

# Africa's farmland in changing hands

A review of literature and case studies  
from sub-Saharan Africa

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Catriona Knapman, Laura Silici,  
Lorenzo Cotula and James Mayers



## **A study of changing land access in sub-Saharan Africa**

This synthesis report draws on case study research and literature from Ghana, Mozambique, Senegal and Uganda to improve understanding of the changes in land access and use in sub-Saharan Africa. A shorter synthesis briefing is also available, alongside complementary reports and briefings from each of the four countries. These are listed below with hyperlinks for the briefings. The country reports will all be available at <http://pubs.iied.org/> once published.

### ***Briefings***

Mayers, J, Knapman, C, Silici, L and Cotula, L (2017) Access to farmland gets quick and dirty in sub-Saharan Africa. IIED, London. <http://pubs.iied.org/17399IIED>  
Also available in French and Portuguese.

Bugri, JT, Yeboah, E and Knapman, C (2017) Shifts in the landscape: increased pressure on rural land and livelihoods in Ghana. IIED, London. <http://pubs.iied.org/17355IIED>

Filipe, E and Norfolk, S (2017) Changing landscapes in Mozambique: why pro-poor land policy matters. IIED, London. <http://pubs.iied.org/17356IIED>  
Also available in Portuguese.

Niang, A and Knapman, C (2017) Land access for Senegal's small producers under threat. IIED, London. <http://pubs.iied.org/17375IIED> Also available in French.

Tumushabe, G, Tatwangire, A and Mayers, J (2017) Catching up with the fast pace of land access change in Uganda. IIED, London. <http://pubs.iied.org/17415IIED>

### ***Country reports***

Bugri, JT and Yeboah, E (forthcoming) Understanding changing land access and use by the rural poor in Ghana. IIED, London.

Tumushabe, G and Tatwangire, A (forthcoming) Understanding changing land access issues for the rural poor in Uganda. IIED, London.

Niang, A, Sarr, N, Hathie, I, Diouf, N, Ba, C, Ka, I and Gagné, M (forthcoming) Understanding changing land access and use by the rural poor in Senegal. IIED, London.

Filipe, E and Norfolk, S (forthcoming) Understanding changing land issues for the rural poor in Mozambique. IIED, London.



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## About the authors

**Catriona Knapman** is a consultant to IIED. Working with partners internationally she does research, analysis and management work on a range of land governance issues, with a particular focus on women's land rights and rural tenure in Africa and Asia.

**Laura Silici** is a consultant to IIED. She is an independent research consultant working on sustainable agriculture and rural development, with a special interest in agroecology, rural innovation and social capital.

**Lorenzo Cotula** is a principal researcher in law and sustainable development in the Natural Resources Group of IIED, where he leads the Legal Tools for Citizen Empowerment programme. Lorenzo works to secure local land rights and improve the governance of investment, collaborating with partners primarily in Africa.

**James Mayers** is director of the Natural Resources Group at IIED. He does research, management and evaluation work on natural resources and rural development issues, emphasising forestry, ecosystem and institutional resilience, and governance - in sub-Saharan Africa, South and Southeast Asia and Latin America.

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International Institute for Environment and Development  
80-86 Gray's Inn Road, London WC1X 8NH, United Kingdom

Email: [newbooks@iied.org](mailto:newbooks@iied.org)

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# Contents

<b>Acknowledgements</b>	<b>5</b>
<b>Acronyms</b>	<b>6</b>
<b>Executive summary</b>	<b>7</b>
<b>1 Introduction to the purpose and methods of the review</b>	<b>13</b>
<b>2 Drivers of change</b>	<b>16</b>
Demographic growth and population density	16
Urbanisation, migration and rural transformation	17
Economic transformation and investment flows	18
The influence of public policies and state projects	19
Climate change and other environmental stresses	20
<b>3 The case studies: context-specific processes of change</b>	<b>21</b>
Oil discovery, land takings and increasing competition for land in southern Ghana	21
Commercial land acquisition and disputes between land users in northern Ghana	23
National policies and large-scale commercial agriculture projects in the Senegal River delta	24
Mining, urbanisation and access to water in the Niayes, Senegal	25
Large-scale land concessions in Gaza, Mozambique	27
Changing land access and use in urban and peri-urban areas in Mozambique	28
Changing land tenure around commercial opportunities in Kalangala, Uganda	31
A complex web of factors increases disputes over land in Amuru, Uganda	32
<b>4 Changes in land access: commercialisation, fragmentation and dispute</b>	<b>33</b>
Commercialisation of land relations	33
Rising land values	35
Land governance under pressure	35
Land concentration and fragmentation	37
Increasing land disputes	39
Changing socio-cultural practices	40

