Building Resilience and Sustainability in Agricultural Land Management in the Central African sub-region

By

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Outline

• Introduction
• Problem Setting
• Land policy and land administration in the Central Africa sub-region
• Promoting resilience and sustainability with large-scale land investments in the Central Africa sub-region
• Conclusion
• Land resource is degrading in the Central African sub-region despite its natural capital and ecological wealth.

• The degradation of its soil, depletion of groundwater, degradation of forest ecosystems, and the depletion of agricultural soil fertility is increasing the need for significant investments in sustainable land management.

• This stress is reinforced by significant population growth of almost 3% per annum for countries such as Gabon, Democratic Republic of Congo, Republic of Congo, Central African Republic and Cameroon with land natural capital and forest covers which constitute the Congo Basin.
Background...

• Globally, various projections suggest that food production must increase 70–100 percent by 2050 to meet the demands of a world with 9 billion people and changing diets.
  – For countries within the central African sub-region this will require considerable investments in agricultural development - research, institutional support and infrastructural development.

• Institutional support and infrastructural development are particularly important where agricultural production is closely tied to management of natural resources such as water and soil.
This importance was recognized by the Heads of States and Government of the African Union, meeting at the Thirteenth Ordinary Session in Sirte, Libya, from 1 to 3 July 2009, who

— “urge member states to review their land sectors with a view to developing comprehensive policies which take into account their particular needs; build adequate human, financial, technical capacities to support land policy development and implementation...” (AUC, 2009).
Background...

• This calls for the need to build and enhance the institutional framework that allows land to play a catalytic role in sustainable economic development,
  – which requires amongst others reviewing the database of land information, documenting and disseminating best practices, experience sharing and lesson learning, and tracking land policy development and implementation.
• The reaffirmation by the African Union member states is recently anchored on the FAO’s Voluntary Guidelines on Responsible Governance of Tenure, Fisheries and Forests – which espouses that states should strive to ensure responsible governance of tenure because of the centrality of land for the realization of human rights, food security, poverty eradication, sustainable livelihoods, social stability, housing security, rural development, and social and economic growth.
In Central Africa, resolving the land question is complex because land has different meanings to different stakeholders: it is a factor of production; it is a family or community property; a capital asset; and a source of cultural identity and/or citizenship.

In most of the countries, the constitution declares that the land does not belong to communities and individuals, but it is under the exclusive control of the state.
State sovereignty over land in Central Africa is not accompanied by the development of appropriate land policy instruments likely to enable sustainable land management. Experiences of land policy formulation and implementation are diverse in the sub-region.
Problem Setting...

• In the sub-region, no significant land reform has been undertaken for a very long time.

• The land question is still plagued by unequal access and insecure land tenure which is having profound effect on livelihoods.
Problem Setting...

• The issue is compounded by recent large-scale acquisitions of cheap farmland and fairly easy access to water in Central Africa, by governments and speculators concerned about stability of food supplies. This is creating unprecedented opportunities, challenges and risks.

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<th>Host Country</th>
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Land allocated to foreign investors in selected African countries
Problem Setting...

• There are opportunities and risks of large-scale commercial land acquisitions.
  – Opportunities may include increased access to capital and technology for increased agricultural production, development of infrastructure in rural areas, employment opportunities (on and off the farm), improvement of food security and stabilization of global food prices.
  – Risks include the restricting or denying peasants’ access to strategic resources, engendering conflicts, and jeopardizing livelihood security, undermining production for local consumption and food security, and undermining local genetic resources and environment through monoculture and use of pesticides.
The Goal

• To examine institutional requirements to building resilience and sustainability in agricultural land management in the Central African sub-region.
  – This is seen as important because access to land and security of tenure are the main means through which food security and sustainable development can be realized because the livelihoods of over 70% of the population in the sub-region are mainly linked to land and natural resources exploitation.
Land policy and administration in Central Africa sub-region

Current State-of-Affairs:

• Land policies, legislations and administration are remnants of the legacies of the colonial period.
  – The history of colonialism in the sub-region is varied amongst the states, with indirect French rule having led to the promotion of peasant farming for exports without land expropriation, generating multiple export enclaves, which built differentiating indigenous elite alongside the peasantry.
**Land policy and administration ...**

**Current State-of-Affairs:**

- For example:
  - In Cameroon and the Democratic Republic of Congo, plantation economies of the European merchant capitalists coexisted with peasantry in a bimodal agrarian context. This is still true for Cameroon where such large plantations (for the export of banana, rubber and oil palm) with significant land acquisitions are today managed by state-owned corporations and private capitalists thus creating a situation in which surrounding communities are deprived of prime agricultural land.
Land policy and administration...

Current State-of-Affairs:

- denial of access to natural resources by the State through laws which exclude many, and privatization of land, have contributed to land administration and decision-making conflicts between the State and local communities and various interest groups.
  - The State’s responsibility for the formulation and the implementation of land policy ignores customary land rights,
  - customary rights are overshadowed by government’s assertion on land ownership.
Land policy and administration...

