanitarian relief to address immediate socioeconomic needs; and macroeconomic stabilisation that, at most, might include rule-of-law institutional reforms. Only ‘radical’ economists have tended to discuss class-based conflicts and call for more state intervention, as well as alternative models of development.”⁹

Experience has shown that neoliberal reforms do little to promote sustainable peace in post-conflict situations and may in fact contribute to increased levels of violence.¹⁰ Although economic development is clearly an important factor in consolidating peace after violent conflict, a focus on increasing overall wealth without regard to its distribution can lead to increased social discontent, especially since wealth disparities are often one of the triggers of conflict in the first place. Private sector interests can also run counter to processes of political settlement that occur in the wake of violent conflict. In the heavily politicised context of post-conflict settings, businesses must leverage their political capital in order to survive. In doing so, they can marginalise local development priorities, undermining the negotiation of the new social contracts that are meant to form a basis for sustainable peace.¹¹

Investment can trigger conflict

South Sudan itself has a long history of conflict associated with such investments. The Jonglei Canal, for example, threatened to destroy the livelihoods of millions of pastoralists in South Sudan by draining the Sudd, one of the largest wetlands in Africa, in order to make additional water supplies available for up-river agro-industrial projects in Sudan and Egypt. The project was brought to a halt in 1984, when an SPLA missile destroyed the large French-made excavator that was digging the canal.

The oil sector in Sudan provides yet another example. In collusion with foreign oil companies, the national government in Khartoum terrorised populations in the oil-rich regions of South Sudan, forcibly displacing entire communities in order to make the land available for oil exploration. There is

also a precedent for violence associated with agricultural investments. One of the proximate causes of the conflict in the Nuba Mountains in the early 1990s concerned the expropriation of community lands for lease to non-local farmers in order to establish large-scale mechanised farming schemes.

Although not yet associated with open conflict, the current ‘land grab’ in South Sudan carries these seeds of social unrest and violence. The limiting factor, for the time being, is the fact that most investments have not yet become operational. For the most part, companies have avoided investing money into developing their property due to the political risk associated with the 2011 referendum on self-determination. With South Sudan’s independence now secured, it is likely that many of these investments will become active. Given the way in which they were negotiated, many of the investments are bound to face stiff opposition from affected populations.

The Nile Trading investment provides a case-in-point. Land issues are particularly volatile in this part of Central Equatoria State. In 2010, a border dispute in the neighbouring district of

“The current ‘land grab’ in South Sudan carries these seeds of social unrest and violence.”

Wonduruba claimed several lives and gave rise to a brazen attack on a government minister and his bodyguards.¹² It would not be unreasonable to anticipate a similar reaction from the residents of Mukaya Payam, were the government to unilaterally impose the Nile Trading investment on the community.

Transformative change

Despite its scale, the ‘land grab’ phenomenon is only part of the story of land in South Sudan. In fact, the interim period has been a time of transformative change for definitions of land ownership in the country. Soon after its creation in 2005, the government of South Sudan affirmed its commitment to establish a system whereby communities,

defined mainly in terms of ethnic affiliation, would own and administer land within their home areas. This marked a complete break with the system of land ownership under the administration of the national government in Khartoum, in which the government disposed of community land at will, without regard for the interests of South Sudanese communities.

The government of South Sudan formally committed itself to community land ownership in February 2009 with the promulgation of the Land Act. Although not usually characterised as such, the passing of the Land Act was fundamentally a process of land reform. The Land Act explicitly recognises customary land tenure, putting it on equal footing with freehold and leasehold rights. It adopts an expansive definition of community land, which includes all land “lawfully held, managed or used by specific community as community forests, cultivation, grazing areas, shrines and any other purposes recognised by law.”¹³ The Land Act also allows communities to allocate land for investment purposes so long as the investment activity reflects an important interest for the community and contributes to its economic and social development.

The government’s land reform efforts provide a counter-narrative to the land rights violations associated with the ‘land grab’ in South Sudan. Whereas ‘land grabs’ serve to dispossess communities of their ancestral homelands and perpetuate predatory wartime economies, the government’s land reforms represent one of the central peace dividends of the post-war period. As reflected in the president’s statement to the Mukaya delegation, when communities’ ownership rights are respected, they “are the government” and they “have the power.” Such heightened deference to community land rights reflects a common viewpoint in South Sudan, in which community land ownership is seen as a form of reparation for the sacrifices that communities made during the civil war. According to Buku Edward, the speaker of the Western Equatoria State parliament:

“When people were fighting for this land, there were no resources for fueling the war. The [Sudan People’s Liberation] Movement had to go to the chiefs, to the people at the grassroots level, and say, “Give us your children. Let them come.



PHOTO: HENRIK STABELL

The unfinished Jonglei Canal in South Sudan was a giant project to make water supplies available for upstream agro-industrial business in Sudan and Egypt.

We will train them to fight for this land. It is their land.” The return for their sacrifice is the services, protection, stability and peace that must be guaranteed by the government. The people are the owners of the land, not the government. If they refused to give their children to go and fight – to go and die – we would not be where we are today.”

Despite the strength of this sentiment, it remains a loosely articulated narrative that is mostly absent from actual government policy. As seen in the ‘land grab’ phenomenon, the government continues to pursue development pathways that threaten to centralise wealth in a small number of private individuals and violate the land rights of rural communities across the country.

Restorative justice as a human right

The adoption of a restorative justice element into the government’s reforms may help it to reconcile its contradictory policies as they relate to land. Closely related to the field of transitional justice, restorative justice refers to the various tools that states use to repair harms resulting from past human rights abuses. Whereas transitional justice tends to emphasise criminal prosecutions and

truth commissions, restorative justice goes beyond simple accountability to prioritise the forging of inclusive political communities in societies fractured by war.¹⁴ Restorative justice also broadens the scope of transitional justice beyond the simple victim-perpetrator model to bring in other groups in society, such as third-party beneficiaries of human rights abuses and others who may not have experienced direct abuse themselves but have nonetheless been impacted by its lasting effect on society.

A restorative justice approach would frame community land ownership as a form of reparation for past human rights abuses. The mass expropriation of land rights that accompanies the ‘global land grab’ would then become a clear violation of the human rights of the South Sudanese and an affront to the dignity of rural communities who suffered through so much during the war. By making increased local participation in investment decision-making an imperative, a restorative justice approach could help to counter the decontextualised free market reforms that are currently the focus of government policy.

The government would make food security, poverty alleviation and rural development the primary purpose of the investment, rather than leaving

these issues to be handled through voluntary programming at the discretion of the private investor. Instead of assuming that investment benefits will trickle down to affected populations, the government would have to ensure that environmental and social impact assessments, robust project monitoring, enforceable sanctions for non-compliance with investment obligations, and other such safeguards are placed at the heart of investment negotiations, contracting and implementation. This would require robust state involvement to ensure that private sector actors abide by their commitments.

Such an approach could have the advantage of fostering redistributive economic growth while at the same time supporting peacebuilding efforts. By enabling disenfranchised groups to play a role in determining the country’s direction, the government can foster democratic development and limit the recruitment pool for armed combatants, warlords, and other spoilers. The key would be to frame broad-based and inclusive development as a legal requirement for the state in order to meet its minimum human rights obligations and provide redress to victims of human rights violations. By framing development as a right, rather than a simple entitlement,

the restorative justice based approach to development can provide social justice advocates with a platform around which to mobilise support, providing an important check against government collusion with the private sector.

Two competing narratives

The late John Garang, leader of the SPLM/A throughout the 22-year civil war, had a very specific strategy for building the agricultural sector in South Sudan. He envisioned a South Sudan moving beyond subsistence-based agriculture to embrace modern technologies and practices, producing enough food to not only feed itself, but also generating sufficient food surpluses to produce for international markets. However, with his background in agricultural economics, he knew that if this process were promoted too quickly, it would undermine livelihood systems and endanger food security. As part of his 'taking towns to the people' policy, he advocated an incremental approach

the decisive move towards community land ownership in the early years of the interim period as a precursor to decentralised and sustainable development in the years to come. The efficient operationalisation of community land ownership would serve to increase positive linkages between foreign investors and local economies, maximising local benefits and channelling them towards communities' development priorities. This is presumably the type of community-led development that Garang had in mind when he advocated in favour of 'taking the towns to the people'.

The counter-narrative focuses on institutional practice, rather than policy. It views land-based investments in South Sudan as a continuation of dysfunctional and predatory wartime economies, characterised by capital flight, corruption, non-inclusive decision-making and net losses for local populations. Whereas the 'peace dividend' narrative highlights the strides that the government has made in land reform and grassroots empowerment during the interim period, the 'wartime economies' narrative emphasises the focus on development pathways that serve to marginalise rural populations by prioritising the needs of private investors over those of landowning communities. Indeed, the data on large-scale land investment during the interim period displays serious shortcomings in terms of community participation and one-sided contracts whose economic equilibrium strongly favours the foreign investor.

As this article argues, current approaches to reform could benefit by incorporating a human rights-based element. Such an approach could help to balance many of the social and economic harms associated with a purely market-oriented approach. It would also provide a platform around which social justice advocates could mobilise support. Restorative justice has a unique contribution to make in this regard. By structuring reforms to benefit those groups who lost as a result of social and economic predation under the wartime economy, restorative justice can help promote reconciliation among local communities and reduce their susceptibility to recruitment by spoilers. Under the rights-based approach, these redistributive policies go beyond moral, social and economic imperatives to become a binding legal obligation for the state in order to respect, protect and fulfil the human rights of its people. 

A restorative justice approach would frame community land ownership as a form of reparation for past human rights abuses.

to agricultural development: one that would maximise technology transfers and bring development to rural communities, rather than expropriating community lands and forcing rural populations to migrate to urban centres in order to provide for themselves and their families.

The immediate post-war period presented a unique opportunity for this kind of transformative change in South Sudan. Institutions were in flux, power had not yet been consolidated, and the fresh memories of war gave rise to overwhelming public support for new and innovative approaches. The pay-off from reforms in terms of economic growth during this period was atypically high. Looking back on the government's performance during this window of opportunity, two competing narratives emerge: The 'land reform as peace dividend' narrative views

- 1 The Nile Trading and Development investment actually involves three American companies: Nile Trading, Kinyeti Development, and the American Exotic Timber Company. Nile Trading assigned its rights and obligations under the contract to Kinyeti, who proceeded to assign its rights to the agro-forestry component of the project to the American Exotic Timber Company.
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- 4 This is a revised figure from the March 2011 report. David K. Deng, *The New Frontier: A Baseline Survey of Large-scale Land-based Investment in Southern Sudan*, Norwegian People's Aid (2011), available at http://www.npaid.org/en/News_Archive/?module=Articles;action=Article.publicShow;ID=17086 (accessed 7 Oct. 2011).
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- 10 Amy Chua, *World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability* (New York: Anchor Press, 2004).
- 11 Barbara, *supra* note 6, at 582.
- 12 Juma John Stephen, Agriculture Minister Injured in Gun Attack in Wonduruba, Gurtong, available at <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleid/2519/Agriculture-Minister-Injured-in-Gun-Attack-in-Wonduruba-Payam.aspx> (accessed 7 Oct. 2011).
- 13 Land Act (2009), § 11(2)(b).
- 14 Rama Mani, *Rebuilding an Inclusive Political Community After War*, Security Dialogue, Vol. 36, p. 512 (2005).

The issue of land is one of the crucial points in a conflict-prone context like South Kivu in eastern Democratic Republic of Congo. Tensions between different ethnic groups in combination with weak public institutions make up a hotbed for conflict. The presence of a dual land tenure system with both statutory and customary law adds to the risk of outbursts of violence. With the support of the Life & Peace Institute, local initiatives are taken to bridge the disturbances and find ways and means to nonviolent co-existence.

Eastern DRC:

Local efforts to solve land and identity conflicts

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This article is based on the research and work of two projects implemented by local partners of the Life & Peace Institute in the South Kivu province of the Democratic Republic of Congo (DRC): the TRIO in the Uvira and Fizi territories¹, and Action pour la Paix et la Concorde (APC) in the Kalehe territory². Although each case study concerns a distinct history and experience with land-related conflict, they demonstrate similar, fundamental challenges in the eastern DRC related to identity, land tenure and the exercise of political rights.

The article therefore seeks to explore the relationship between land and conflict in South Kivu as a core issue that continues to put communities in opposition to each other in a context by the presence of armed groups, weak public institutions, and international intervention. It begins by examining the evolving interaction between land and power through the reconfiguration of authority in the colonial and independence periods, and goes on to explain its relevance today. As a theme, land provides useful insight into the factors behind systemic violence in the region, due to its vital role in the social, economic, and political security of South Kivu's predominantly rural population.

In the pre-colonial period, populations in the central Zaire basin expanded outward from their communities of origin in an uninhibited manner, described by Jeffrey Herbst as the primacy of exit, whereby "traders responded to

competition or quarrelling by establishing new villages on virgin land".³ The non-territorial nature of power was based on the population under one's control. Before the Belgian colonisation, eastern DRC was largely organised into chief-based communities where a geographical space was controlled by a traditional authority ruling over people.⁴ In this sense, land represented a means of livelihood within the confines of a community but was not politicised; its relationship with authority was weak.

Identity and citizenship in colonial and post-colonial time

The imposition of the Congo Free State 'territory' by the Belgian colonial power in 1885 radically altered the spoils of customary authority and transformed the significance of land. The shift from the pre-colonial expanse, where tensions could be resolved through mobility, to the new political space and reconfiguration of authority would also shift social power relations among the diverse set of local communities in South Kivu. The Belgian colonial administration gradually modified its form of rule from assimilation to an indirect approach of association. It instituted two legal regimes, based on two authorities, customary and civil, existing alongside each other.