<b>5 Changes in rural livelihoods: winners and losers</b>	<b>41</b>
Changing livelihood opportunities	41
Winners and losers	44
<b>6 Conclusions and recommendations</b>	<b>47</b>
Land access changes – growing pressures, commercialisation, concentration and fragmentation	47
How these changes affect rural livelihoods	48
Implications of these changes for development policy and practice	50
<b>References</b>	<b>55</b>

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# Acronyms

3PRD	Programme to Promote Rice Partnerships in the Delta
ACODE	Advocates Coalition for Development and Environment
CLS	Customary Land Secretariat
DRC	Democratic Republic of Congo
FAO	Food and Agriculture Organization of the United Nations
FGD	Focus group discussion
FRELIMO	Frente de Libertação Moçambique
GDP	Gross domestic product
IDP	Internally displaced people
IFAD	International Fund for Agricultural Development
IIED	International Institute for Environment and Development
IPAR	Initiative Prospective Agricole et Rurale
KNUST	Kwame Nkrumah University of Science and Technology
NGO	Non-governmental organization
PDMAS	Senegal Agricultural Markets Development project
PPP	Public-private partnership
RENAMO	Resistência Nacional Moçambicana (Mozambican National Resistance)
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure
VODP	Vegetable Oil Development Project

## Currency conversion<sup>1</sup>

- 1.00 USD = 70.18 Mozambican Meticals (MT)
- 1.00 USD = 4.28 Ghanaian Cedi (GHS)
- 1.00 USD = 3,608 Ugandan Shilling (UGX)
- 1.00 USD = 615.34 West African CFA Franc (FCFA)

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<sup>1</sup> Currency rates as of 17 January 2017.



# Executive summary

Access to land is at the heart of rural livelihoods. In sub-Saharan Africa, the pace and scale at which land is changing hands appear to be increasing fast. Understanding these changes in land access is crucial if the systems of land governance, the practices of companies and organisations, and the initiatives seeking to influence rural development, are to adapt and make a positive impact. IIED, with support from the International Fund for Agricultural Development (IFAD), aimed to contribute to this understanding. Collaborating with research teams of national experts, we reviewed published and unpublished literature and analysed case studies based on fieldwork in two sites in each of the following four countries – selected to offer some spread of different contexts in sub-Saharan Africa: Mozambique, Uganda, Ghana, and Senegal.

## Case studies of changing rural land access

**Mozambique.** One case study from Boane municipality, not far from Maputo, looked at changing local land access in the context of the conversion of agricultural land into residential land. The second study was in the Lower Limpopo valley where a large-scale investment in rice production is contributing to changing patterns of land access.

**Uganda.** In Kalangala district, land relations are changing as the commercial production of palm oil expands while in the northern district of Amuru, featured in the second case study, multiple sources of pressure are fostering land conflict amongst local groups.

**Ghana.** Ahanta West district, in the south of the country, was the focus of the first case study which explores how the discovery of oil, urban expansion and small-scale mining operations have increased pressure on rural and peri-urban land. Further north, near Tamale, the second case saw rural communities facing large-scale land acquisitions for commercial projects.

**Senegal.** In the case studies in the Senegal River delta and Niayes areas, dynamics include local land transactions and large-scale land acquisitions for commercial agriculture and mining. In Niayes, there is also increasing pressure from urbanisation.

While the case study sites reflect diverse contexts, they also have important similarities – in particular a recurring trend towards increasingly commercialised land relations, with land values being pushed up, and more disadvantaged groups being displaced into marginal areas. As land values increase, government officials and political leaders seek a greater role in allocating land. This can lead to unregulated, and in some cases corrupt or otherwise illegal, transactions.

Meanwhile, landholdings are subject to increasing fragmentation and concentration in different contexts. Demographic factors are driving fragmentation in densely populated areas, while economic forces such as changes in land use and the rise of medium- and large-scale farming are fostering greater land concentration. This concentration often favours the actors who are best placed to make the most of opportunities for commercial land use, and of land governance systems.

In the case study areas, these actors were primarily large-scale commercial operators, whether owned by national or foreign investors, and urban elites, including real estate developers and people pursuing speculative strategies. Under pressure from these processes of fragmentation and concentration, other groups have been forced to adopt coping strategies to survive. In the Limpopo site in Mozambique, for example, these strategies include borrowing land from relatives and friends, and a local practice called *xitoco* or *rimela* whereby the landless work on someone else's land and receive a fixed payment.

