Large scale land investments on customary land: a case study of Nansanga farm block in Zambia

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Agriculture still remains the mainstay of rural economies in Africa. Subsistence agriculture nourishes large shares of the population and contributes significantly to the nations’ GDPs, e.g., 45% in Mali; 43.5% in Ethiopia; and 33.6% in Ghana (Kachika 2011). Perceived abundance of land and related resources has attracted investment in land. Large-scale land acquisitions have reached unprecedented rates - accurate figures difficult but compared to an average annual rate of 4 million hectares (ha) of large-scale farmland deals before 2008, more than 56 million ha were recorded in 2009.
Drivers - 3 Fs:

- ensuring food security;
- coping with the impacts of the global financial crisis; and
- expanding demand for biofuels

Adapted from Mabikke 2012
Introduction: Zambia

- The resource paradox in Zambia
- Agriculture for socio-economic prosperity vs agriculture as a livelihood activity
- > 60% of the Zambian population lives in rural areas, and app. 80% of the people in rural areas of Zambia are involved in agriculture
- Land tenure in Zambia - customary (94%) and state land (6%)
Political evolution of land tenure in Zambia

• The development and evolution of land tenure - reflects the socio-economic and development priorities of different governments
  o Colonial administration - appropriated lands from indigenous tenure - Crown (State Lands - fertile + infrastructure developed) and those reserved for Zambians (Reserve and Trust Lands).
  o Government under Kenneth Kaunda (1964-1991) - economic socialism and nationalism with profusion of settlement schemes taking advantage of prime land abandoned after independence by some colonial farmers
  o Government under Frederick Chiluba (1991-2002) - Economic liberalization and de-regulation policies that were inspired by the IMF-World Bank-sponsored structural adjustment programs
Political evolution of land tenure in Zambia...

- Government under Levy Mwanawasa (2002 - 2008) modified the neo-liberalised economic policies to focus on agricultural investments that would reduce poverty levels.

- The political evolution of land policies - inspired by agric and other investment opportunities.

- Most important land related laws -
  - The Lands and Deeds Registry Act 1914
  - The Agricultural Lands Act 1960
  - The Land Survey Act 1960
  - The Lands Acquisition Act 1970
  - Land (Conversion of Titles) Act 1975
  - The Lands Act 1995 - repealed the controversial 1975 Act
Political evolution of land tenure in Zambia...

- The Lands Act 1995

- marked a key shift in land administration in Zambia towards market liberalisation
- permitting the land sales and facilitating leaseholds on customary lands
- eased restrictions on land ownership by investors
- created a Lands Tribunal to protect leaseholders and customary rights holders and explicitly recognized existing rights to land in customary areas
- all investments on state land go through the Commissioner of Land, and those on customary land seek approval of traditional leaders
- commercial agriculture is concentrated on state land while smallholder agriculture is carried out on customary land occupied by rural communities
The Lands Act 1995 - presidential decree in 2002
Zambian government - establish 9 farm blocks throughout the country with the objectives:
- to commercialize agricultural land and exploit its full potential;
- to enhance food security;
- develop rural areas in order to reduce poverty and rural-to-urban migration
The farm block - a core venture (CV) and supporting large, medium and small scale farms
CV would be managed by a large private sector investor that would construct processing plants to support agribusiness undertakings
Anchored in out-grower scheme on large expanse of land to ensure the economy of scale for investors, and improved local and international market links for supporting farmers
Proposed farm blocks across the country
Specific objectives:

1. to identify beneficiaries and stakeholders of agricultural based investments;
2. analyse the land and investment legal frameworks;
3. explore the participatory and consultative processes during land tenure conversions; and
4. understand how identified stakeholders perceive the socio-economic implications of the FB program
Research questions

1. who were the primary and secondary stakeholders in the NFB development;

2. what are the main tenets of land tenure of the land legal framework in Zambia and how do they impact land based investments;

3. what participatory and consultative processes guide the conversion of land tenure from customary land to leasehold; and

4. how do different stakeholders perceive social and economic benefits of land based investments on former customary land?
Nansanga farm block: study area

• 60 km northwest of Serenje town centre

• Why NFB? - level of development
  o a total of 150 km of the main trunk roads
  o 103 km of 33 kV powerline
  o 5 km irrigation canal
  o a total of 33 boreholes
  o Musangashi dam (4 500 000m³); Munte dam (6 000 000m³); and Sasa dam (10 000 000m³)

• Very hierarchical society - Senior Chief (Muchinda) ➔ Sulutani (Chief’s messenger) ➔ Village headman ➔ head of clan ➔ man ➔ woman ➔ male child ➔ female child
Nansanga farm block: study area...