Thus, regarding the regulation of land, two types of land were distinguished. First, those lands occupied by local (ethnic) communities were managed by local chiefs according to

their customs. Secondly, "vacant" land became state property and could be acquired by individuals, exploited by the colonial power and commercial agents. By establishing indirect rule, the colonial power reinforced a system of ethnic governance. Rural populations, gov-

The question of nationality has been highly contested and the legal framework has been changed several times since independence.

erned by the customary system, were consequently subjects of a kaleidoscope of ethnicised customary authorities where ethnicity dictated access to land and political power, with the customary authority enjoying a "monopoly on administrative, executive, and judicial power".⁵

Upon independence the modern and customary legal divide was further institutionalised through a bifurcated citizenship where nationality was complemented by 'ethnic citizenship'.⁶ As we will discuss, the management of land would reflect this duality. The two sets of rights – ethnic rights conferred through belonging to a community, and

civic rights conferred through citizenship – changed the *boundaries of exclusion* and *stakes of inclusion* with direct implications for a person's right to land. Without a native authority and its encompassing ethnicity, an inhabitant was not privy to economic and social rights such as the access to customary land. In the same vein, those deprived of civic citizenship would presumably be at risk of lacking political representation, dispossession of their property, and repatriation. In short, recognition and identity under both systems had consequences on access to land and power, as will be further illustrated below.

Ethnic and civic differentiation

Complicating matters was the changing economic and political dynamic in the Great Lakes region throughout the colonial and post-colonial period, as a result of which the eastern DRC became increasingly and systematically populated by plantation workers, miners, herders and refugees coming mainly from Rwanda. In this context, identity and its conceptualisation by local communities evolved with the delineation of a national 'territory'. The process of migration in pre-colonial, colonial and post-colonial times has been and remains a point of contention and is subject to different perceptions by the different communities. The question of nationality

has been highly contested and the legal framework has been changed several times since independence.

Those considered 'non-indigenous' by some could be excluded from customary and civic political recognition and their respective land rights. Terms for the native, indigenous or *autochthon* versus the alien, foreigner or *allogène* demonstrate how differentiation based on identity became paramount in the production of conflict, including land disputes. Fundamental to this equation is the "structural link between claims to land ownership by ethnic communities, and claims to political autonomy and power".⁷

The situation of South Kivu's Rwandophone communities illustrates this complex dynamic. For example, the Banyamulenge, a Tutsi community in the Fizi and Uvira territories, were not granted customary authority in independent Zaire. In addition, their nationality and citizenship was increasingly questioned by 'indigenous' communities after being granted through a presidential ordinance in 1971.⁸ As a result, the Banyamulenge felt disenfranchised from both civic and ethnic power and accordingly bereft of land rights. Yet, intertwined with their alienation were certain benefits derived from alliances during both the early Mobutu era and the Rwandan-backed *Rassemblement Congolais pour la Démocratie* rebellion

beginning in the late 1990s. The unsuccessful attempt to set up the Minembwe territory during the rebellion is one example in which the Banyamulenge sought to affirm their civic and ethnic rights by establishing an ethnic territory. Those local communities opposing it, such as the Babembe, argued that the move usurped their customary power and stole their natural resources.⁹

The two Congolese wars in 1996-1997 and 1998-2003 along with administrative changes in South Kivu instituted during the rebellion radically changed the means of protection and protest associated with land-related tensions. This situation was compounded by the preceding flood of refugees, including the Rwandan *Interahamwe* rebel fighters, in 1994 following the Rwandan genocide. Armed local Mai-mai movements sought to defend their communities against violence and outside incursions. As a result, South Kivu developed over the past two decades into a mosaic of armed groups with varying claims to land and its natural resources, with the effect of exacerbating and protracting land disputes.

Economic realities and perceptions

Overall, land acts as a visible point of contention and confrontation where tensions between communities accumulate and potentially explode into vio-



South Kivu is inhabited by a great number of ethnic groups, refugees and different armed fractions, all with their claims to land, power and natural resources. <http://www.congo-photo.blogspot.com>



PHOTO: LPI

In August 2011 a roundtable meeting was organised by LPI and its partner APC as part of a Participatory Action Research process with the aim to find nonviolent solutions to conflicts between different groupings.

lence. The autochthon/allogène distinction serves to strengthen 'indigenous' claims to deprive the Rwandophone of a customary claim to land and local power. The case of the Banyamulenge equally demonstrates the interaction between identity, economic, and political interests. Paradoxically, the autochthon debate is more pronounced regarding the Banyamulenge community in Southern South Kivu than the Rwandophone community in Kalehe despite the Banyamulenge's long history (even if disputed by some) in eastern DRC, which can be traced back to the 18th century.¹⁰ This is ostensibly the result of the economic position of the Banyamulenge relative to other communities as well as the existence of an elite with strong connections to Kigali.

Duality of land management today

The dual nature of the land tenure system in the DRC, that is, its management by both statutory and customary law, creates an ambiguous, overlapping area of regulation.¹¹ Such double regulation is not exclusive to the DRC, yet the country's weak public institutions foster an environment of corruption, impunity and, consequently, abuse of power. While certain structural elements are to blame, the complicity of authorities is equally a key factor in engendering dispute and hindering its resolution. The health of a system is not necessarily measured by the number of

disputes, but by how successfully they are resolved and to what degree the decisions are respected.

According to Congolese law, the state authorities retain "exclusive, inalienable and indefinite" ownership of Congolese soil.¹² In reality, however, the co-existence of modern and customary law engenders inefficacy and confusion. While the statutory code stipulates that rural land be regulated by the respective customary practice of communities, it

South Kivu developed over the past two decades into a mosaic of armed groups with varying claims to land.

has equally been a source of property speculation – notably due to the ability of 'certificate' holders to claim property – as well as a source of stagnancy in resolving claims. Such contradictions between the two regimes incentivise rural inhabitants to seek out redress with the customary authorities and have accordingly further weakened modern law.¹³

At the local level in the predominantly rural South Kivu, access to land is acquired permanently or temporarily via the customary authorities and their

intermediaries who receive a payment (*une récompense*, e.g. the *Kalinzi* in Kalehe and the *Itulo* in Fizi) from the farmer or occupier, most often in the form of an animal as a symbol of gratefulness and submission. The undocumented verbal nature of such transactions is often a source of abuse of power. In addition, the increasing level of competition for land in certain areas has led to more cases of illegal resale and extortion of land by customary authorities.¹⁴ The result is a more vulnerable population. Rural residents must be able to navigate a complex and corrupt web to secure their access to land, but even the Congolese ministry of planning regrets that those with the greatest resources "win over the weakest".¹⁵

Local initiatives, local solutions

On the national level, peacebuilding has focused on reuniting the country, integrating former and current armed groups into the national army and establishing democratic institutions and processes. On the local level, however, inter-community conflicts persist, and access to land, in the context of legal confusion and negative perceptions between communities, is a principal source of conflict. In order to address this peacebuilding gap, LPI supports its partners in the facilitation of constructive change processes through Participatory Action Research (PAR). In PAR, the actors concerned by a conflict are put at the centre of the ef-



A roundtable meeting without a table still fulfils its purpose to gather different stakeholders and make people meet and discuss issues of vital importance for their peaceful co-habitation.

forts to motivate positive change. They engage in a process aimed at analysing the causes and consequences of conflict (and their different interpretations) and identifying constructive actions for the future.

In Southern South Kivu, for instance, a range of local actors, representing all major communities, the Bafuliiru, the Bavira, as well as the above-mentioned Banyamulenge and Babembe, devel-

opment frameworks for dialogue between communities. Their members were equipped with conflict transformation skills, such as conflict analysis, negotiation and mediation. In particular, progress has been made in establishing a local mechanism to codify the management of access to land for seasonal livestock migrations which, in the past, caused reoccurring, often violent, conflicts between farmers and pastoralists.

The Kalehe territory, further north in the province, has suffered from conflicts over land access for decades. Local level conflicts were aggravated by sub-regional and national conflict dynamics, in particular since the early 1990s. This contributed to the development of deep-seated negative perceptions between different communities, often manipulated for political purposes. As a result, Kalehe is characterised by high levels of militarisation of its population, mistrust and confrontation between different communities. By demand of the communities, LPI's partner organisation, APC, launched a process of PAR with the key objectives to analyse, together with the local actors, the dynam-

ics of land conflict and to nurture an active interest of the parties in dialogue and constructive change.

An inter-community dialogue in August 2011 brought together delegates of all concerned ethnic communities. During the roundtable, the community delegates were able to identify several paths for dealing with their conflicts in the future, including conflicts related to the return of refugees, the presence of armed groups and modes of land access. Thereby, a stepping stone for transforming land conflicts in Kalehe has been laid. A long-term follow-up process by the community members, state authorities and other stakeholders will follow.

Conclusion

Land has served as a tool and object of control in the eastern DRC. The reconfiguration of authority into a bifurcated state in the colonial and post-independence periods meant that land issues became part of an ambiguous system of legal pluralism and set the conditions for ethnic-based social and political mobilisation. Recognition of civic citizenship and access to customary power

The community delegates were able to identify several paths for dealing with their conflicts in the future.

oped an action plan for addressing the challenges and causes of land conflict with the support of LPI and its local NGO partners. In the follow-up, four inter-community committees were put in place. They function as perma-

with its complementary access to land have been fundamental underlying issues contributing to the instrumentalisation and polarisation of identity. Its legacy has been a cycle of armed antagonism and a stasis of unsettled land disputes, but their transformation remains contingent on addressing the system's structural deficiencies as well as transcending rigid identities. 

Conflits fonciers au Sud-Kivu

Cet article, basé sur les résultats de deux projets réalisés par les partenaires locaux de LPI dans la province du Sud-Kivu, République Démocratique du Congo (TRIO pour les territoires d'Uvira et de Fizi et APC pour le territoire de Kalehe), examine dans les deux cas, malgré des divergences historiques et pragmatiques, les conflits fonciers liés aux problèmes d'identité, d'accès à la terre et d'exercice des droits politiques.

L'article vise à explorer la relation entre la terre et les conflits intercommunautaires au Sud-Kivu : question centrale qui continue à opposer les communautés entre elles dans un contexte de groupes armés, de faiblesse des institutions publiques et d'intervention internationale. Il examine d'abord l'interaction évolutive entre la terre et le pouvoir par suite de la reconfiguration de l'autorité dans les périodes coloniale et post-coloniales, et ce qu'il en résulte aujourd'hui. La terre fournit une explication des violences qui sévissent dans la région en raison de son rôle vital en matière sociale, économique et politique pour la majorité de la population rurale du Sud-Kivu.

Dans la période pré-coloniale, les populations dans le bassin central du Zaïre pouvaient se déplacer librement hors de leurs communautés d'origine. Le caractère non territorial du pouvoir tenait à la population dont il avait le contrôle : communautés placées sous l'autorité d'un chef, espace géographique relevant d'une autorité traditionnelle exercée sur lesdites populations. La terre représentait un moyen de subsistance dans les limites d'une communauté, mais n'était pas politisée ; son lien avec l'autorité restait faible.

L'instauration de « territoire » Congo Free State par la puissance coloniale belge en 1885 a radicalement modifié les attributions de l'autorité coutumière, y compris la signification de la terre. Contrairement à l'espace libre pré-colonial, où la mobilité permettait de résoudre les tensions, le nouvel espace politique et la reconfiguration de l'autorité ont profondément modifié les rapports de force entre les diverses communautés locales dans le Sud-Kivu. Il en est résulté un régime juridique à deux têtes, fondé sur deux types d'autorité, coutumière et civile, existant côte à côte.

En ce qui concerne la réglementation de la terre, deux types de terres ont été distingués. D'abord, celles occupées par les communautés (ethniques) locales, placées sous l'autorité traditionnelle d'un chef coutumier. Deuxièmement, les terres « vacantes » devenues propriété de l'État, pouvant être achetées par des particuliers ou exploitées par la puissance coloniale et des agents commerciaux. La puissance coloniale a ainsi renforcé un système de gouvernance ethnique. Les populations rurales, régies par le système coutumier, se sont trouvées de ce fait assujetties à un kaléidoscope d'autorités coutumières relevant de l'ethnicité, laquelle détermine l'accès à la terre et au pouvoir politique.

Après l'indépendance, la division entre le droit moderne et le droit coutumier a encore été institutionnalisée par le biais d'une citoyenneté bicéphale : à la nationalité venait s'ajouter la « citoyenneté ethnique ». La reconnaissance de la citoyenneté civique et l'accès au pouvoir coutumier, avec son accès complémentaire à la terre, ont constitué des problèmes fondamentaux sous-jacents qui contribuent à l'instrumentalisation et à la polarisation de l'identité. Il en est résulté un cycle de conflits armés et une stase de contestations territoriales non résolues, mais leur transformation reste subordonnée à la solution des lacunes structurelles du système ainsi qu'au dépassement des rigidités identitaires.

L'article examine par conséquent les questions suivantes : identité et citoyenneté, ethnie et différenciations civiques, réalités économiques et perceptions et la dualité de la gestion des terres à l'heure actuelle. Enfin, des solutions locales, qui émergeaient sur base des Recherches Actions Participatives des partenaires de LPI, sont présentées.