In several of the case study areas, large-scale commercial operators aim to establish 'inclusive' business model centred on integrating small-scale producers into the value chain. As in other parts of Africa, higher incomes can accrue for the smallholders involved in this kind of 'inclusive' model, but such schemes may also divert labour and land from food crops. For example, in the Ahanta West site in Ghana, the premium price paid for latex compared to oil palm and food crops, and the existence of nearby large-scale rubber operations, incentivises smallholder rubber cultivation. Some banks are also prepared to grant loans on the basis of the regular income stream rubber generates. However, many smallholders interviewed in this study perceived significant risks of inadequate food supplies in their households with a shift away from food crops in response to these kinds of inducements.

Indeed, in some contexts in West Africa, the goals of 'inclusion' have proved elusive, with smallholders declining to fully participate in these value chains. Instead, smallholders have tended to become more oriented to more informal, trader-based modes of exchange in which short-term cash flow may be more favourable. Some have thus become active in increasingly dynamic systems of food provisioning in emerging small urban centres.

Where food demand is increasing and competition for land sharpens, some smallholders take the opportunity to intensify production and to innovate. Farmers may extend cultivation periods or adopt continuous cultivation. However, depending on the inputs that can be made to soil fertility, these may compromise long-term yields and exacerbate land degradation.

The effects of these changes in land access and use are increasingly unevenly distributed. As land becomes concentrated in the hands of those who have the financial means and the political connections not only to acquire land, but to develop it for agricultural or other purposes, a constellation of other local players also benefit. In Ghana, for example, customary chiefs and groups connected to them appear to be at the centre of these processes; while in Senegal there is a close relationship between municipal administrations and people acting as brokers and intermediaries.

Among those losing out, farmers relying on customary tenure arrangements with 'secondary' land rights are the most vulnerable. The recurring theme here is that their lack of access to finance, connections to officialdom and information serves as a barrier to seizing opportunities linked to land markets and the cash economy. This barrier is particularly daunting for women who depend on their husbands or male relatives for their access to land, pastoralists who rely on negotiated arrangements with local farmers, and youths who traditionally have a limited voice in land management.

In the Ugandan sites, for example, youths are among the most affected by the increase in land prices since they cannot afford to buy land. And in the Ghana case study areas, constrained land access is causing youths to shift to off-farm occupations, notably small-scale mining, or to migrate to urban or other rural areas. In the Senegal sites, rural youths are seeking a greater voice and greater autonomy from elders and family heads. Many still see a future linked to the land, but attempt to be more entrepreneurial than their elders, and spend their money differently.

For women, the rise of market-based land transactions and the erosion of customary systems can provide some with new opportunities to overcome their disadvantaged tenure position. Particularly for those with greater access to finance, there may be greater scope for obtaining more secure, formal forms of tenure than would have traditionally been possible. But the emergence of large-scale commercial land ventures can be harsh on women too. In the northern Ghana site, for example, changing patterns of land use have constrained women's access to shea nut and dawadawa trees that were traditionally common property. And in all sites, women's responsibility to provide food for their families has remained largely unchanged even when plots have shrunk or become more fragmented.

These fast changing patterns of land access suggest the following implications for development policy and practice:

# 1. Policy, law and practice need to be reformed for fair land governance

**Adapt and adopt guidelines.** Land governance systems need to rise to these fast-growing challenges. Law and policy have been revised in many African countries in recent years, but few governance systems are yet able to keep up with the pace and scale of change. The international consensus on responsible land governance, reflected in the Voluntary Guidelines on the Responsible Governance of Tenure, provides an important basis for practical reforms.

**Reconcile conflicting systems, and develop practical accountability mechanisms.** Some chaotic land markets need better regulation and some conflicting systems – customary and state-based, for example – need to be reconciled more effectively, bridging gaps between statute books and local practice. While laws in an increasing number of countries now purport to recognise customary land rights, it is also clear that customary systems themselves have been changing, in some cases quite rapidly. Land governance systems thus need in-built flexibility: robust institutions will be more effective than one-off regulation in dealing with evolving challenges. Accountability mechanisms will also be crucial to preventing elites acquiring land unjustly. Furthermore, dispute resolution mechanisms will need to be recognised as essential tools in land governance.

**Recognise tenure rights and maintain records.** Time and again the evidence suggests that private investors can secure documentation for land they acquire, whereas smallholder farmers often lack any legal proof of their land rights, or the means to cover the cost of securing such proof. Sustained investment continues to be needed in securing the land rights of rural people through legislative and operational interventions that: recognise all socially legitimate tenure rights; establish accessible, low-cost arrangements for recording rights, including collective rights; and provide effective mechanisms for maintaining records.

**Ensure quality in investment processes.** Plans and governance frameworks for agricultural development need tightening up to ensure investments are responsible and of high quality. Depending on the context, this will include strengthening community consultation and impact assessment requirements, attention to employment and participation arrangements, and ensuring the payment of timely and adequate compensation.