- Senior Chief had died at the time of the research
- Traditional ceremony (every Sept - *Icibwela-mushi*)
- Demographics - ~427 households; ~6 per household
- Subsistence farming and collection of non-wood forest products are their major livelihood strategy
- They grow mainly maize, finger millet, sorghum cassava, groundnuts and beans
- Next to Mkushi Farm Block - old, established and operational
- Kasanka National Park in the north-east
Nansanga farm block: study area...
Research methodology

- Convenience and snowball sampling techniques - non-probabilistic
- 401 community members - FGD and semi-structured interviews
- Structured interviews - KII with government ministries, quasi-government agencies, government partners, CSO, Investors
- Mkushi farm block - data triangulation
- Desk review of documents

- Stakeholder identification -
  - likely to be impacted positively or negatively
  - main proponents and opponents
  - entities charged with technical and financial resources
Research methodology...

• 9 villages field interviews - Core Venture, Mutale, Kabundi, Luombwa; Kabeta/Musangashi dam, Langalanga, Mapepala, Mingomba and Mukomansala

• Questionnaire - themes:
  o stakeholder participation
  o free prior informed consent concept,
  o land tenure and access to land related resources
  o perception of socio-economic benefits

• Interviewees grouped:
  o Group 1: Government (this included government development partners, government ministries and quasi government agencies)
  o Group 2: investors (land based investors)
  o Group 3: organizations representing civil society that work on land related management issues
  o Group 4: forest land dependent rural communities
  o Group 5: traditional authorities
Research methodology...

- Responses were coded and scaled between 1 and 5 to assess the level of satisfaction
- Data analysis - MAXQDA
- A data validation workshop
- Limitations of the methodological approach:
  - Idiosyncrasies/personal biases of the field researchers
  - Relatively limited number of participants in the research which may prove inadequate for generalization
## Results

**Stakeholder mapping and characterisation**

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<tr>
<th>Stakeholder</th>
<th>Composition</th>
<th>Type</th>
<th>Characterisation</th>
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| Grp 1       | Government | Secondary stakeholder | - access information at meetings, sessions/workshops and media  
- Constitute the multi-sectoral committee that oversees conversion of land tenure and the establishment of farm block  
- fully in charge, negotiate with would be investors and traditional authorities, and make policies and promulgate them |
| Grp 2       | Investors  | Secondary stakeholder | - access information at meetings, sessions/workshops and media  
- identify land for investments, and then either approach government or traditional authorities  
- provide market for land deals, and give conditions that shape investment and agricultural policies |
| Grp 3       | Civil Society Organisations | Secondary stakeholder | - access information at meetings, sessions/workshops and media  
- mouthpieces of displaced communities  
- can sometimes advise government if allowed to do so, however they are usually left out as non-stakeholders |
| Grp 4       | Forest land dependent rural communities | Primary stakeholder | - attend meetings to be informed about development programs  
- never engaged at the level of consultations.  
- access information only at meetings that they are called to attend |
| Grp 5       | Traditional authorities | Primary stakeholder | - access information at meetings when called or invited to negotiate land deals with government officials or investors  
- negotiate with government or investors on behalf of their subjects  
- de facto administrators of customary land |
Results...

Stakeholder perceptions of levels of socio-economic benefits

- Government: 4.8
- Investors: 4.8
- Civil Society Organisations: 2.2
- Rural Communities: 1.4
- Traditional Authorities: 3
Results...

- Group 1: [...] People in Serenje have been more empowered [...] In the core venture, government institutions have gone to evaluate the assets and means of livelihood so that appropriate compensation is given.