Résumé en français par Bertrand Ligny

- 1 The TRIO consisted of three LPI partners: Réseau d'Innovation Organisationnelle of the Eglise du Christ au Congo, Action pour le Développement et la Paix Endogènes, and Arche d'Alliance. For more information, see the final TRIO research report: *Conflits: Au-delà des «groupes armés» : Conflits locaux et connexions sous-régionales*, TRIO and LPI, June 2011.
- 2 For more information, see the final APC research report: *Conflits fonciers et dynamique de cohabitation en territoire de Kalehe*, APC and LPI, March 2011.
- 3 Herbst, J. I., *States and power in Africa: comparative lessons in authority and control*. Princeton, New Jersey: Princeton University Press, 2000, p. 39.
- 4 Autesserre, S., *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*, New York: Cambridge University Press, 2010, p. 130.
- 5 Ibid.
- 6 Mamdani, M., "African States, Citizenship and War: A Case-Study", *International Affairs*, Vol. 78, No. 3 (2002), p. 502.
- 7 Huggins, C., "Land Power and Identity: Roots of Violent Conflict in Eastern DRC", *International Alert*, Nov 2010, p. 5.
- 8 See the TRIO-LPI research report for more information, p. 22. In 1971, Law No 71/020 grants citizenship to all persons originating from Burundi or Rwanda that have established themselves in the Kivu provinces before 1 January 1950 and have continued to reside in the Republic of Zaïre. In 1981, a new law on nationality, however, revokes this ordinance and instead defines that citizens have to be descendants of those "tribes" having established themselves in the territory of Zaïre as of 1885.
- 9 See APC-LPI research report, p. 50-52.
- 10 See the TRIO-LPI research report, p. 19.
- 11 See Matabaro, S. M., "La crise foncière à l'Est de la RDC", *L'Afrique des Grands Lacs Annuaire*, 2007-2008.
- 12 See Article 53 of the Law 73/021 of 20 July 1973 as modified by Law 80/008 of 18 July 1980 in: *Journal Officiel de la RDC*, Code foncier, Special Issue, 5 Apr 2006, p. 24.
- 13 See APC-LPI research report, p. 13.
- 14 See APC-LPI research report, p. 12-13.
- 15 Monographie de la Province du Sud Kivu, République Démocratique du Congo, Ministère du Plan, Unité de Pilotage du Processus DSRP, March 2005, p. 39.

In 2008, Addax Bioenergy initiated a renewable energy and agriculture project at Makeni in Central Sierra Leone. It will produce bio-ethanol and 'green' electricity from sugar cane. This article describes how the project is designed in order to create a win-win situation for Addax, the local communities and the national economy of Sierra Leone. A central part of the strategy is to organise a coherent and transparent land acquisition process by including the local communities from the beginning.

Sierra Leone:

Large scale investments develop hidden potentials

Reinier Bulstra

Addax Bioenergy is a subsidiary of the Addax & Oryx Group, a diversified group of companies with focus on energy. In 2008, Addax Bioenergy started the development of a Green-field renewable energy and agriculture project at Makeni in Central Sierra Leone. It will produce bio-ethanol and 'green' electricity from sugar cane. The project area covers 14,300 ha of land. The plantations cover approximately 10,000 ha and the ethanol distillery, power plant, and related infrastructure another 4,300 ha. The sugar cane is planted in circular fields instead of one big block, minimising the impact on local livelihoods and preserving much of the existing farmland and natural reserves. The project will be fully operational in 2014.

Building on opportunities presented by a growing market for biofuels in Europe, preferential trade agreements and the suitable climate in Sierra Leone, Addax will produce bio-ethanol and 'green' electricity from sugar cane. The country provides ideal conditions for sugar cane, a feedstock widely recognised as the most efficient and sustainable for biofuel production. Sugar cane has highly fermentable sugar content, residual fibres can be used for power generation, and by-products of the production process can be recycled into organic fertiliser or biogas.

By 2014 Addax expects to produce up to 93,000 m³ of bio-ethanol and 30 MW of electric power per annum. The bulk of the produced bio-ethanol will be exported to Europe as there is currently no domestic market for bio-ethanol in

Sierra Leone. Up to 50 per cent of the produced electric power will be fed into the national grid of Sierra Leone, significantly adding to the country's electric power capacity and the rest will be used to power the Addax operations.

Focus on sustainability

Addax aims to become a frontrunner in sustainable biofuel and agriculture investment in Africa and is breaking new

Addax aims to become a frontrunner in sustainable biofuel and agriculture investment in Africa.

ground by integrating strict environmental and social criteria into a proven business model. The project is designed to comply with the world's highest social and environmental standards, including the African Development Bank's safeguard policies, the World Bank's International Finance Corporation performance standards, the EU Renewable Energy Directive, the Equator Principles, and the recommendations of both the Roundtable of Sustainable Biofuels and Bonsucro.

Addax has chosen to develop its project in partnership with seven European and African development finance

institutions (DFIs). This partnership implies that Addax is subject to stringent monitoring by the participating DFIs throughout the lifespan of the 12-year loan agreement, which was signed by Addax in June 2011. In line with this loan agreement, ensuring a truly a sustainable project has been a top priority during project development to this day.

The project has gone through an extensive environmental, social and health impact assessment (ESHIA), conducted by independent consultants, which took two years to complete. It included GIS (geographic information system) analysis and fourteen specialist studies, and it has been applauded as 'the gold standard' of impact assessments by industry professionals and the European Commission. Stakeholder engagement and public consultation were prioritised during the execution of the ESHIA. Another focus in the ESHIA process was on land selection and avoiding impact on communities, forest and water and using land for the project that has been previously degraded by human activity.

A safeguard for present and future generations

In the project area customary land tenure rules apply. Ownership of land is vested in the chiefdom councils and communities. Land in the provinces of Sierra Leone can never be owned as freehold and it always belongs to the communities under the different forms of tenure under customary law. In the Addax project area it is based on family tenure, which in turn is based on line-



PHOTO: ADDAX

Addax ensured continuous disclosure of project documentation. Aminata Kamara of the Addax Social Team (far left) and Naomi Richardson of Coastal & Environmental Services handing the environmental, social and health impact assessment to the Chiefdom Councils and communities.

age or clan, uniting all the descendants of a particular ancestor (or group of ancestors) identified as the founder of a family or clan. Under family tenure a person is entitled to land belonging to the family if this person is able to prove kinship, which is established by patrilineal affiliation.

Traditional landowners in Sierra Leone regard land as their most precious possession. It is their only security in an environment which is economically insecure. Land is regarded as a safeguard for maintaining livelihoods, not only for its current owners but also for future generations.

In principle no Sierra Leonean citizen is landless, as they all are descendants of families who have claimed land in the past. However, as migration has increased as a result of the civil war and socio-economic pressures, many people cultivate land and live outside of their ancestral land. This means that a proportion of the population is regarded as 'strangers' or tenants on the land. Some of them have worked and lived in

their host village for large parts of their lives (some even become village chiefs), and their offspring may have married landowning families. Others are urban dwellers cultivating land in villages or Fullah herders leasing village land for their cattle to graze on.

Stakeholder engagement and public consultation

After a long, transparent and public consultation process, land for the project was leased (not purchased) by Addax from local landowners through the local chiefdoms, in compliance with the laws of Sierra Leone. There were no precedents of leasing large areas of land prior to the Addax project, which reinforced the need for a thorough understanding of local dynamics before negotiating a land lease.

Large-scale plantations can only be developed in close collaboration with the local communities and for that reason Addax adopted a bottom-up approach, engaging all stakeholders in a transparent manner. In parallel with

the ESHIA process, Addax commenced a public land lease process and established a formal grievance mechanism to receive and facilitate resolution of the communities' concerns and grievances about the project. In addition, Addax established Community Liaison Offices to ensure that people have the possibility of making suggestions or lodging complaints.

The draft land lease agreement was developed by Sierra Leone attorneys. To ensure a fair and transparent process, two law firms were engaged, one to represent Addax Bioenergy and one selected by the communities and Chiefdom Councils to represent their interests and to ensure that the lease agreements were well understood by all affected. Later two law firms representing the project's lenders also reviewed the lease documents and the lease process.

The draft was discussed and negotiated in several meetings over a period of eleven months. It was first introduced to the districts and chiefdom officials and traditional landowners, who

in turn were tasked with discussing the document further with their communities. Meetings were subsequently held with affected villages. Invitations to meetings were sent out to landowners and transport costs were covered for those attending meetings. During the period following the meetings stakeholders were encouraged to send their questions and comments relating to the lease agreement to their lawyer for further discussion with Addax Bioenergy.

Enhancing landowners' rights

The lease paid by Addax for the land is 12 USD per hectare per year. Land lease payments are made to the district administrator and are split accordingly between landowners (50 per cent), chiefdom councils (20 per cent), district administrations (20 per cent) and the government of Sierra Leone (10 per cent). Addax has ensured public authorisation given by landowners to chiefdom councils to sign on their behalf.

As part of the land lease process Addax has introduced Acknowledgment Agreements (AA), which are signed directly with traditional landowners who acknowledge Addax Bioenergy's rights under the land leases. In return they

ent land lease process in the country, and is championed as a model for sustainable business in Africa. No physical displacement of households is expected in the project area, as no major settlements intersect with any of the Addax proposed fields or infrastructure.

Economic displacement (loss of access to lands) affecting people will definitely occur, and therefore Addax introduced a formal compensation process as soon as the land selection process and land lease process were initiated. Consultation and participation are considered key to the success of the compensation process. The number of impacted households is determined in a quantitative exercise that is driven by a Household Asset and Socio-Economic Survey that has been undertaken in order to create a baseline of each household. This will allow for the design of appropriate compensation protocols. This baseline information constitutes a reference point against which livelihood restoration efforts can be measured. Addax will, through the lease mechanism, the compensation process, and the Farmer Development Programme, endeavour to replace the livelihood and values associated with land parcels leased.

Ensuring food security

Addax is aware of the critical issue associated with establishing a large-scale agricultural project in Africa. Land required for planting and the associated pressure can potentially jeopardise food production. In order to mitigate potential negative impacts on food security in the project area, Addax has created a Farmer Development Programme (FDP). It is used to support households and communities who are directly affected by the project, including the landowners leasing land to Addax and others using these lands. All project affected communities residing within the boundaries of the development area are eligible to participate in the FDP.

The FDP is currently the largest food producing project in Sierra Leone, preparing more than 2,000 ha of community fields for directly affected communities. For this programme Addax cooperates with the Food and Agriculture Organization (FAO) of the UN, the International Institute of Tropical Agriculture (IITA) and the Ministry of Agriculture and Food Security (MAFFS). Objectives of the FDP include:

- Introducing improved planting and crop management methods;
- Using local materials for soil improvement and crop protection;
- Sensitisation on basic health and sanitation issues;
- Mobilising local funding and generating income; and
- Providing improved planting materials.

The FDP includes a Farmer Field and Life Schools (FFLS) training programme, which has a twofold objective: firstly, ensuring that households affected by the project have sufficient land and agricultural knowledge to mitigate potential economic displacement, and secondly, enhancing food and livelihood security. The FFLS farmer training programme will enable about 2,000 local farmers (i.e. one out of six persons affected by the project) to improve productivity of their food crops. The first 120 participants graduated in February 2011, the majority of them being women.

The FFLS groups consist of 25 to 30 persons per farmer school. One participant per hectare of each affected community is invited to participate. Addax expects to organise between 70 and 80 FFLS groups. Each FFLS will have a chairperson, treasurer, secretary and women's representative elected by the group. In addition the FDP consists of several other components. The FDP also has a livelihood component, which aims to build livelihood skills for community members through FFLS activities such as trainings on prevention and treatment of malaria and HIV/AIDS, nutrition, literacy and organisational management.

The FDP also has a land access and land preparation component. Addax endeavours to ensure that the FDP programme provides access to sufficient land and increased farming skills for the people affected by the project. Depending on the size of the affected community, a piece of land has been identified for affected communities in the project area. Apart from mechanical land preparation, farmers will be in charge of the management of the FFLS plots, with a master trainer and the MAFFS providing backstopping.

The last component consists of inputs for the FDP and FFLS. During the wet season, inputs to the FFLS include lowland rice seed, cassava planting ma-

Large-scale plantations can only be developed in close collaboration with the local communities.

receive an annual direct rent payment. This is the first time that landowners' rights are contractually confirmed by a company in Sierra Leone. Landowners are not considered in the Sierra Leone's Land Act, neither does it specify how rent is to be distributed. The AA ensure that they receive their fair share of the lease payment.

Addax is conducting a survey of village boundaries for fair compensation to the traditional landowners by mapping of customary land title and land tenure. 100 per cent of the annual AA payment goes to the landowners. The payments are public and transparent. The Addax land lease format constitutes the first public, coherent and transpar-



Addax assists local farmers with mechanised land preparation. Pa Jalloh from Yainkassa village was the first Farmer Development Programme tractor driver to be employed.

terials, fertiliser and some tools. Each FFLS group also has access to a motorised thresher. Vegetable seeds may be made available for home gardens in the wet and dry season, subsidised by the project. During the dry season, the groups will continue the FFLS and have support that can include, for example, sweet potato stems and other dry season planting materials.

Comprehensive development

Addax is committed to creating job opportunities in the project area. At project completion, Addax anticipates to directly employ 2,000 local people. Members of households affected by the project are prioritised for job opportunities and Addax currently employs about 800 people, all of them recruited locally.

In addition, Addax seeks to create lasting opportunities for local farmers by implementing contract farming schemes and exhorting farmer cooperatives to grow more food crops also on fallow land. The long term goal is to foster the development of Farmer Based Organisations and Agricultural Business Centres which is in line with the government of Sierra Leone's Small-

holder Commercialisation Programme which is the prioritised agricultural strategy in the country.

Special programmes and plans such as the Community and Skills Development Plan and Community Health and Safety Management Plan are under development and will target community development and skills, as well as health and sanitation. Both plans will be implemented together with the communities affected by the project, local authorities and NGOs.

Apart from health and sanitation, key themes likely to be included are: early stage funding (micro funding) and training in entrepreneurship, literacy, basic accounting and the establishment of Community Trusts; enterprise development services for rural companies and local economic growth; environmental protection and environmental education; provision of clean renewable energy such as ethanol or biogas stoves; water resource management and drinking water supply; and household livelihood diversification strategies.