**Monitor changes in land access.** There are currently scant systems in place to track and document the profound transformations affecting land access in sub-Saharan Africa – yet good data will be critical to informing effective public action. New roles are needed in land use institutions and in their development agency partners to ensure that

an emerging understanding of these changes, and how rural livelihoods can thrive as land access evolves, is effectively shared.

## 2. Smallholder farming and off-farm employment need concerted support

**Make business models truly inclusive.** This study has found that investments aiming to integrate farmers into commercial value chains have brought significant benefits to some farmers but exacerbated difficulties for some others. Careful shaping of these agribusiness developments – including the structures and benefits of outgrower schemes, anchor farms, contract farming and the associated models of large-scale business operations – are needed to ensure opportunities for smallholders are truly inclusive.

**Engage with informal markets.** Evidence suggests that food production has become much more oriented to domestic and regional markets than export markets in recent years, notably in West Africa. Rather than participating in 'inclusive' value chains, many smallholders are selling and buying in small urban centres – which are emerging as service and aggregation hubs, mainly out of sight of policy. Work is needed on the policy and business interventions that can drive up quality and promote robust rural and urban development in these contexts.

**Promote off-farm income.** Generating energy for rural areas, including for processing agricultural produce, is one potentially promising sector, and links like this between on-farm and off-farm income are likely to be key. Employment in agricultural product processing, for example, can provide not just income but a stimulant to on-farm production – if farmers are able to secure a decent price for their produce this can have a 'pull' effect on its quality.

## 3. Local institutions need investment for smallholder farming to thrive

**Support professionalism in local government.** Local governments, customary authorities and devolved administrations are important actors in land governance, and in mediating multiple pressures on land. There needs to be a concerted focus on building effective resourcing and professional codes within local governance administrations.

**Orient credit, training and infrastructure to smallholders on fragmented lands.** More interventions focused on agricultural credit, training and rural infrastructure for poorer producers are needed. If, for example, small plot size reduces farmers' ability to diversify,

they may be more vulnerable to the risks of crop failure – in the context of climate change in particular. Small-scale farmers are pursuing a variety of strategies to adapt, including different crop choices, acquiring small plots of land in different locations to make up farm sizes, and hiring themselves out as labourers. Support systems need to take this diversity into account to promote a more flexible small and medium-scale farming sector.

**Invest in grassroots groups, producer organisations and support institutions.**

Grassroots groups working to promote public accountability in local governance are vital – and are often the catalyst for effective rural development interventions. Support is needed in particular for rural producer organisations to strengthen their negotiating power in relation to both companies and government agencies. Moreover, support institutions that have traditionally focused on agriculture alone may need to add capabilities and strengthen their partnerships with those that can support non-land based livelihoods.

# 1

## Introduction to the purpose and methods of the review

Africa's rural and urban landscapes are changing rapidly. Many of the reasons for this lie in the changing ways, scale, and pace in which people access and use land – and these in turn are putting pressure on systems of land governance that are struggling to cope. Demographic pressure on productive land, both in rural and urban areas, combined with growing interests for commercial exploitation of natural resources, increase competition over land and its value. Land degradation, pollution and other environmental stresses, including climatic shifts and extreme weather events, put further pressure on productive land. Considering the critical role that rights and access to land play in sustaining livelihoods and food security, understanding the dynamics of these changes is an essential step in the definition and implementation of poverty reduction policies.

This report summarises findings from a research project 'Changing land access issues for poor rural people in sub-Saharan Africa'. Funded by the International Fund for Agricultural Development (IFAD) and coordinated by the International Institute for Environment and Development (IIED), the project aimed to improve understanding of changing land access in sub-Saharan Africa, and to inform the design, implementation and outcomes of development policies and programmes. The research follows and builds on an earlier IIED-led study on a closely related topic (Cotula, 2007). It addresses three main research questions:

1. How is land access changing in rural Africa, and what are the major drivers of change?
2. How are these changes affecting rural livelihoods?
3. What are the implications of these changes for development policy and practice?

The report reviews the literature and analyses case studies based on fieldwork in two sites in each of the following four countries – selected to offer some spread of different contexts across East, West and Southern Africa: Ghana, Senegal, Mozambique, and Uganda. In each country, research teams of national experts addressed the questions based on the analysis of primary and secondary data, and of evidence from the available literature – both published and unpublished materials. The choice of the field sites for the case studies reflects the diverse contexts and pressures on land, though most case studies focus on sites where external pressures are at play (eg agribusiness or mining investments, real estate developments: see Box 1). The case study sites also presented high potential for assessing the local drivers of changes in land access and transactions.