- land problem in the Central Africa sub-region could be prioritized as follows:
  - Lack of land policies, inappropriateness of the existing texts and the multiplicity of decision making authorities in the area of land tenure;
  - Gender and land, particularly women’s access to land and land ownership;
  - Capacity building needs in land tenure issues, especially for land administration staff at the national, regional and local level;
  - Insufficient human and financial resources and lack of appropriate land management tools;
  - The dominance of centralization in land management and lack of participation.
Land policy and administration...

- Key challenges to land policy formulation and implementation in the sub-region include:
  - ensuring broad-based participation in further land policy development;
  - reframing land policy through the decentralization process;
  - Implementing a land policy aimed at sustaining agropastoral systems; and
  - developing land policy adapted to dealing with unpredicted events.
Land policy and administration...

- Land administration has emerged as an important impediment to land policy implementation.
  - The key components of land administration include:
    - juridical,
    - regulatory,
    - fiscal,
    - Cadastral, and
    - conflict resolution agencies.
Land policy and administration...

• Major reasons for the failures of these components include:
  – land administration institutions or agencies that draw their mandates from colonial heritage characterized by operational conservatism;
  – slow inefficient institutions that lack technological know-how to manage contemporary land reform programmes; and
  – complex and inaccessible bureaucracy, implicated in patronage and corruption.
Land policy and administration...

- Careful assessment is therefore required of the existing situation with respect to:
  - role of land and water in the national development framework;
  - constitutional and legal status of these resources;
  - systems of rights and the distribution of such rights;
  - systems for the administrations of rights and transfers of land and water;
  - land- and water-use management; and
  - implementation of regional and international land and water policy commitments
Promoting resilience and sustainability with large-scale land investments in Central Africa

• How sustainable are agricultural land-based institutions?
  – There are diverse definitions of sustainability all being offshoots of the Brundtland (1987) report.
  – In this paper, sustainability is viewed as: ‘ensuring that the functionality of institutions required to support land acquisition and its management are maintained with long-term benefits for land-users and stakeholders.’
Resilience and sustainability...

- Several factors which may contribute to this long-term impact would include:
  - political sustainability;
  - social sustainability;
  - ownership;
  - institutional sustainability;
  - economic and financial sustainability;
  - technical sustainability;
  - environmental sustainability.
Resilience and sustainability...

• These dimensions, when properly adhered to, would guarantee economic incentives for land investment such as prices, land rents and taxes, and ownership/rights, through:
  – decision-making processes
  – Motivation of land owners and users
    • to protect land, conserve its biodiversity and exploit it efficiently for agricultural and non-agricultural uses.
Resilience and sustainability...

• In the advent of increased risks from large-scale land acquisitions in the sub-region, principles for the implementation of equitable acquisition and better land management must include:

  1. Good governance and respecting of indigenous rights.
  2. Respecting existing land and resource rights
  3. Promoting environmental sustainability.
  4. Upholding high business and ethical standards.
  5. Reporting on activities and progress towards implementing and promoting the above principles.
Resilience and sustainability...
Resilience and sustainability...

- The framework above shows that promoting resilience and sustainability in land management requires land policy development and implementation to be promoted as a package of interlinked measures, with land administration as the crux for effective policy outcomes.
Resilience and sustainability...

- Any comprehensive policy vision has to be translated into a legal package that should facilitate the implementation, depending on the legal system of the country.
  - The legality acquired through state involvement (i.e. approvals through formal institutions that administer land access) confers legitimacy in exercising and defending land rights.
  - The land policy, administrative and legal framework would have to be consistent with other national and international obligations or commitments such as the Right-to-Food and the Millennium Development Goals which Central African states are signatories.
Resilience and sustainability...

• Acquiring legal access to land through lending or leasing arrangements, which may confer total freedom to tenants in deciding how to use the land, will require owners to have secure property rights or control over their use.
  – the lack of clear property rights in most African countries introduces both efficiency and equity problems.
• The role of government in managing land by markets must be to:
  – provide secure property rights to land,
  – ensure low transaction costs for trades, and
  – provide competitive entry mechanisms which the market itself cannot achieve.
Resilience and sustainability...

- Whether it is the productive land capability, security of tenure, land taxation or zoning and other regulations that determine the value of land, the following steps are necessary for effective Land Policy Implementation:
  - Define the scope of land policy implementation
  - Design land policy implementation strategies
  - Prepare an action plan
  - Mobilize political commitment
  - Ensure continuous public engagement through decentralized structures
  - Legislate land policy components
  - Domesticate relevant regional and international commitments
  - Respond to new policy challenges
  - Monitor and evaluate the impacts of the various components of land policy.
Conclusion

• For comprehensive sustainable development, land management requires facilitating legal recognition which ensures that customary rights are recognized, visible and protected.

• The structure and content of the land policy and laws should ensure the access, use and hold of land.
  – Adequately incorporating the expectations of land users requires that the land policy formulation process is consultative and participatory with the effective involvement of all non-state actors, particularly civil society, farmers’ organisations, traditional authorities, women’s groups and the private sector.