The need for capacity building

One of the challenges Addax has been confronted with during the project

development is the difficulty to find skilled industrial and agricultural labour in Sierra Leone. The civil war, which lasted 1991-2002, led to agricultural output dropping significantly and manufacturing coming to a complete hold. The high unemployment rates and low levels of education that constitute serious challenges for Sierra Leone today can still be directly linked to the civil war. This skills gap in Sierra Leone impedes employment and investment opportunities in all sectors, something increasingly acknowledged by both the public and private sector. The lack of vocational schools and training centres is a concern.

Addax is working on organising agricultural and technical training programmes to address this skills gap. The goal is to set up an institute that offers technical and vocational training to build capacity for Addax' needs and promotes the development of the agricultural and industrial sectors in the region at the same time.

The idea of a training institute has been positively received by stakeholders, and Addax envisions a public-private partnership to further contribute to the educational relevance of institutions in the project area, fostering the long term development of the region.

Africa's potential for bioenergy

Biofuels development in Africa has been at the centre of the on-going discussions about bioenergy, 'land grabbing', and food security. The discussion, however, tends to neglect the positive impact of sustainable biofuel investment for the African continent.

The Addax project offers Sierra Leone a prospect to become self-reliant on energy supplies at national and local levels with potential economic, ecological, social, and food security benefits. It also shows that increased production of energy from biomass does not require a sacrifice in food security, but that modern bioenergy, in the form of food, feed, fuel and fibre, can be developed so that it actually enhances food security.

The Addax project highlights the need to avoid approaches that do not foster sustainable outcomes and the need to identify and implement approaches that do. The first step towards reaching 'win-win' outcomes, with respect to bioenergy, food security, poverty reduction, and sustainable investment and development, is to recognise that such outcomes are possible. 

An essential, yet sometimes neglected, aspect on biofuel production is the economic and social consequences following the choice of one or another type of crop. A key finding from research regarding the biofuel plantations at the Lake Victoria Basin in Tanzania is that, in spite of jatropha being the least suitable biofuel feedstock for that area, it is the most widespread crop. Biofuel development should not only be seen as an energy issue but also include local and agricultural considerations.

Bioenergy crops:

A matter of choice with far-reaching consequences

Isabella Soi and Juan Manuel Gonzalez Benitez

In recent years there has been a rapid growth in the biofuels sector, with increasing investments and international market growth. Many publications on biofuels deal with the African 'land grab' or the involvement of 'civil society' in the decision and production process, with the aim of enhancing the development also in (economically) marginal regions.

This paper is based on research aiming to identify the most suitable bioenergy crop and feedstock production model according to the agronomic conditions at the Tanzanian Lake Victoria Basin and their potential for rural development. A key finding was that the least suitable biofuel feedstock for that area is jatropha, a non-edible crop that, surprisingly, is the most widespread biofuel feedstock crop in Tanzania, favoured by the majority of large biofuel companies in the country. Enticing small scale farmers to switch to jatropha growing might have serious consequences for their livelihoods.

Food security or safe energy

Three key drivers contribute to the growth of biofuels: energy security, climate change and rural development. Here we focus on rural development.

Most countries in Sub-Saharan Africa are net importers of food and fuels. In many cases, key pre-conditions for meeting the Millennium Development Goals, such as food security and widespread access to safe and reliable energy, are far from being achieved. Access to energy is also a prerequisite for poverty alleviation. In Tanzania fuelwood, charcoal and bio-residues such as dung

currently account for approximately 90 per cent of the primary energy supply. Lack of access to "clean" energy has serious consequences also for health.

The use of solid fuels such as wood or dung for cooking or other household activities causes indoor air pollution, which is responsible for more deaths per year than malaria. The lack of access to modern energy services also has important socio-economic implications due to the large amount of time invested in energy-related activities such as gathering of wood and water. There are also important environmental issues caused by the destruction of land through deforestation and soil erosion.

In this context, development of energy crops and biofuel industry might present great opportunities for rural development in terms of energy provision for the poor, agricultural intensi-

exploitation that might by-pass small-scale farmers. In addition to this, an inadequate choice of biofuel crops might cause social conflicts and economic dependency.

This article is based on research that addresses some open questions regarding biofuel potential, from suitable crops to final biofuel production in the Lake Victoria Basin (LVB) in Tanzania. It investigates the suitability of different bioenergy crops.¹ The results will be summarised very briefly below, and we then proceed to discuss the possible impact on small-scale farmers.

A region with large potential

Lake Victoria is the largest freshwater lake in Africa and the second largest in the world. It is shared by Tanzania, Uganda and Kenya. Here we focus on the Tanzanian LVB which is shared by four different regions: Kagera, Shinyanga, Mwanza and Mara. The LVB supports a dense population, and the four regions within it represent approximately one fourth (more than nine million) of the total Tanzanian population.

The economy in most of the Tanzanian LVB is predominantly based on agricultural production (as much as 90 per cent of the population in the Kagera region is engaged in the production of food and cash crops) and livestock keeping. However, despite the economic importance of the agricultural sector, commercial farming has not been developed yet, and most of the regions in the LVB currently rely on rainfed subsistence farming. Fishing is another significant economic activity in the LVB regions.

An inadequate choice of biofuel crops might cause social conflicts and economic dependency.

fication, reduction of pressure on forestry resources and improved health. However, investing in biofuels raises concerns about water scarcity, competition between resources for food crops and for energy crops, potential rise of food prices and systems of agricultural

In the Mara region tourism is also an important economic sector (part of the Serengeti National Park lies within the limits of the Mara region).

The whole region experiences a bi-modal rainfall pattern, with average annual rainfall ranging from 500 to 2,000 mm. Rainfall is very high along the shores of Lake Victoria, and decreases inland and with altitude. Despite high rainfall conditions, water scarcity is widely regarded as a limiting factor in crop production and achievable yields. Lack of efficient irrigation systems is evident in the whole Tanzanian LVB, as hand bucket is by far the most common method of obtaining water for irrigation (followed by gravity systems) in all four regions. With the exception of Mwanza, where 27 per cent of the annual crops are under irrigation (approx. 182,000 ha), in the rest of the regions the area of annual crops under irrigation is minuscule.

The existing agricultural lands in the LVB could greatly increase their yields

through improved management. The maximum yields attainable by the current low input tillage based agriculture systems are very low in comparison

“Lack of efficient irrigation systems is evident in the whole Tanzanian Lake Victoria Basin.”

with those from high input conservation agriculture systems. Increased agricultural yields would require less land, both for ensuring food security and for biofuels feedstock. However, the transition to improved agricultural management is currently greatly impaired by the shortage of regional-specific expert advice, the lack of credit available to farmers and the high transport and

transaction costs. All of these factors prevent the access of farmers to competitive markets and contribute to low agricultural productivity (subsistence farming) and low rural incomes.

Development of a liquid biofuel industry will depend on the capability of transforming available biomass stock into liquid biofuel. This capability will require the installation, operation and maintenance of new technologies that will require both human skills and inputs for operating the biofuel plants, such as feedstock, solvents, additives and other chemicals. Tanzania is currently lacking the necessary technical capacity and expertise.

A crop with many problems

Six crops were assessed in our study: three “sugar-based” crops (sorghum, cassava and sugar cane), for bioethanol production, and three “oil-based” crops (sunflower, palm oil and jatropha), for biodiesel production. Two production



PHOTO: © DILIGENT

The smallholder farmers pick the jatropha fruits, remove the hulls and sell the seeds to a local collection centre. The seeds are then pressed into oil that is filtered, stored and sold to local clients or exported.

systems were considered, tillage based agriculture and conservation agriculture.

According to our evaluation criteria (agronomic suitability, biofuel production costs, potential for small scale farmers' inclusion in the production chain, environmental risks, and the level of domestication and agronomic knowledge), the most attractive sugar-based and oil-based crops are sorghum and sunflower, respectively, while cassava, sugar cane and oil palm have a more limited potential. Jatropha is by far the least suitable crop.

We have classified jatropha as "least suitable" due to both economic considerations (very early stage of domestication, lack of sound agronomic knowledge, low yields and high costs) and due to environmental and social concerns (toxicity, potential to become an invasive species and a vector for cassava diseases). The same considerations can be extended to the whole Tanzanian context. However, the vast majority of the biofuel companies in Tanzania favour jatropha as feedstock crop and large plantations as production model.

Under the conditions prevailing in areas marginally suitable for agriculture, experience has shown that jatropha can "survive", but the yields obtained are uneconomical. Commercial production

Another serious concern about the choice of jatropha is the dependence on external economic forces: most of the companies involved in the jatropha market are European, American or Asian. In this context Tanzania will have the role of exporter of a non-staple crop. The serious risks associated with this

If the farmers become aware of their control on feedstock supply, they are in a better position to negotiate prices.

role are well documented in the African recent past, where many states relying on exports of non-edible crops, such as cotton, in their economies suffered the catastrophic consequences of collapsing prices in the international market.

Impact on farmers

We will now consider jatropha from the point of view of smallholder farmers' options. In Tanzania, biofuel companies prefer to rely on large scale plantations. The main reasons for biofuel companies to choose large scale plantation models include concerns over levels of production, quality and price stabilisation. If high yield per hectare is the main priority for investors, then jatropha plantations must be located on well-watered, fertile soils. In the LVB, where such areas are currently managed as small farms, this system would be at high risk of being replaced by large plantations. In this scenario the members of peasant households would end up as daily workers.

A better deal – from the point of view of the farming communities – would be jatropha cultivation under the management of the local farming communities. A production model fully involving small scale farmers (out-grower schemes and independent smallholders' production) would have the highest potential to enhance rural development. Feedstock production from out-grower schemes implies a higher degree of control by the out-growers. If the farmers become aware of their control on feedstock supply, they are in a better position to negotiate prices. Large scale

plantations, on the other hand, pose serious risks to smallholders, including potential reduction of rights and wages, or even replacement of plantation workers by mechanised production, as well as potential loss of natural resources and land. Hybrid models (combining both smallholders' production and plantation) are likely to present the best trade-off solution, reducing risks both for biofuel companies and for small scale farmers.

There are more reasons for jatropha not being a good option in the short-medium term: (i) the seed production costs are still high, particularly considering the high requirement for labour and are not outbalanced by profits, and (ii) the income of the farmers depends completely on the market price, which is still too low to be competitive, and the single small scale farmer cannot influence it. Thus, the only viable option would be to reduce the costs or to increase the output, but this option is difficult to achieve due to the lack of knowledge in jatropha industrial production. Considering these factors, the unreliability of the market and the competition with food crops on arable land, we conclude that long term investment in jatropha poses very high risks, with potentially unbearable costs for the farmers.

At the policy level, urgent measures should be implemented to ensure that more sound reasons would determine the choice of jatropha or any other feedstock for biofuel development. The lack of a comprehensive and adequate energy policy, particularly regarding biofuels, is a major drawback for Tanzanian development. Policy guidelines should not only look at biofuel development as an energy issue but also consider agricultural, food-security and local livelihood issues. The policy should realise the vulnerable position of the farmers in front of the biofuels companies and address them in order to avoid criticism, dissatisfaction and conflict. 

Increased agricultural yields would require less land, both for ensuring food security and for biofuels feedstock.

of biofuels requires large scale economics. For this reason there is a high risk that investors, in order to make jatropha feedstock financially viable, will choose to grow it on fertile land, possibly even considering irrigation to achieve high yields. A recent study comparing the water footprint (WF)² of 13 different bioenergy crops pointed out that jatropha was the bioenergy crop with the highest WF. Jatropha might also act as a host for cassava diseases, therefore rendering incompatible the simultaneous cultivation of jatropha and cassava, which is a key staple crop in this region.

¹ Juan M. Gonzalez Benitez and Isabella Soi, Evaluation of *Different Bioenergy Crops and Production Models in Tanzania*. Paper presented at the 4th ECAS Conference, Uppsala, 2011.

² The total amount of freshwater required to produce the goods and services catering for the consumption needs of a country.

The increase in fuel prices along with the environmental impact of fossil fuels have sparked a debate surrounding biofuels as a viable means for energy. Biofuel production is also promoted as a means for development in Africa. The current debate on land grabbing and biofuels in Africa shows that the discussion involves many dimensions. Among the conditions necessary for the biofuel sector to prosper in Africa are sound policies and infrastructure.

Biofuels:

Solving the energy crisis or increasing food shortage?

Judi Wakhungu, Ben Muok and Patricia Bunyasi

Biofuels are a renewable source of energy produced from biomass (organic material such as plants and animal waste), which, due to their regenerative nature, are practically inexhaustible. For people in developing countries, energy for heating and cooking comes from unprocessed biofuel. More efficient technologies have emerged, and biofuel can come in liquid, gas or solid form. Primary biofuels such as charcoal and wood chips are used mainly for cooking and heating. Secondary biofuels are used mainly in vehicles and industrial processes. This includes liquid biofuels such as ethanol and biodiesel. The fastest growth has been in biodiesel for transport fuel. Bioethanol is produced from sugar cane, wheat, maize, cassava, sugar beets and other starches, while biodiesel is produced from seed oil, waste cooking oil and animal oil. Among the feedstocks that have been identified for biodiesel are *Jatropha curcas*, *Croton megalocarpus*, *Ricinus communis*, rapeseed, cotton seed, oil palm and sunflower.

The need for energy security in the face of high and fluctuating oil prices has created a global interest in alternative and renewable energy sources such as biofuel, wind and solar energy. Another driving factor is the desire to mitigate climate change. The energy sector is considered the highest contributor to greenhouse gas emissions. In an effort to decrease carbon emissions, the European Union has imposed a mandatory

blend of biofuels and petrol of five per cent by 2015 and ten per cent by 2020¹. This target is, however, difficult to reach because of the lack of agricultural land available for biofuel production in Europe. To meet the need, large portions of agricultural land in Africa are being purchased to cultivate biofuels. Commonly referred to as 'land grabbing', the practice of large scale agricultural investment is raising several questions.