Case study research took place at different times in each country between late 2014 and through 2015. Country teams worked towards a common research design, but tailored approaches to the local context. This included measuring change over time when data were available. Fieldwork centred on qualitative research methods, collecting data primarily through semi-structured interviews and focus group discussions (FGDs) with diverse land users (in terms of gender, age, social and tenure status, and land use), and with both customary and state authorities. Interviews and focus groups were held in all four countries and the qualitative research engaged a wide range of stakeholders including, for example, 176 people in Ghana, 150 in Mozambique, and 72 in Uganda.

Fieldwork also involved a quantitative component to collect data on changing landholding size and distribution, and on incidence of land transactions. Due to diverse practical constraints and opportunities, quantitative data collection took different forms in the four countries. In Ghana, the study administered 290 household questionnaires across the two sites. In Mozambique, the team surveyed 46 households, while in Uganda, 282 households were surveyed across the two sites. In Senegal, the quantitative component drew on existing data from an earlier study of the same areas, which surveyed 1,500 sample households.

A few limitations to this review should be acknowledged. At local level, the scarcity of historical data has been a major challenge in measuring change over time, both in qualitative and quantitative terms – for example, in land fragmentation and consolidation, land use patterns and their livelihood implications. The research teams have mostly relied on the memory of interviewees in describing these changes over time. Furthermore, while the case studies provide evidence of changes occurring in particular areas where land dynamics are evolving fast and pressures on land are strong, the case study sites cannot be considered to be representative of wider trends in the four countries and beyond. In



fact, evidence suggests that land dynamics are different in other contexts, including in the same countries. The research teams consider it unlikely that any site could demonstrate wider trends on their own. In order to take into account these potential differences, the findings from the case studies have been linked to national land trends where evidence exists.

While working towards a similar research design, practical constraints and opportunities affecting the quantitative component resulted in the national teams adopting different approaches in the four countries. This proved the most effective route to collecting data in each country, but it does limit comparability of data across data – in terms of depth and breadth, as well as findings.

The remainder of this report is structured as follows: Chapter 2 frames the terms of the debate on drivers of changes in land issues and their implications on land tenure. Chapter 3 presents the case studies in greater detail, describing the most significant drivers of change that in each case affect access to land, land use and tenure. Chapter 4 discusses the main findings across the case study countries. Chapter 5 looks at the implications for livelihoods, and Chapter 6 identifies conclusions and recommendations for policy and practice, including for development programming.

# 2

## Drivers of change

Across rural Africa, land access is changing as a result of major processes of social and economic transformation. While change is an ever present feature of all land tenure systems, the rapidity of some of the current evolutions is creating challenges for the adaptive capacity of both customary and state-based land governance systems. Increasing population densities, rapid urbanisation, commercial investments and environmental stresses are all increasing pressures on productive land.

This chapter explores some of the most important drivers of change affecting land access in sub-Saharan Africa. Drawing primarily on the literature, the chapter revisits the analysis developed by Cotula (2007), assessing intervened changes and identifying new drivers. Overall, the findings point to significant continuity with earlier trends, but also to some new developments requiring attention in both policy and practice.

### Demographic growth and population density

In sub-Saharan Africa, population grows at a rate of 2.5 per cent annually, with the overall population projected to reach almost two billion people by 2045.<sup>2</sup> In the last ten years, the share of rural population has declined slightly due to a slowing demographic growth rate and increasing migration to urban and peri-urban areas. But rural people still represent more than 60 per cent of the African population, and their total number is projected to grow until at least 2045, when it is expected to start declining in absolute, as well as relative terms (IFAD, 2010). Rural population densities vary considerably, but can be very high on more valuable rural lands. This is because Africa's rural population is significantly clustered around areas presenting higher potential in terms of soil fertility, climatic factors,

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<sup>2</sup> Authors' calculation based on World Bank data available at <http://data.worldbank.org>

or infrastructure development, compounding demographic pressures in those areas (Jayne *et al.*, 2014a).

As a result of demographic growth and farm subdivisions through inheritance, the land available to many rural households is becoming increasingly fragmented into smaller and sometimes scattered plots (UN-Habitat, 2005; Cotula, 2007; IFAD, 2010; Austin *et al.*, 2012). In East and Southern Africa, for instance, it is estimated that cultivable land per capita has halved over the last generation (Haralambous *et al.*, 2009). These trends have already raised concern among policy makers. For example, the president of Uganda has publicly warned rural households against the inefficiency of dividing land plots among many siblings, encouraging them to use the land jointly in order to make farming more commercially viable (Observer (Kampala), 2013). It should be noted that while demographic factors are driving land fragmentation in high population density areas, elsewhere other forces, such as the rise of medium- and large-scale farming, are fostering greater land concentration, so in aggregate terms, African landholdings are experiencing both fragmentation and concentration (Jayne *et al.*, 2014b).