- Group 4: [...] We took it as a mere story because we did not think it was possible for a stranger to come and force us out of our land where we have been living for uncountable years.
Results...

The situation of land tenure after demarcation

• Lack of financial and human capacities to go in rural communities to educate people about land tenure policies and land rights

• Household ‘farm books’

• Demarcations:
  o 10% (40) land drastically reduced
  o 5% displaced without compensation;
  o 85% size of their land not known

• Leased parcels have been documented and actual sizes known with certainty
Any perceived socio-economic benefits?

• Government investment in infrastructure development to facilitate investments by investors
• Casual job opportunities for some community members
• $1.95 for working an average of seven to eight hours per day - more work, more money
• Influx of other people for casual jobs
• > vehicles came to the area - easy transport
• demarcated parcels were still undeveloped
Free prior informed consent and participation

- Different views among stakeholders about FPIC
- Village headmen confirmed that they had discussions with the Senior Chief

  - **Group 5:** ‘you don’t argue with the Senior Chief; his word is final. He did not argue as well with government officials when they discussed with him.’

  - **Group 4:** ‘the Chief together with village headmen held meetings, and then we were all called to be told about roads, jobs, schools and other developments in our area. We were excited when we heard about all these things.’

- No info: displacements and environmental impacts
Discussion of Results

- At least 60% of total household income from land and related resources - Provisioning services; regulating services; supporting services; and cultural services.

- $1.95 per day translates into about $0.33 to $0.39 USD per person per day in a family of 5 or 6 members. - Negotiated amount of $2.95 and poverty datum line.

- Policy implementation - assault on natural capital of communities access to adequate land - diversify sources of rural household income and maintain the integrity of the forest systems.
Discussion of Results...

- Ecosystem services - less monetary value but rural populations survive on them
- Similar risks have been highlighted elsewhere (SAP, failure to deliver on promises, 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
Discussion of Results...

- Participation and consultation ensure that interests of relevant primary and secondary stakeholders are safe-guarded in development programs
- Ensure agreement on precautions, mitigation, and compensation, but also the distribution of benefits
- Participation limited to attending information meetings largely due to:
  - Level of formal education
  - Cultural perception of authority
• Negotiations were highly asymmetrical with no fair and competent representation of community members - no FPIC
• Local communities are not always adequately informed about land concessions made to private companies
• Incentives announced to encourage people to support activities that meet government revenue or conservation interests rather than local livelihood needs
• Investors’ whereabouts and plans unknown
Discussion of Results...

- Ambitious program without adequate institutional capacities and resources
- No administrative and management follow ups
- Land tenure figures outdated yet old figures are still used to advertise Zambia for investments
- Regionalisation of Zambians and their cultural practices
Conclusion

• The results from this study are vital in understanding the likelihood or the extent to which the government policy and objectives in establishing farm blocks across the country are likely to fail or succeed, if the current business model is maintained.

• The results indicate that agricultural land will be commercialized and the economy diversified without necessarily enhancing food security, and without reducing poverty and rural-urban migration of rural communities.

• Suggested areas of future research: econometric analysis of the impacts of LSLA on rural livelihoods; valuation of ecosystem services on LSLA; gender dimensions of LSLA.
Policy recommendations

Moving forward...

1. Appropriate levels of policy mix that ensure promotion of commercialization of agriculture without assaulting the resource base of resource limited farmers

2. Invest resources into updating land records so that official land records reflect the actual sizes of both state land and customary land

3. Invest resources into sensitization programs; disseminating and educating communities, especially in rural areas about their rights to customary land that they occupy
Policy recommendations

4. Institutional alignment to ensure limited resources are strategically used without duplication of efforts and siloing of operations.

5. Institutional capacities and create avenues of collaborations with civil society organisations who have presence in places where farm blocks have been planned.

6. Approaches to land management need to be more inclusive and participatory enough. All relevant stakeholders need to be part of consultative processes that lead to land tenure conversions. This will ensure that the value of FPIC is upheld.
The end

Many thanks for your attention

Questions and comments

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