Jobs and livelihoods

The biofuels sector is labour intensive and can therefore create employment opportunities for individuals in the production process. There will be op-



The energy sector is considered the highest contributor to greenhouse gas emissions.

portunities for both skilled and non-skilled workers, with the scale and specifics of the project determining the nature of the jobs. In addition, the level of mechanisation will affect the type and number of job opportunities available. The more mechanised the process, the greater skill required and the lower the number of individuals needed. In large scale production,

where evictions take place, this might mean a loss of livelihood for those who were using the land. A less mechanised process means that less skilled and more low-wage positions are available. The type of positions, whether seasonal, full time or part time need to be considered, as they will vary depending on the project. Possible job opportunities are reduced if corporations bring in foreign labour.

The estimations of the number of jobs created vary greatly. The World Bank calculates that, on average, 420 jobs are created per hectare under production, whilst the Overseas Development Institute provides an estimate of 200 jobs per 1,000 hectares. However, some projects do not get underway and others fail, impacting on the possibility of job creation and job longevity. In 2005, a UK company by the name of D1 Oils had plans to develop 50,000 hectares of *jatropha* and a biodiesel refinery in Swaziland with more than 100,000 projected jobs². However, due to disappointing yields, they closed the operation in Swaziland and scaled back operations in Tanzania.

Land in Sub-Saharan Africa has ties to poverty to the extent that it is a source of livelihood. The cultivation of land provides food for subsistence and is the base of income for many, as their crops are sold at local markets. If individuals are accorded land rights and titles, they can determine how their land is used and their rights are not infringed upon.

Farmers exercise their rights by taking advantage of energy and agricultural diversification. Ultimately, the control of land or proper representation in land deals allows individuals to be active agents in regards to their livelihoods.

Energy security and environment

The Kyoto Protocol encourages the reduction of carbon dioxide and other greenhouse gases, as well as the use of technologies that are renewable and sustainable³. Both bioethanol and

of unequal land distribution along lines of race, class, gender and ethnicity⁴. The rights of the poor and marginalised have to be taken into account when issues of land are discussed. In order to increase revenue for development, African governments often promote investments in land resources. These investments are dominated by foreign investors and involve large pieces of land⁵, a necessity in order to achieve economies of scale in biofuel production.

A glimpse at the land tenure or the rights to use of individuals and groups reveals the following. Most small farmers in Africa do not have formal land rights in the form of titles, nor access to institutions that deal with land reform⁶. Although the process of titling and registration is viewed as valuable in efforts to reduce poverty, promote investment and ensure improved management of land resources, it is found to be expensive and slow to implement⁷. Also, individuals living under customary law live on land that is officially owned by the state⁸. As a result, they do not have the ultimate say on the use of the land, and do not have the authority to enforce their preferences. The customary system also regulates inheritance of land, with many groups prohibiting women from the right to inherit land⁹. In sum, land issues involve human rights, individual rights, food security and livelihoods, as agriculture supports a large majority of the population.

small-scale farmers and other members of the society¹⁰. Governments often consider land that is under customary law, communal or underutilised to be marginal. The land is used for grazing, acquiring herbal medicines, and compensation to indigenous people is not deemed necessary¹¹.

The definitions of land quality need to be clearly understood when making assessments of the potential for biofuel production. For pastoralists, land that is deemed marginal in terms of crop production is of value when used to feed livestock through grazing. For pastoralists, land is communal and access is free to anyone who wants to graze their herd¹². Pastoralist livelihoods depend not only on land and soil but also on access to water systems¹³. Pastoralists in the Horn of Africa adapt to climate changes and the availability of feed for their livestock by moving across vast areas of land. Land availability and access to water are vital to their livelihoods, with evictions essentially interrupting or destroying their livelihoods.

Land rights are often informal with pastoralists allowed secondary land use rights with the state as the official owner to the land. As they are ruled by an elite that does not view their livelihoods as sustainable or of economic importance, their land is often up for grabs by investors. The negative effects of further excluding historically marginalised groups by making changes in their livelihood need to be considered in land deals.

Land as trade commodity

Land use conflicts are not new in Africa. For example, there have always been conflicts between farming communities and pastoralists, between villagers on village borders, and between communities and the state in national parks and reserved areas. Even within the pastoralist communities themselves there are conflicts over community grazing areas. However, the age old conflicts have been aggravated by the current economic development, of which biofuels is just part of the bigger picture. Some conflicts emerged as a result of changes in the economic system associated with free market reforms, which in turn are connected to the commonly used/misused term "land grabs" in Africa. The change of the economic system led to the opening up of land as a trade commodity. This means that also village/community land can be acquired by

The biofuels sector is labour intensive and can therefore create employment opportunities.

biodiesel have less sulphur emissions than diesel. Increased use of bioenergy is a viable means to reduce greenhouse gas emissions. Factors such as land use change, end use, conversion techniques, agricultural methods and feedstock type will affect the overall impact on reduction of emissions and are examined through Life Cycle Analysis.

But biofuel production can also have an adverse impact on the environment. This includes water and air pollution and soil erosion resulting from the feedstock as well as utilisation of the biofuels. Biofuel production is a favourable option in terms of environmental impact if the feedstock variety causes few emissions. The cultivation practice and the technology used in the conversion process guarantees that the energy derived is efficient. In Brazil, there is concern about the impact of biofuel production on the Amazon forest. However, lately Brazil has developed environmental zonal mapping tools to ensure that biofuel production does not extend to the Amazon forest. The situation in Africa is different because apart from a few projects in the last few years, biofuel production has not yet taken root.

Critical land issues

Land is of value to the rural poor in developing nations because it is a means to gain income through farming. However, the acquisition of land by foreign investors can impinge on access to land for the poor. Africa is plagued by a history

Land is of value to the rural poor in developing nations because it is a means to gain income through farming.

Despite an existing framework for land management and transfers, land deals come with complications when their sale and acquisition involve those with secondary land rights. In Africa, information on land and its use tends to be limited. Therefore, definitions of what is considered marginal or unutilised can have negative impacts for those who live on the land. It is often found that land that is declared marginal is often used by pastoralists, women,

large investors, mostly multilaterals, for crop production, biofuels and mining. This has produced conflicts between the investors and farmers and investors and pastoralists.

The underlying assumption is that the communities would get compensation for their land and that such development projects will create employment in rural areas, thus benefiting the communities. While this by itself is not bad, the question that needs to be raised is: Are the communities equipped to negotiate a fair deal for their land? For such a deal to be fair both parties should have the same amount of information about the market. In most or even all cases, the farmers do not have very good knowledge of the market compared with the investors.

Another issue concerns the quality of jobs offered to the communities, most of which do not require much skill. Do the community workers get fair economic compensation for their labour?

The final question which needs to be raised is, if the project fails, will the land revert back to the communities and be fully restored to its original status?

If these questions are not properly addressed, then we can expect more conflicts between communities and investors in the future. What makes things even worse is that most African governments have yet to introduce proper policy guidelines for both social and environmental safeguards, and where there is some form of policy framework, implementation of these policies still leaves much to be desired.

The following quote from Tanzania summarises it all: "We request our farms to be returned to us and not to be paid anything; because from the beginning we didn't intend to give it to the investor. Besides those farms is what we depend on to sustain our livelihoods and those of our families" (from Villagers' Letter Protesting the Acquisition of their Farmland of about 6,000 hectares

by a United Kingdom Forestry Investor in a village in the Kilolo District in the Southern Highlands of Tanzania).¹⁴

Human rights aspects

The United Nations Human Rights Council's Right to Food campaign (2008) views the marginalisation of individuals through denied access to land and any action or inaction by a state that interferes with the right to food as a human rights violation. The argument against biofuel production in Sub-Saharan Africa is based on the belief that it will interfere with the right to food. Opponents of large-scale agricultural investments for biofuels production believe that in the light of current food shortages (regardless of the cause), any new cultivation of land should be for food production to be supplied at the local level. The locally available food will mitigate the impact of increasing food prices and curb the reliance on food aid. Critics also point out that land that is



PHOTO: ANDERS ÖLUND

The use of land is a crucial issue to local as well as international stakeholders. It involves human rights, individual rights, food security and livelihoods, as agriculture supports a large majority of the population.



Shar Akitena dries grain in the sun, her first harvest after returning home from years of displacement during the war in northern Uganda.

cultivated on a large scale will intensify the competition for natural resources, in this case land and water that are needed to grow food or cash crops.

According to the International Land Coalition, no large scale land acquisitions can take place without displacing people. A lack of formal land rights makes it legally possible, although morally questionable. This is the case in the Dakatcha Woodlands in Kenya, where an estimated 20,000 villagers face eviction if a jatropha plantation on 50,000 hectares is allowed (Action Aid). Dakatcha Woodlands is located on the coast of Kenya and is held in trust by the Malindi County Council. An Italian investor purchased the land and has already begun the process of clearing it for cultivation. Civil society groups claim that the consultation process was flawed and only some members were involved in the process. Currently, the project is under review, but if the deal is approved, the evictions will take place.

Action Aid interviewed Joshua Kahindi Pekeshe, a village elder from the Watha tribe in Dakatcha. According to

Pekeshe, the community derives income from farming, bee keeping and collecting herbs from the land. The investors consulted elders who are not from the land in question, winning their consent with the promise of jobs.

“If current food prices and shortages in supply contribute to food insecurity, how then can biofuels provide an answer?”

Investors have also made promises to build schools, clinics and roads, but none of the promises have been put in writing.

Civil society groups and residents are concerned over the social costs of the project. Villagers are frustrated, afraid and concerned for their future

and the loss of their land and their livelihoods. The list of potential negative social impacts include increased impoverishment, removal of children from schools, loss of faith in legal and political systems and tension with those living at proposed relocation sites. Due to the concerns and protests, the project is being re-examined.

Exploitation of land – and people

In an interview with *Nourishing the Planet*, writer and activist Raj Patel argued that international and national investors do not act with the intention to enhance food security or for the benefit of the poor in general. He stated that land deals exploit small-scale farmers, since their land use patterns are disrupted and they might not be given fair deals¹⁵. He cites a 2008 report by FAO on a multimillion dollar project by a British firm that acquired 9,000 hectares of land for jatropha cultivation. Eleven villages were cleared and 11,277 people removed from the land. Patel views this as another form of colonialism, with the motive being profit.

If current food prices and shortages in supply contribute to food insecurity, how then can biofuels provide an answer? An often heard argument against the production of biofuels involves the competition for resources. In locations where diverting land to grow feedstock for biofuel production would contribute to food shortages, it would not be advisable. However, intercropping is a technique that can be used, i.e., growing more than one crop in conjunction with another and in a manner that does not create competition.

The methods surrounding the cultivation and use of land are worth considering. Can less land be used more effectively as opposed to just using greater amounts of land? Thus, one has to consider whether the demand for biofuels requires land intensification or greater amounts of land. According to the World Bank, 34 per cent of the production growth in Sub-Saharan Africa resulted from yield increases, with the majority from the expansion of land (World Bank, 2010). Clearly, more efficient uses of land can be implemented that produces higher yields regardless of whether the farmed crop is for biofuels or food. This can lessen the concern of encroaching on land that could be used for planting crops for consumption.

Another consideration is the general effects of land degradation, population growth and urbanisation on food security. An increase in population means an increase in the demand for food, and increased urbanisation means a greater reliance on food from rural areas. Improvements in storage of foods can eliminate food waste, with the surplus used to stabilise food prices when there are shortages or changes in food prices. It also means that land for food production must be maintained in general, to meet the increase in demand. The FAO estimates that by 2020, 60 million people in Sub-Saharan Africa will be driven from their land as a result of land degradation¹⁶. This effect of land degradation and the population increase in Sub-Saharan Africa needs to be considered in order to keep the plight of the poor front and centre.

Conclusion

In order for the biofuel sector to prosper in Africa, certain conditions must exist. These are sound policies and infrastructure. The policies must look at the potential costs and benefits from

the standpoint of energy concerns, environmental and energy sustainability, economic growth and, very importantly, from the perspective of the poor.

At the local level, farmers must be included in the planning. Small-scale farmers need to work with co-operatives to increase their chances for success due to the existence of economies of scale.

Pastoralist livelihoods depend not only on land and soil but also on access to water systems.

At the national level, land policies that respect the rights of users must be in place. Regulatory and implementation frameworks must exist for government policies to be effective. Subsidies and exemptions that encourage the growth of industry should be utilised.

At the international level, trade policies should allow entry points into the global market. The synchronisation of standards and regulations prevents a potential bias towards certain producers and promotes quality control.

Also, there needs to be adequate data available at the local, national and international level that span the agricultural, energy, trade and transport sectors. Negative social, economic and environmental impacts can be minimised if appropriate policies are implemented and enforced. As with any emerging sectors, greater research and investment is needed for creation and improvement of new technologies in the biofuel sector. 

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- 9 Land Tenure Systems and Their Impacts for Food Security and Sustainable Development for Africa. Economic Commission for Africa. Dec. 2004, p. 31. Available at http://www.uneca.org/eca_resources/publications/sdd/land_tenure_systems.pdf
- 10 Agrofuels and the Myth of the Marginal Land. The Gaia Foundation, Biofuel Watch, the African Biodiversity Network, Salva la Selva, Watch Indonesia and Eco-Nexus. September 2008.
- 11 Ibid.
- 12 Access to Water, Pastoral Resource Management and Pastoralists' Livelihood. LSP Working Paper 23. Access to Natural Resource Sub-Programme. Nathalie Gommès. 2006, p. 4. Available at <ftp://ftp.fao.org/docrep/fao/009/ah247e/ah247e00.pdf>
- 13 Ibid.
- 14 Quoted by the author in Land Rights Research and Resources Institute Report, 2010 Ibid.
- 15 Large Scale Land Investments Do Not Benefit Local Communities by Ronit Ridberg. Aug. 2, 2011. Available at <http://blogs.worldwatch.org/nourishingtheplanet/large-scale-land-investments-do-not-benefit-local-communities/>.
- 16 The Growing Demand for Land. Discussion Paper for Round Table No. 2. Risks and Opportunities for Smallholder Farms. IFAD. Governing Council. February 2009, p. 5. Available at <http://www.ifad.org/events/gc/32/roundtables/2.pdf>.