## Urbanisation, migration and rural transformation

Urbanisation, migration and rural transformation are interrelated phenomena that are shaping African demography and affecting access to land. Data show that the degree and pace of urbanisation vary greatly across the continent. However, during the last two decades, sub-Saharan Africa as a whole has experienced significant albeit declining rates of both urban population growth and urbanisation. The urbanisation rate was estimated at 1.4 per cent for 2000–2010, down from 2.1 per cent in 1970–1980, while the urban population growth rate was 4.1 per cent for 2000–2010, down from 4.9 per cent in 1970–1980 (McGranahan and Satterthwaite, 2014, based on United Nations data).<sup>3</sup>

Growing urban populations can affect land access and use in several ways. Urban settlements tend to expand, so land previously used for agricultural production is converted to other uses, including real estate, infrastructure and commercial activities. These processes can significantly increase land values. At the same time, use of the land that remains available for agricultural production often intensifies in order to satisfy the demand for food by the growing urban markets, and supplying urban food markets can provide important incomes to sustain rural livelihoods (Satterthwaite *et al.*, 2010). Commercial crops may replace subsistence food crops or those produced for local

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<sup>3</sup> Urbanisation rates measure changes in the share of population that is urban, for example as a result of rural-to-urban migration; while urban population growth rates measure increases in the urban population. The latter may be due to urbanisation, but also to natural population growth in urban areas (McGranahan and Satterthwaite, 2014).

markets, and intensification practices such as irrigation or fertiliser use are introduced. In addition, access to financial resources may enable urban elites to buy land rights, both through formal and informal channels, for commercial and residential uses, but also for speculation, in turn fostering the development of land markets in rural and peri-urban areas.

Rural-to-urban migration can also bring about socio-economic and cultural changes, which may in turn affect land relations. On the one hand, the reduced availability of agricultural labour, especially among the young male population, may have impacts on agricultural productivity and food security, depending on the capacity of households to hire labour and their access to other productive assets and sources of livelihoods. On the other hand, remittances may complement rural incomes, and foster local transactions and changes in land use or tenure practices (Cotula and Toulmin, 2004; Cotula, 2007). Differentiated access to urban-based incomes has long been identified as a significant driver of social differentiation in rural areas, with land purchases financed through off-farm incomes fostering more unequal land distributions (eg Murton, 1999).

While much debate has focused on rural-to-urban migration, data suggests that rural-to-rural migration is significant too, driven by differentials in the availability of land and labour (Jayne *et al.*, 2014). Rural-to-rural migration has contributed to the spread of land tenancy and sharecropping agreements, as extensively documented in Ghana (eg Amanor with Diderutuah, 2001) and Côte d'Ivoire (eg Colin and Ayouz, 2006; Chauveau and Colin, 2010). Numerous studies have also documented land competition and conflict associated with these migration patterns, with disputes opposing 'original' settlers and 'newcomers' – or their descendants. In these contexts, the new generations advance contrasting interpretations of the terms of old land transactions (eg as land 'sales', gifts, loans or long-term leases) (Lavigne Delville *et al.*, 2001; Cotula *et al.*, 2004; Peters, 2013). In more extreme situations, land disputes at least partly linked to historical or recent rural-to-rural migration can become entangled with inter-ethnic strife and even armed conflict (see eg Chauveau and Richards, 2008).

## Economic transformation and investment flows

Many African countries have experienced sustained rates of economic growth, though growth rates have tended to decline in more recent times. Agriculture and other natural resource sectors, in particular the extractive industries, continue to make the largest contribution to GDP although the regional economy has started to diversify (Roxburgh *et al.*, 2010). A spike in commodity prices from the mid-2000s was associated with a wave of commercial investments in land-related sectors, with agriculture and extractive industries featuring prominently.

Large-scale land deals for commercial agriculture, often referred to as 'land grabbing' in the critical literature, have received by far the most attention in recent years (see eg GRAIN, 2008; Cotula *et al.*, 2009; Borras and Franco, 2010; Deininger and Byerlee, 2011; FIAN, 2010; Oxfam, 2011; Cotula, 2011; Anseeuw *et al.*, 2012; Hall *et al.*, 2015). But while attention has focused on foreign investments, national operators involved in smaller transactions also play an important role in aggregate terms (Deininger and Byerlee, 2011; Cotula *et al.* 2014). In addition, Jayne *et al.* (2014a) found that in Ghana, Kenya, and Zambia, land controlled by medium-scale farms exceeds large-scale holdings of both foreign and domestic investors. This rise of medium-scale farms has led to greater land concentration, reflected in a substantial increase of the Gini coefficients of landholdings in all three countries (*ibid.*).

