THE PARADOX OF SMALLHOLDER FOOD SECURITY IN THE EMERGENCE OF LARGE SCALE LAND INVESTMENTS

Presented by Landnet Malawi
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Abstract

• Land is central to the social and economic development of Malawi where poverty is high estimated at 65% and agriculture and natural resources exploitation is the mainstay of its economy and 89% of its population being rural based and relying on subsistence agriculture on customary land which is not titled.
• With population growth land has become more fragmented and the land holding sizes have declined. Over ½ of rural households farm less that 1 ha of land while ¼ of households cultivate less than 0.5 ha of land

• We will make an attempt to examine how the government, and indeed the Africa region agenda on agriculture and food security, impact on the smallholder farmer.
• Malawi has one of the most progressive National Land Policy in the SADC Region adopted by cabinet in February 2002 whose implementation remains a challenge in the absence of a supportive law.

• The Land Bills 2013, meant to promote best practices in land governance as advocated by the VGGT, are still pending parliamentary approval.

• An assessment of Malawi’s Land governance status carried out 2011 – 2012 ranks Malawi very low on recognizing, protecting and respecting the rights of customary land users.
## Landholding Constraint for Smallholder Farmer

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>AMOUNT OF LAND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Cover</td>
<td>2 m. ha</td>
</tr>
<tr>
<td>Uncultivable Land (Infrastructures, hills, and marshes)</td>
<td>4.5m.ha</td>
</tr>
<tr>
<td>Estate Farming – Mostly non-staple Crop</td>
<td>3.3m.ha</td>
</tr>
<tr>
<td>Smallholder Farming</td>
<td>1.8m.ha</td>
</tr>
<tr>
<td><strong>TOTAL LAND AVAILABLE</strong></td>
<td><strong>11.8 m.ha</strong></td>
</tr>
</tbody>
</table>
Policy Issue

• There is no legal basis for enforcement of customary land rights, vulnerable groups have lost their land rights.

• Malawi has one of the most progressive National Land Policy in the SADC Region adopted by cabinet in February 2002 whose implementation remains a challenge in the absence of a supportive law. The Land Bills 2012, meant to promote best practices in land governance as advocated by the VGGT, are still pending parliamentary approval.
The Emergence of Large Scale Commercial Investments on Land in Malawi

• The Malawi government introduced a couple of alternative initiatives including:

  1. Transformation from subsistence farming to:
     i. Commercial smallholder farming which would also call for mechanization
     ii. Large-scale land investments
2. **Increasing Mining Activity.** It was rightly noted by the Africa Land Policy Framework that in recent times, the significance of bio-fuels, minerals and oil has gained prominence. In Malawi, huge tracts of land have further been given up to the fast expanding extractive industry, mainly the mining of uranium in the northern district of Karonga (Chingaipe, et al., 2011).
3. **The Green Belt Initiative (GBI) Developed and launched in 2009.** Through the GBI, the government has committed itself to offer local and international investors land lying within 20km of the country’s three lakes and 13 perennial rivers, an area amounting to about 1 million hectares, for irrigated agriculture.

4. **The G8 New Alliance For Food Security and Nutrition in Africa.** In June 2013 Malawi subscribed to the G8 New Alliance at a meeting in London and the initiative was launched in Malawi on 10\textsuperscript{th} December 2013. Pursuant to this subscription the government of Malawi has made a Policy commitment to improve, for the large investors, **access to land**, water and basic infrastructure to support food security and nutrition. In this respect Government will take measures **to release 200,000 hectares for large scale commercial agriculture by 2015**
5. **Contracting Out on non-food crops.** Contracting-out has become another popular way of grabbing land. In this regard, Jatropha is being grown by smallholder farmers mainly in the central and northern regions of Malawi.

6. **Out-growers Schemes.**
Policy Issue on the Large-Scale Land Investments

• The prevailing Legal framework does not adequately protect Smallholder Land Rights and safeguard the interests of poor land users in the face of pressures towards large scale land investment.

• What may be termed as idle land has often been seen to be land that the indigenous people use for grazing their animals.
• The processes used in land-use changes have often been coercive, none transparent and none participatory.

• The ‘land transfer’ negotiation processes with the local community have often been viewed as unethical and unbalanced.

• The investments are made in a manner that gives no regard to the future livelihoods of the original customary land users.
• And further, there is an absence of acceptable structure of compensation due to Land use changes and for expropriation of ownership and all other rights on the land. Processes to determine and award compensation in case of expropriation are lacking or not enforced. Also, Independent and accessible avenues for appeal against expropriation are not available.
KEY POLICY RECOMMENDATIONS

1. Alienation of customary land may be mitigated through titling that will safeguard and respect the land rights of customary land users. If customary law shall be applicable to customary estates (registered customary land) as the draft new land law in Malawi suggests, it will simply perpetuate the current landlessness of vulnerable groups of rural people. The Africa Land Policy Initiative should consider obligating Heads of State to ensure that all matters pertaining to land are governed by statute and never left to the mercy of customary law practices.
2. As the AU has demonstrated commitment to land policy development, there needs to be a commensurate commitment and political will by governments.

3. African governments should fast-track devolution of power over land management and the decentralization of the delivery of land services to local land governance institutions to deter inefficiency and corruption as recommended by the Africa Land Policy Framework. It will demand massive resources.
4. While CAADP’s message of “More investments in agriculture will end hunger and lift millions out of poverty” is true, the policies for implementing the recommendation leave a gaping hole at national level. The programme requires signatories to spend at least 10% of their budgets on agriculture and to strive for an annual 6% growth in agriculture. The issue of food security is not only reliant on the figures of investment but the modalities of that investment.
• Implementation of the principles of, and best practices in good land governance as promoted by the VGGT should not have been voluntary to the signatories. They should be benchmarks for evaluating a country’s progress towards people-centered land governance.
Conclusion

• These challenges and policy weaknesses raise doubt as to whether the international initiatives such as the Food and Agriculture Organization’s (FAO) voluntary guidelines on responsible governance of tenure of land and other natural resources; the World Bank’s principles for responsible agricultural investment; and the Africa Union’s (AU) framework and guidelines on land policy shall make any significant difference on the actual outcomes of the large-scale land deals across the continent.