During the past few years the Ethiopian government has leased out huge tracts of land to foreign as well as domestic investors. To attract foreign capital it has provided a favourable investment climate and a variety of generous financial and tax incentives.

However, the programme of land investments is taking place at the expense of local communities. If the programme is completed as planned, it will effect a radical change in the agrarian structure of the country. This will pose a threat to the long-term viability of small-holder agriculture.

Ethiopia:

Large-scale land investments imposed on local communities

Dessalegn Rahmato

As part of the Ethiopian government's overall plan for export promotion large areas of land are sold or leased out to major international and national investors. Decision makers regard foreign capital as particularly welcome on the grounds that it is much better endowed than small-scale farmers in terms of technology and resources to grow food, biofuel and industrial crops largely for the export market.

However, the programme has been undertaken without consultation with local communities and without their knowledge or consent. The damage to people's livelihoods is already beginning to be evident in many ways: it has led to the loss of farm land, of pasturage and grazing rights, of sources of water, and of access to firewood and useful plants.

Public authorities have frequently argued that the country possesses "abundant land" suitable for a wide variety of crops as well as sufficient water resources, and that land transfers to investors would be made under favourable conditions. These resources were claimed to be unused by peasants, herders or others, and hence their utilisation by investors would not pose any threat to the livelihood of the populations concerned. The authorities have issued conflicting figures on how much land is available for investment. In 2008 it was suggested that more than 54 million hectares was available for investment, but this figure was later reduced to 10 million and subsequently

to a little less. Thus, the figures must be taken with some caution because there is no comprehensive and accurate data on how much land has been given out to date and how much of it is being used or lying idle. We present these figures based on the available documentary evidence, data provided by regional public bodies and a bit of intelligent estimation.



Some investors exaggerate the benefits their project will provide and the capital they hope to invest.

In the period between 1996, when land leasing to investors began in earnest, and 2010, over *three million hectares* of land was transferred to both domestic and foreign investors. In the period between 2003 and 2009 a considerable number of foreign investors were granted land, either for their own use or as part of joint ventures with local businesses, with total holdings measuring about *one million hectares*. The World Bank (2010) puts the total land transferred to investors in Ethiopia between 2004 and 2008 at 1.2 million

hectares. Some international activist organisations have offered much higher figures, but their data is based on questionable evidence.

In 2010 the government issued a new five year development plan in which agricultural investments were given considerable emphasis. According to the plan, which runs from 2010 to 2015, the government hopes to transfer 3.6 million hectares of land to investors, of which nearly half is expected to be given out to foreign capital. Thus the evidence available suggests that by 2015, the total land transferred to investors would measure *seven million hectares* or more. This will constitute nearly one-third of the cultivated land in the country.

It should be noted that while we speak of land transfers, the resources transferred to investors include not just land but water sources as well. Most of the investment projects cannot be viable without access to and usage of large quantities of water. Land that has been transferred also includes arable land, land used for grazing, woodland, forest land, savanna grassland, wildlife habitats, and wetlands.

Who are the investors?

Numerous private business and some sovereign investors from Asia, the Middle East, Europe and the U.S. have acquired land in various parts of Ethiopia. The most aggressive investors so far have been Indian companies. As a group, Indian investors hold the largest

allotment of land in the country so far. In contrast, China had only a limited presence in the agricultural sector (but more in manufacturing and construction). The second most prominent ac-

individuals from the Ethiopian Diaspora community have shown keen interest in getting access to investment land, and some have now acquired such land in Gambella and Beni-Shangul. However, the size of land transferred to both domestic and Diaspora investors is much less than that acquired by foreign interests.

From small-holders to large investors

The large-scale agricultural investment programme under discussion must be seen in the context of the government effort to shift its agricultural strategy from emphasis on small-holder production to the commercialisation of land and large-scale production – a shift which began to take shape in the early years of the 2000s. This shift, it is believed, is an essential measure for agricultural modernisation and the improvement of productive efficiency which is said to lead to increased food production and economic growth. The following goals and benefits are frequently cited in documents issued by public authorities. Foreign investment is expected to:

- a) produce export crops and hence increase the country's foreign earnings;
- b) create employment opportunities in the project areas;
- c) benefit local communities through the construction of infrastructure and social assets such as health posts, schools, and access to clean water;
- d) provide the opportunity for technology transfer; and
- e) promote energy security through the efforts of projects engaged in growing biofuel plants.

Regulatory framework

The investment legislation is very generous to foreign investors. They have the right to fully repatriate, in convertible currency, profits and dividends, principal and interest payments on external loans, proceeds from technology transfers as well as asset sales in the event of liquidation of the investment, and proceeds from the transfer of shares or ownership to a domestic investor. Investors, foreign or domestic, are guaranteed against expropriation or nationalisation except as required

Project managers have no contractual obligations to provide social services to the communities concerned.

tors in large-scale agriculture are investors from the Middle East. Finally, there are a few European and Israeli companies which have large investments, mostly in biofuel production.

The domestic investors active at present are all urban interests, and they include individual entrepreneurs (many with good political connections), business firms, and speculators. Since the mid-2000s, an increasing number of



PHOTO ANDERS ÖLUND

Large-scale land investments have a profound impact on small-holder farmers. There is evidence that local communities are often not informed or consulted about the major changes that will affect their livelihood.



Not only the use of farm land but also access to grazing areas and water sources will be restricted or affected by programmes of land investments. With shrinking resources this can pose a serious threat to local farmers.

by the public interest. In the event that this happens, full compensation will be paid at the prevailing market value, and foreign investors may repatriate this in hard currency.

Subsequent regulations issued by the Council of Ministers provide attractive financial incentives. Any investment project, foreign or domestic, engaged in agriculture and other sectors, which exports more than 50 per cent of its output is eligible for income tax exemption for five years or more, while projects which export less than this are entitled to only two years' exemption. Investors are also allowed to import, free of custom duty, all capital goods, construction materials and spare parts for the establishment or upgrading of their enterprise.

In 2008, the government decided to designate a lead agency for large-scale land deals with foreign and local investors, and the federal Ministry of Agriculture was chosen for this purpose. Its responsibility included preparing information and other technical inputs to attract investors, undertaking land suitability assessment, signing contracts

with and transferring lands to those eligible, undertaking follow-up and oversight, and other pertinent matters.

Land deals and implications

The application procedure is fairly simple: investors fill out a standard application form and present a business plan along with their written requests for land. Neither the application form nor the business plan requires stringent commitments or obligations on the part of the investors. Moreover, there are no mechanisms for checking the accuracy of the information provided by investors in these documents, and as a result some investors exaggerate the benefits their project will provide and the capital they hope to invest so as to influence decisions and to gain approval. Once the land to be handed over is determined, the investor is asked to prepare an environmental impact assessment report which is reviewed by the ministry. If the application is given a favourable consideration, which in most cases it is, the ministry instructs the relevant regional authorities of the case and re-

quests their support and cooperation in facilitating the transfer of land.

The investor signs a contract with the concerned Regional Investment Commission, which then informs the relevant local authorities to provide support for follow-up and supervision, and to facilitate the transfer of land. It is the local authorities who have the difficult task of handling any grievances or claims voiced by local households regarding the land in question – and there have been many of these in different parts of the country.

The ministry and the Regional Investment Commissions are responsible for signing contracts with investors. The contracts signed between investors and public authorities give the former a free hand: investors are free to choose what crops to grow and where to market what they have grown without any interference from their hosts. They are not obliged to supply the local or national market; indeed, they are strongly encouraged to export most or all of their products. There are no provisions in the contracts aimed at meeting the food security needs of the country. Moreover,

project managers have no contractual obligations to provide social services to the communities concerned or invest in basic infrastructure, on the contrary, in a number of instances it is the government that constructs basic infrastructure such as roads and irrigation schemes used by the projects.

The responsibility for monitoring and oversight and the task of enforcing project obligations is placed on the shoulders of regional offices and staff. However all the officials concerned we interviewed for our study admitted that there is very little institutional and technical capacity to carry out these tasks effectively.

The lease period for all categories of investment land varies from 25 to 50 years. The rental fee charged for agricultural land, which is set out in the land laws of each region, varies widely. Lands near urban centres and having adequate roads and other basic services and benefitting from an irrigation scheme have the highest rental value. The maximum rent charged is 135 Birr (ca 7.85 USD) per hectare per year and the lowest is 15 Birr (ca 0.88 USD).

Rental fees are thus ridiculously low by any standards. There have been suggestions from the ministry to increase the rental fee. According to new guidelines the rates should be increased substantially, up to 2,660 Birr (ca 156 USD) per hectare for irrigated land located within a 100 km radius of Addis Ababa, with substantially lower levels for land farther away from the capital.

Impact of foreign land investments

The acquisition of land by foreign interests started in the 1990s but got to scale only as of 2006 onwards. Therefore a great majority of the investment projects at present have not begun full-scale operations, although a few have started land clearance and planting of crops on small plots to test the suitability of different seed varieties and how they respond to different inputs and technologies. It will take several years before an investment project is able to bring even a portion of the land it has acquired under cultivation. However, negotiations about new land transfers are continuously taking place. In view of this it is not possible to make a detailed impact assessment of investment projects and to determine their consequences (economic, social, agricultural, technological, and in terms of poverty alleviation, food security, technology transfer, etc.).

So far there is no evidence that many of the officially stated objectives related to the local communities (employment, social infrastructure etc.) have been met. On the contrary, our findings indicate that the damage done by the projects at present outweighs the benefits gained. The contracts signed between investors and the government do not expressly oblige investors to undertake social investment. Following are some of the main issues:

No consultation with local people

Evidence gathered from the field and interviews held with farmers and others in and around the project sites indicate that the programme of land investments is taking place at the expense of local communities. The programme has been undertaken without consultation with local communities and without their knowledge or consent. If the programme is completed as planned, and seven million hectares of land is transferred to investors, it will effect a radical change in the agrarian structure of the country, with foreign capital established as a dominant player. This will pose a threat to the long-term viability of small-holder agriculture. The damage to people's livelihoods is beginning to be evident in many ways even now: it has led to the loss of farm land, of pasturage and grazing rights, of sources of water, and the loss of access to firewood and useful plants.

Restricting access to water and woodlands

While the long term impact of the investment projects is not yet fully apparent for the reasons given above, there are some indications of their likely ef-

fects between the projects and local communities. In particular, the competition for access to water, which is beginning to be evident, will be exacerbated as the projects will monopolise the sources of water in the localities concerned, and local communities will be forced to turn to sources far away from their residence.

The majority of rural people do not have access to piped water and instead rely on natural streams, rivers, and springs available in their vicinity. In Oromia in particular, investment projects have enclosed land and water sources and deprived communities of access to them. In Gambella, Saudi Star, a company which currently holds

“There is and will continue to be increasing competition for scarce resources between the projects and local communities.”

10,000 hectares of land near the Alwero river dam, is posing a threat to local communities who are apprehensive that they will soon be denied access to the waters of the rivers which they depend on for fishing and household water consumption. In the same area, local communities have been denied access to the woods where they obtained firewood, grass for roof thatching, and wild food during times of food scarcity which is not uncommon here. The woods are now the property of Saudi Star.

Villagisation

The two regions where foreign investors have acquired extensive land, Beni-Shangul and Gambella, recently launched a resettlement programme involving the relocation of communities away from their home areas. Both the regions and the federal government justify the relocation (called “resettlement” initially but now re-named “villagisation”) on the grounds that this will enable local authorities to provide essential services such as education, health, clean water, etc. Interviews held

“It will take several years before an investment project is able to bring even a portion of the land it has acquired under cultivation.”

fect in several aspects, and these are already creating resentment and protest among local communities. To begin with, there is and will continue to be increasing competition for scarce re-

with local farmers in Gambella for this study, however, give a different picture: local residents were unanimous in their view that the relocation was meant to make way for investors so that they have unencumbered access to land and other resources.

Threat to wildlife

The impact on the environment and wildlife of the investment projects is becoming quite apparent now and is likely to be aggravated as the projects become fully operational. In a number of project sites, large-scale and indiscriminate clearing of the land is taking place, and the removal of woods and other vegetation has exposed the land to serious erosion hazards and damage to natural sources of water. Moreover, some projects have been given forest land, and against the strong protests of local communities, the projects have cleared the forest to plant tea and other commodities in Gambella and Southern Nations, Nationalities, and People's Region.

In Gambella, which is immensely rich in wildlife and biodiversity, investment projects are to be found inside the National Park and protected areas, or inside the established habitats of much of the wildlife. Others have been established in areas which effectively block or interfere with transit corridors and the migration routes of the animals, and yet others are in locations which will deprive the animals of access to seasonal pastures or water points. Moreover there are no adequate safeguards in the contracts signed by projects concerning the use of agro-chemicals including toxic ones. Finally, in view of the scale of their land possessions, investors are more likely to adopt industrial forms of mono-cropping, which will in the end leave the land exhausted and seriously damaged.

Food insecurity

There are no formal or informal obligations on the part of investment projects to contribute to the food security needs of the country. The contracts signed by investors and the business plans approved do not contain provisions requiring projects to supply the local market, whether as a matter of course or under emergency circumstances. While there is no clear evidence that the investment programmes have directly contributed to food insecurity at present, it is clear that the loss of re-

sources suffered by small farmers and herders will be reflected in reduced food production and livelihood deprivation in the years to come.

Strong encouragement is given to investors that export their products: investment projects planning to export more of their products are given greater benefits than those which do not. The shift towards large-scale agriculture is thus driven by the priority for exports and foreign earnings and ignores the need for domestic food security. It is

“There are no formal or informal obligations on the part of investment projects to contribute to the food security needs of the country.”

worth noting here that many of the crops favoured by foreign investors, listed above, are not food crops commonly consumed by a great majority of the country's population, and some, such as palm oil and jatropa, are exotic plants unknown here.