National investors are attracted by emerging commercial opportunities and more dynamic land markets. As discussed earlier, buyers of rural land include urban groups that can use their savings from non-farm jobs and their privileged access to information on land-related issues, rules, and procedures, such as civil servants and traders, and to some extent they also include local rural elites (*ibid.*). Also as discussed, the relative advantage some households have in accessing off-farm income to invest in land and other productive activities is contributing to a process of growing social differentiation in rural areas. Gaining access to productive land is becoming difficult for those who are not able to participate in the emerging land markets. These people are forced into marginal, often degraded areas, where land is becoming increasingly fragmented (Hall and Paradza, 2011). In other words, trends towards land fragmentation linked to population pressures, discussed above, coexist with, and are exacerbated by, parallel trends towards land concentration restricting the land available to lower-income groups in rural areas (Jayne *et al.*, 2014b).

## The influence of public policies and state projects

The changes discussed above reflect profound socio-economic transformations, but also deliberate public action (Cotula and Jokubauskaite, 2016). This includes policy and legislative reform, as well as state-led operational interventions. Recurring policy features affecting land, investment, and agriculture place small-scale producers at a disadvantage (Vorley *et al.*, 2012), though the specifics vary considerably depending on context. In Senegal, for example, national policy and state-led projects drive the urban expansion and the land concessions for agribusiness or mining ventures. In Ghana, customary authorities have played a prominent role in large-scale land leases for agribusiness investments, though the state has also expropriated land for public projects (Boamah, 2014; Cotula and Jokubauskaite, 2016).

At the same time, recent land legislation in several sub-Saharan African countries has provided new opportunities for securing customary land rights. For example, legislation in Ghana, Mozambique, Tanzania, and Uganda recognises customary land rights to varying degrees (van den Brink *et al.*, 2006; Knight, 2011). Depending on the context, this may include mechanisms for securing collective titles or titling of common property resources (eg under Mozambique's Land Act of 1997). In most countries, however, there remain vast disparities between 'progressive' policies and implementation on the ground. Mechanisms for securing collective titles have been challenging to roll out and slow progress has been made in this direction. There remains a need for innovative and flexible tools to protect and secure the rights to land of rural people in more effective and cheaper ways (Djiré *et al.*, 2012).

## Climate change and other environmental stresses

The African rural landscape is changing as a result of increasing environmental degradation. Poverty and pressure on natural resources are interwoven in vicious circles of increasing land degradation (including deforestation), water scarcity, and loss of agrobiodiversity. The factors that provoke land degradation and decrease the availability of productive land stem from different causes, often interrelated and acting simultaneously. These include climate change and climate variability, unsustainable agricultural intensification, and the expansion of urban settlements, agricultural production, and other economic activities (UN-Habitat, 2010; Jayne *et al.*, 2014a; Nkonya, 2016).

Climate change poses a special challenge. As well as being a direct cause of land degradation in itself, climate change can exacerbate the effects of other environmental and economic stresses. In the tropics, 'environmental constraints on agriculture are most likely to increase as a result of climate change, causing decreases in crop production as a result of rising temperatures and reductions in rainfall in many regions' (Quan with Dyer, 2008). In turn, this can have major repercussions for land access and use, as climate change may drive land degradation, or as climate change-induced floods may increase land scarcity (Reich *et al.*, 2001; Quan with Dyer, 2008; IPCC, 2014; Sonwa *et al.*, 2016). Consequently, interventions to support adaptation need to go beyond just technical fixes, such as the development of new crop varieties, and need to be based on an understanding of how different factors interact to drive risks and create stresses in specific contexts.

# 3

## The case studies: context-specific processes of change

This chapter sets out the details of the case study sites selected for the field research. As discussed, the research covered two field sites in each focus country, for a total of eight sites. For each site, the chapter outlines key features of local context and broad trends in land access, primarily based on fieldwork findings.

### Oil discovery, land takings and increasing competition for land in southern Ghana

This case study site comprises three rural and peri-urban communities – Apowa, Egyam and Punpune – which are clustered around the Sekondi-Takoradi urban area, and are administratively part of the Ahanta West district in southern Ghana.

Commercial oil operations in the Sekondi-Takoradi area started in 2007, and have been a major driver of increased pressures on land in this area. The government acquired an estimated 500 hectares of land for the purpose of constructing an oil refinery. Although the land was compulsorily acquired in 2007, construction has not yet commenced and the surrounding communities are yet to receive compensation. At the same time, the land taking has created a squeeze on the farmland available to the local communities.