Skilled workers brought in from abroad

Projects which have started operations have provided employment opportunities to local people in the form of short term and season work. For example, Karuturi's project in Bako district employs some 200 to 500 casual labourers during land clearing and other heavy work, while Gambella Saudi Star employs 600 or more labourers for similar tasks. In both areas the projects have employed a small number of skilled staff operating various types of farm machinery, but these are often brought from outside the communities concerned, from large cities in the regions or from Addis Ababa. Karuturi's project in Bako has even brought employees from India to do some of the skilled work. The majority of casual labourers have little or no employment security and no benefits other than the daily wage they receive. Wages paid to such workers in most areas, but particularly in Indian operated projects, are very low even by Ethiopian standards.

No technology transfer

Finally, there is hardly any technology transfer at the moment. The projects are operated with high technology which is not transferable (or affordable) to small-holders. Indeed, large-scale agriculture is managed quite differently from family farms, and there is no meeting ground between the two under the present policy environment.

Growing grievances

There have been several incidents of protest by peasants in several parts of the country, some robust but many low-key and subdued. Of the latter kind are peasant encroachments on land given out to investment projects, driving livestock to graze on them, disputing boundary limits, taking one's grievances to court, or appealing to higher authorities for redress of grievances. The more robust ones have involved community agitations and group action. In some instances, even local officials have voiced their reservations or discontent over the land deals they have been asked to implement by their superiors. Group action and demonstrations have occurred in Gambella and Bako district, where we have done field work, in which peasants contested the transfer of land and attempted to drive off the project staff. In Bako, the federal police had to be called in to put down the demonstration and to restore order. 🌿

For a full discussion of the subject and the documentary evidence, see Dessalegn Rahmato, *Land to Investors: Large-Scale Land Transfers in Ethiopia*, Forum for Social Studies, Addis Ababa, 2011. Available at http://www.ethioobserver.net/Ethiopia_Rahmato_FSS_o.pdf

LPI News

Horn of Africa in focus at PeaceNet meeting in Uppsala

The Church of Sweden and LPI hosted this year's PeaceNet meeting in Uppsala, Sweden, 12-14 October. At the request of some members, the meeting was extended with a training day on planning, monitoring, evaluation and learning (PME&L), which was facilitated by Charlotte Booth from LPI. Eight ecumenical agencies from Europe attended PeaceNet, which, in addition to the PME&L training, highlighted themes like land grabbing, local protection and the developments in the Horn of Africa.

Caroline Kruckow from EED and Martin Quack from Bread for the World facilitated the session on land grabbing, while Henrik Fröjmark from the Church of Sweden presented the research project on protection, From Local to Global. In another session the participants discussed the potential outcome of the International Ecumenical Peace Convocation in Jamaica in May 2011. It was suggested that PeaceNet would approach the World Council of Churches, as well as the ACT Alliance, regarding follow-up initiatives.

The meeting concluded with a seminar on the Horn of Africa, the famine, environment and political developments. Keynote speaker was Mr Pekka Haavisto, Finnish government Special Envoy to Africa. Mr. Haavisto emphasised the critical situation in Somalia and the importance of "talking to all who are willing to talk", rather than pursuing a policy of isolation towards actors like Al-Shabaab in the conflict. The two other speakers on the panel were former Swedish Ambassador to Addis Ababa, Ms Birgitta Karlström Dorph, and Dr. Redie Bereketeab from the Nordic Africa Institute.

New strategy for gender-sensitive approach

In order to ensure a systematic gender-sensitive approach to conflict transformation, LPI is currently developing a strategy. The formulation of the strategy and staff training follows a six-month long consultative process that has included research and analysis, as well as interviews at LPI's head office in

Panelists at the seminar on the Horn of Africa during the PeaceNet meeting. From left: Birgitta Karlström Dorph, Redie Bereketeab, Wangari Mwangi and Pekka Haavisto.



PHOTO: LPI

Sweden and the field offices in Africa. The objective is to build the capacity of selected staff on gender and to achieve a common understanding of the key concepts and their practical application in the context of LPI's work.

Practicality and flexibility is stressed throughout as critical to the effectiveness of the strategy. This is particularly relevant considering LPI's work at the grass roots level, which requires any tool, including the gender strategy, to be simple enough to be understood and applied by both staff and partner organisations.

LPI presentation at world congress

Conflict transformation is an approach to conflict that emphasises the need to create platforms for addressing identity and relational issues in order to transform conflicts into constructive social change processes. To advance a better understanding of the nature and efficacy of such platforms, and the mechanisms for change that they support, LPI Programme and Research Advisor, Dr. Nikki Slocum-Bradley, is convening a panel at the annual world congress of the International Political Science Association, which will be held 8-12 July 2012 in Madrid, Spain.

The panel, entitled *Transforming Identities: Methods and Processes for Conflict Transformation*, will provide a forum for sharing insights and best practices on methods, processes, techniques, and analytical tools that facilitate the transformation of identities, and for exploring how these transformations influence power distributions and perceptions of justice. Dr. Dee Aker (Kroc Institute for Peace and Justice at the University of San Diego) will co-chair the panel, while Dr. Anne Brown (Australian Centre for Peace and Conflict Studies, University of Queensland) and Dr. Luk Van Langenhove (United Nations University) will act as discussants. Other participants include Dr. Barry

Hart (Center for Justice and Peacebuilding, Eastern Mennonite University), Dr. Jay Rothman (President, ARIA Group), Dr. Tim Murithi (Institute for Justice and Reconciliation), and Dr. Lee Smithey (Swarthmore College).

Mid-term review of LPI programmes

LPI's main funding partner, Sida Sweden, has commissioned the company InDevelop to carry out a midterm review of the various peacebuilding and conflict transformation programmes. Visits are planned to Sudan, Ethiopia, Kenya and DR Congo, in addition to the head office in Uppsala. Sida is currently supporting LPI for a period of three years, 2010-2012. It is expected that the assessment will provide guidance for a next phase of Sida funding 2013-2015. LPI's current strategic plan covers 2010-2015. The previous major Sida evaluation, in 2004, looked mainly at DRC and Somalia.

New website!

Take a look at LPI's new website with more functions and updated information – www.life-peace.org

Peacebuilding in plain Swedish

In collaboration with the Church of Sweden, LPI has embarked on an awareness-raising project in Sweden. The rationale is that LPI's conflict transformation work and achievements in the Horn of Africa and DR Congo are fairly unknown, or seen as very theoretical. In a special publication using "simple" Swedish, partners, staff and various observers will speak about the work and tell real life stories.

The dissemination of the publication to all congregations throughout Sweden will be followed up by mini-seminars in

several places where some of the 6,000 local representatives and fundraisers of the Church of Sweden will have a chance to give direct feedback on this attempt to interpret and inject new motivation for peacebuilding work.

Somalia – research report and new partner

LPI's Nairobi office is making progress in its programme activities. Notably, it has finalised a report based on the research *Civil society and peacebuilding: the case of South-Central Somalia*, carried out in 2009-2010. The report, as well as a policy paper with a summary of findings, is soon to be printed and disseminated.

LPI's Partners for Peace Programme is expanding, following the identification of a new partner. A strategic positioning workshop has already been held with the ZamZam Foundation, an additional national partner for the work in Somalia. The partnership identified two programme areas of engagement, which is the outcome of a successful planning workshop on the collaboration, held in Malindi, Kenya, in September 2011. Since earlier, LPI works with two partners, Somalia Peace Line and the Somalia Women Contact Committee.

Progress for conflict transformation projects

The project in Kenya under the Peacebuilding with Regional Partners Programme, *Conflict Transformation in the Tana River Basin*, has produced a baseline study report. A total of 270 respondents in four different locations in the Tana River Basin, namely Garissa, Hola, Garsen, and Mwingi were interviewed. Subsequently, a participatory action research (PAR) process has also advanced with data collection in the same regions.

Over 900 individuals from diverse social groups in the Tana River Basin have been involved in data collection in the different locations. 30 research assistants, as well as the project team and regional staff of the implementing partner the National Council of Churches in Kenya, along with LPI's programme team, have been engaged in this initial effort. The PAR hopes to generate local understanding of the causes of conflict in the Tana River Basin.

Preliminary preparations for a similar project in Marsabit have been completed. The new project *Conflict Transformation in Marsabit* is done in partnership with the Inter-Religious Council of Kenya. The project is in the early stages of conducting initial activities. These include a familiarisation visit with the project team from the two organisations ahead of the baseline study report and the subsequent PAR process in the target project areas within the larger Marsabit. The areas are Laisamis, Logologo, Loyangalani, Korr, Ngurunit, Kargi and North Horr. Like the Tana River Basin project it seeks to create a forum where different social groups in the area will present their perspectives on the causes of conflict as well as identify avenues that can be utilised to constructively deal with conflict.



A research assistant conducts an in-depth interview with one of the persons involved in the Tana River Basin Conflict Transformation Programme.

The important threshold to be considered is next year's elections in Kenya. The projects will carefully establish what can be achieved prior to the elections in order to support a nonviolent process through the PAR methodology.

Horn of Africa Bulletin reaches out

The production of the Horn of Africa Bulletin is showing good progress with the Nairobi-based editor Shamsia Ramadhan and in partnership with the All Africa Conference of Churches and the Fellowship of Christian Councils and Churches in the Great Lakes and the Horn of Africa. Each bimonthly issue includes at least three analytical articles examining conflict and peace issues in the Horn of Africa, a brief news and events section as well as an annotated resources section also related to conflict and peace. The global readership of this digital bulletin has now passed 1,700 including a number of universities, libraries and other multipliers.

Useful guide for Congolese NGOs

In collaboration with a local lawyer and some scholars, LPI in DRC has produced a Practical Guide on Legal and Associative Obligations for Non-profit Organisations in DR Congo. The guide has been distributed on a large scale and will help local civil society actors to find their way in the jungle of laws and rules that exist in Congo in this domain. The guide was received very well by both national and international actors in DRC.

Four years of participatory action research

Together with its local partners, LPI in DRC organised a reflective workshop on "the PAR approach in Conflict Transformation", which was facilitated by an external consultant, André Bourque. For five days, LPI and its partners looked back at four years of "PAR in CT" experience in DRC. Through a critical assessment, lessons were learned, unresolved questions were answered and plans were made for the continued improvement of the approach. A comprehensive report on this workshop is being finalised, which could help the other LPI offices in answering questions on "PAR in CT".

Staff changes

DR CONGO

Claude Iguma, Programme Director at LPI in Bukavu, is after three successful years leaving for Wageningen, the Netherlands, to write a PhD thesis related to disaster studies. He is replaced by *Loochi Muzaliwa*, formerly Technical Advisor at LPI's Bukavu office. After six months of internship and six months of consultancy, *Lotte Hoex* will leave LPI in Bukavu to move to London. The DRC programme has recruited two new Technical Advisors, *Jean-Louis Nzwewe* and *Eméry Mudinga*.

UPPSALA

At the head office in Uppsala *Henrik Halvardsson* and *Linda Forsberg* have been recruited as Programme Advisors, replacing Malin Brenk and Amanda Ree during their respective leaves.

Synthia B. Rahman from Bangladesh and *Valter Vilko* from Finland are interns at LPI Uppsala in autumn 2011.

Reviews and resources

Peace and conflict dynamics in new paradigms

The Non-Linearity of Peace Processes: Theory and Practice of Systemic Conflict Transformation. Edited by Daniela Körppen, Norbert Robers and Hans J. Giessmann. Verlag Barbara Budrich: Opladen & Farmington Hills, MI 2011

In *The Non-Linearity of Peace Processes* a variety of authors explore how systemic thinking (ST) can be incorporated into peacebuilding theory and practice. The editors point out that although a few studies have been critical of the linear, dualistic logic that characterizes the predominance of peacebuilding strategies, heretofore little has changed in reasoning and models of thinking about peace and conflict dynamics. To ameliorate these deficiencies and the resultant ineffective strategies, the editors propose ST as both a paradigm and method to enrich the theory and practice of conflict transformation. ST illuminates the 'deeper construction of conflicts and their dynamics ... and the interlinkages and interdependencies of their components ...'. The editors claim this can be useful in 'the actual matter of transforming (violent) conflict into constructive interaction [which] is about people internalising the chances for socialising alternative non-violent patterns of beliefs, behaviour and relations'.

Many of the authors emphasize the role of unconscious 'conceptual frames' or 'mental models' in the perpetuation of system dynamics, and the importance of making these visible to facilitate change. Bernshausen and Bonacker draw upon the concept of 'securitization' to illustrate how the conceptualization and communication of something as an 'existential threat', when accepted by the communicator's audience, installs norms that justify measures that are otherwise proscribed. They propose some interesting suggestions for countering 'securitizing moves'.

Ramsbotham enumerates a variety of important shortcomings in current analyses of conflicting mental models, which, he argues, fail to capture 'the role played by the phenomenon of radical disagreement in generating and sustaining linguistic intractability'. In such situations, when people are unwilling to consider other 'truths', he suggests facilitating inclusive 'strategic engagement of discourses' within conflict parties, whereby as many different strands of thinking as possible within a party are engaged in dialogue. Such dialogue aims to broaden the permissible discursive space within parties in order to 'keep channels of communication open that would not otherwise be'.

Potentially useful either 'within' parties or 'between' parties (whereby the volume's contributors would surely agree that this distinction itself is an important constituent of the conflict system) is the 'systemic action research' process proposed by Burns. This is a proactive process designed to allow multiple stakeholders to engage with non-linearity, multiple interests and continuous change.

A main assumption underlying the utility of ST for conflict transformation is the 'power of awareness' to transform conflicts. Stroh writes that, 'when people see and understand the system as it really operates, they are no longer controlled by it and can make different choices.' Neverthe-

less, even empowered with a systemic view, it will remain the responsibility of conflict actors to choose mental models that create discursive space for constructive engagement. This ethical responsibility, and many of the challenges discussed in the volume, can be addressed by developments in a variety of disciplines. These should be incorporated into the invaluable insights offered by the contributors to further advance the magnificent progress reflected in this volume. Putting the insights and suggestions to the test will be an important agenda for research.

Nikki Slocum-Bradley
Program & Research Advisor, LPI
Associate Research Fellow, United Nations University

Accident or assassination?

Who Killed Hammarskjöld? The UN, the Cold War and White Supremacy in Africa. Susan Williams. London: Hurst & Company 2011

This is the stuff that John le Carré turns into international bestselling agent thrillers. But it is based on the meticulous efforts to compile systematically the loose ends and threads of ongoing speculations 50 years after the death of the United Nations' second Secretary-General, Dag Hammarskjöld. Together with 15 other people on board the DC6 named Albertina he crashed during the approach to Ndola airport around midnight from 17 to 18 September 1961. Nobody survived the disaster. The bodyguard, who was still alive for a few days (and whose life could possibly have been saved if he had been taken care of rigorously enough), was among the witnesses leaving behind testimonies, which ever since then – to put it mildly – provide food for thought. Despite disturbing and still unresolved questions, the official versions tended to conclude that this was an accident caused by pilot error. Even now, when, half a century later, the debate has been re-activated, 'pilot fatigue' is claimed in efforts to put the case to rest.

But others think (and act) differently: While evidence remains scattered and inconclusive, it is compiled in the hitherto most complete way in this comprehensive study by Susan Williams, a Senior Research Fellow at the Institute of Commonwealth Studies/University of London. It is a fascinating story of investigative journalism and research stretching over several years, during which she was tracing all possible tracks, including interviews with hitherto undiscovered witnesses, and bringing insufficiently examined archival material and other documents to light. The result is worrisome and nurtures suspicions existing ever since the Albertina crashed outside of the mining town in the copper belt of what was then Northern Rhodesia, bordering to the Congolese Katanga province.

Hammarskjöld was on his way to meet Moise Tshombe, the leader of the Katangese secessionist movement, to seek a solution to the impasse in the war-torn former Belgian colony. As he had stated in no uncertain terms in mid-February 1961 in defence of the UN's role in the country ever since it received a mandate by the Security Council in mid-1960 to seek a solution to the conflict erupting in the midst of the Cold War: "We effectively countered efforts from all sides to make the Congo a happy hunting ground for national interests. To

be a roadblock to such efforts is to make yourself the target of attacks from all those who find their plans thwarted.”

The Congo was then, much as it remains today, one of the most attractive preys for its natural wealth. The geostrategic interests of states, the economic desires of mining companies, the security obsessions of racist minority regimes in the neighbouring settler colonies as well as the operations by intelligence agents, mercenaries and all other sorts of dubious ‘entrepreneurs’ created a toxic, at times lethal mix. This book offers the most sobering and discomfiting insights into the forces seeking to pursue their particular interests – at times at all costs.

Following the disturbing revelations presented in the book by the Belgian author Ludo de Witte on the assassination of Patrice Lumumba, more than a decade later Susan Williams adds another, yet unclosed, chapter to the story of the Congolese “heart of darkness”. The ultimate truth will most likely never be established beyond any doubt. What remains is evidence that there were many interests and agents, which had reason to welcome – and maybe even to plan and seek – the death of the then United Nations Secretary-General. This is sufficient motivation to remind us also of what he stood, lived and died for.

Henning Melber

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The circular process of healing and reconciliation

When Blood and Bones Cry Out: Journeys Through the Soundscape of Healing, by John Paul Lederach & Angela Jill Lederach. University of Queensland Press, 2010

The book begins with four narrative journeys through violence and in search for healing and reconciliation, telling the story of individuals’ struggles in conflict-torn, traumatised societies in Liberia, Somalia, Sierra Leone and Colombia. These narratives along with other stories provide an organic framework for exploring the meaning of metaphors in social healing. Furthermore, the authors discuss how social healing can be expressed and experienced through voice, music and poetry that can give a sense of place and belonging, even in the midst of violence. To explore the connection between sound and social change they study the Tibetan singing bowl, which, among others, is used as an instrument for traditional healing, exemplifying the multidirectionality and dynamics of a sound.

The authors describe healing and reconciliation as a circular process that can happen when violent conflict is still ongoing, contrary to the traditional understanding according to which reconciliation and healing take place in the post-conflict era. The process has its origin in individual healing that contributes to an interpersonal reconciliation. The role of local communities in the healing process is fundamental, as they provide the context for which individual healing and broader reconciliation can grow within, reflecting the simultaneity of the past, present and future.

From simply written stories about struggle and survival to rich, verbose descriptions of the essence of social healing and reconciliation, this book offers various perspectives on the topic. It has a somewhat unorthodox approach as some of the stories are characterised by the authors’ own experiences, mirroring the idea of social healing as a rather

deliberate, personal journey more than a high-level political process initiated by policy makers. A distinct focus on individuals’ feelings and experiences as a part of social healing and reconciliation gives the book an intimate and unconventional tone.

Tiina Saksman Harb

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Governance of land a burning issue in Sudan

Guma Kunda Komey's Land, Governance, Conflict & the Nuba of Sudan. James Currey, 2010

In *Land, Governance, Conflict and the Nuba of Sudan*, Guma Kunda paints a picture of the Nuba Mountains, and with big strokes takes the reader from the colonial era to contemporary Sudan, as he describes the disparities in land ownership rights that over time creates economic, social and political inequalities, setting the stage for past, present and future conflicts.

Standing out among many other researchers on land in rural Africa, Kunda goes further than linking land rights to root causes of conflicts. Rather, land issues are used to explore various layers and dimensions of the conflicts in the Nuba Mountains. The author manoeuvres above and beyond the land scarcity discourse. Central in his research is instead the overarching issue of governance of land. The challenges related to this are examined and provide the reader with painful insights to the lack of an inclusive national identity.

Kunda guides the reader well beyond the simplistic nomadic Baggara vs. the sedentary Nuba division. Aided by the rich ethnography, the Baggara-Nuba relations influenced by processes of both cooperation and competition are examined. Shared but contested, land is at the heart of their relations. In this interconnectedness, where locally managed conflicts were part of the picture, so were also several forms of cooperation and coexistence. The periodic local market that brought together the goods of farming and grazing provides an excellent example of an intermediary space for both groups.

Besides the sharing of contentious land and trading in complementary goods, Kunda also examines the shared marginalisation of the Baggara and Nuba groups alike. Marginalisation and exclusion has a track record that is documented back to colonial rule in Sudan, cementing inequality and exclusion among various groups and in various areas, well illustrated by the application of a land tenure system which has not accommodated customary law and communal usage/ownership.

The study provides the reader with an example of how the experience of exclusion and vulnerability shapes identity politics that links land right claims with communal identity. The strong notion of communal identity of the Nuba, influenced by what Kunda calls autochthonous claims to land, created a fear of exclusion from access to land by the Baggara. Hence identity politics on the local level has contributed to altering the previously symbiotic relationships between the Nuba and the Baggara and transformed it into enmity. Furthermore, on the national level, governance of land, in combination with identity politics, escalated these local conflict dynamics into large scale conflicts, in which the Nuba and Baggara were mobilised and repeatedly pitted against each other, by the usage of familiar factors such as ethnicity, religion and culture.

The picture is painted with increasing gloom. For example, the study finds that the previous hundred years of mutual cooperation and coexistence between Baggara and Nuba has been lost during the conflict. With the recent background of unimplemented provisions of the 2005 Comprehensive Peace Agreement such as the stipulated State Land Commission, land governance remains a burning concern. After the referendum on 5 June 2011 it seems that the region is further away from constructive resolution of conflicts and further entrenched in national relentlessness. This poses a stark contrast to the much needed inclusive and encompassing nation that Sudan needs to actively maintain, after the secession of the South.

Linda Forsberg

Rebels – fighters or community builders

Rebel Rulers. Insurgent Governance and Civilian Life during War by Zachariah Cherian Mampilly, Cornell University Press, 2011

Rebels have historically related in widely differing ways to their respective civilian populations. Some modern insurgent movements, like FARC in Colombia to name an example, have developed vast governance systems for civilian matters during their time in armed opposition. Others have treated the population in the group's area of control barely as a source of recruitment. But all that often rebels have made some kind of attempt to build societal keystones parallel to the state they are opposing, ranging from basic security, schools, hospitals, and taxation systems to more symbolic expressions such as official flags and anthems.

Rebel rulers by Zachariah Cherian Mampilly digs into the subject of rebel governance by deep-diving into three cases of civil war. The book is a result of extensive field work carried out by the author in rebel-controlled zones in Sri Lanka, The Democratic Republic of the Congo and Sudan. By closely examining the rule of the three organisations in focus – the Liberation Tigers of Tamil Eelam, the Rally for Congolese Democracy, and the Sudan People's Liberation Movement/Army – Mampilly is able to trace the causal mechanisms underlying the way rebel leaderships reason when designing governance in their areas of control.

The book poses several crucial questions regarding rebel rule. Why do some insurgents opt to build a virtual parallel state, with ministries and foreign representations, while others struggle to provide even the most basic services and suffer from local unrest and international condemnation? Are internal or external factors more decisive in how rebel societies are shaped? And how do the dynamics of conflict shape the rebels' state building?

Rebel rulers as a scientific contribution provides enjoyment for the reader who likes fine tuned arguments, multiple angles and a comprehensive approach. The study is accordingly quite complex, building on no less than seven hypotheses, some of them with sub-hypotheses. This is unfortunate in a way, since a more narrowed down focus and a clear summary of the main arguments could have made the book more attractive to those who wish for a more hands-on approach.

Nevertheless, while theoretically anchored, the book still serves as a useful guide for policy makers designing strategies for aid or development in conflict zones. Especially

questions surrounding international aid – its diversion and questions of unintended provision of legitimacy to insurgents – that are fiercely debated in current conflicts are taken up in the respective cases. Humanising rebel groups and further exploring the rationale for their actions and strategies, *Rebel rulers* is a considerable contribution to the literature on armed non-state violent actors.

Valter Vilkkio

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Revising the just war doctrine

Just Peace Companion, World Council of Churches, 2011

There is a dramatic change taking place in the worldwide ecumenical movement in terms of its way of discussing the issues of war, violence, justice and peace: The just war doctrine is deemed as becoming invalid and obsolete. Instead the vision of just peace “stands for a fundamental shift of paradigm and transformed ethical discourse that ... focuses attention on the praxis of nonviolent, peaceful resolution of conflict”, as it is phrased in a recent document from the World Council of Churches (WCC). If this re-visioning is implemented among the member churches, great things might happen in the world of politics.

In 1998 the WCC Assembly in Harare decided on the initiative *A Decade to Overcome Violence* 2001-2010, which has, among other things, included The Ecumenical Accompaniment Programme to Palestine and Israel and Living Letters – visits to different countries and regions to explore the national contexts of the struggles for justice and peace. A couple of years ago *An Ecumenical Call to Just Peace* was sent to the member churches for reflection and comments. Early this year a follow up, *Just Peace Companion*, was published, as a conclusion of the decade, in preparation for the International Ecumenical Peace Convocation in Kingston, Jamaica with 1,000 participants.

The concept of peace is broad: It includes peace in the community (relationships between individuals and between groups), peace with the earth (environmental issues), peace in the marketplace (use and misuse of resources) and peace among peoples (issues of arms and wars).

The aim has no doubt been to reach beyond the old discussion between pacifists and adherents of the just war doctrine, and this goal is at least partially achieved through the unprecedented emphasis placed on methods of nonviolence and the emphasis on early action to prevent conflicts from becoming violent. *Just policing* is launched as a concept, hinting at ways to minimise the use of violence in, among other things, discharging “the responsibility to protect” – R2P as it is named in the international jargon.

In addition to the above-mentioned documents the book offers a number of reports, church statements on peace, stories about just peace practices and key lessons from expert consultations. It is a wealth of knowledge for anyone who wants to dig deeper into the present ecumenical stance on issues regarding justice and peace.

Bernt Jonsson

Executive Director at LPI 1990-99

Whose land?

This land is my land.
But now they say 'tis your land.
They say you bought it.
How could you buy the land I didn't sell?
How could you buy the land that I inherited
from grandfathers and grandmothers,
the land 'twas given to them
from our God?

They say that I shall work this land,
to plough and plant,
to earn my wages here –
but not to harvest.
They say the crop is meant for sale
and not to feed my hungry family.
How could you buy the land I didn't sell?

Kaia Lukweni



LPI AND ITS PERIODICALS

Life & Peace Institute, (LPI) is an international and ecumenical centre based in Uppsala, Sweden, that supports and promotes non-violent approaches to conflict transformation through a combination of research and action, and hence contributes to the prevention and mitigation of violence as a precondition for peace, justice, and non-violent coexistence.

The Institute's conflict transformation work is based on an understanding that conflict is a natural part of societies that has the potential for both constructive and destructive change. It also builds on the premise that peace can only be achieved through the active involvement of the communities in conflict themselves.

LPI's operational focus is on Africa, and more specifically on the Central Africa and Horn of Africa regions. In addition to the head office in Sweden, LPI has programme offices in

Nairobi (Kenya), Bukavu (DRC), and Khartoum (Sudan) and staff working with the Addis Ababa University in Ethiopia.

LPI publishes two periodicals: the quarterly journal **New Routes** and the bi-monthly electronic newsletter **Horn of Africa Bulletin** covering the African countries of the Horn. Free online subscription to both periodicals. Prices for hardcopy subscription to **New Routes**: (2012) 4 issues (one year): €70 \$100 SEK 600

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