Land speculation has also been driving changes in this area, especially following the discovery of oil. According to the Lands Commission, an estimated 5,300 hectares of land were acquired in and around Egyam, Punpune, Apowa, and other areas in the Ahanta West district shortly after the oil discovery. The actual figure could be significantly higher considering that several land transactions remain unrecorded. Large areas of land have also been acquired by private businesses for real estate development and agriculture. This has further reduced the amount of land available to rural people.

Customary authorities have been at the centre of the action, involved in the selling or long-term leasing of land in exchange for money, particularly in peri-urban communities, such as Apowa and Savelugu. There is also an increasing practice in the Ahanta West area of families using legal procedures to subdivide collective ('stool') land, with control over land shifting from the stool to individual families.

Illegal small-scale mining operations have also had an impact on land access and use in Ahanta West District. In the Agona Nkwanta and Apimanim areas, for example, several farms have been destroyed, and water bodies have been polluted. Also, the rapid rate of property development in the urban and peri-urban areas has created considerable demand for sand, stones, and other building materials. In response, farmland is being extensively destroyed in favour of sand winning and stone quarrying.

The impacts on land use and access for small-scale farmers are significant. Rural producers are forced to farm smaller plots and intensify their use, which in turn is depleting soil fertility – according to respondents in this study. Farmers also increasingly operate several plots scattered in different areas, with some of the farmers interviewed holding up to ten small plots. One consequence is that farmers need to travel long distances to reach their fields.

Overall, these trends foster tenure insecurity and land disputes. In turn, these are affecting crop choices, especially in the Punpune area, where land has been taken without compensation and without subsequently being developed. There is, notably, a change from permanent cash crops such as oil palm to food crops and vegetables which require lower investment and for which the planting to harvest cycle is shorter. Financially, this has made the local farmers worse off, as the income from the new crops is lower and more unpredictable compared to income from oil palm. At the same time, many farmers are shifting from food production to rubber tree growing. For those with more secure and stable access to land, rubber is seen as a strong economic opportunity to gain a stable income and other benefits, such as access to bank loans.



## Commercial land acquisition and disputes between land users in northern Ghana

The case study in northern Ghana focuses on an area around the city of Tamale, in the communities of Nanton and Savelugu located in Savelugu/Nanton Municipal Authority. Changes in land access and use in this part of Ghana are characterised by a rapidly increasing population and associated real estate development; heightened levels of land speculation as a result of the proposed construction of an international airport; large-scale land-based investment for plantation agriculture; and climate-related stresses.

Large areas of land have been acquired in the Savelugu-Nanton area for the purpose of real estate development and agriculture. One notable example is a 12,000 hectare land acquisition for the cultivation of sugar cane. Another example concerns the 3,200 hectares of land acquired by the state for an airport expansion project. The farmers whose farmland was acquired for the airport project are yet to be compensated. The government's decision to upgrade Tamale airport also fostered land speculation by both local actors and outsiders. Land speculation is fostering the emergence of land markets and increasing land competition for local agricultural activities.

Climatic factors are also influencing land use and livelihoods in Savelugu-Nanton. Farming in these areas is mainly rain-fed. Droughts are becoming more frequent, with the result that farmers have had to reduce the frequency of their cropping cycles. Extended drought results in the drying up of rivers and water bodies, thus making it more difficult to irrigate land. This heightens competition for water by different actors – pastoralists for their livestock, farmers for their crops and householders for their domestic use. Communities that have access to water in the dry season, such as Bunglung, Kukuobila and Libga, all located near Savelugu-Nanton, become destinations for those who are in search of water, which in turn increases seasonal competition for both land and water.

Access to common resources is also being redefined in the face of current pressures. Pastoralists are being excluded from accessing common grazing land on the grounds that they are not 'community members'. Growing competition between herding and farming has resulted in crop damage from passing livestock, and in increasing disputes or even violent clashes between local farmers and transhumant pastoralists.

The changes are influencing land use and access. Similar to the Ahanta West case study, farms are becoming smaller and divided into numerous plots. However, plot size in the north still remains larger than in the Ahanta West site, as land pressures are not as extreme as in the south of the country. As in the Ahanta West site, farmers are increasingly accessing land through commercial channels. Options for collecting wild products from trees in common areas, such as the shea and dawadawa trees, have reduced, particularly due to pressure from large-scale investment. Communities are also

changing their crop choices, shifting from maize to millet. The latter is deemed more resilient where soil fertility has been depleted, but is also less profitable for farmers.

## National policies and large-scale commercial agriculture projects in the Senegal River delta

The first Senegalese case study looks at the delta area located in the western part of the Senegal River valley. This study covers the commune of Diama, which is the largest commune in the department of Dagana. It was selected as a study site because it straddles the Walo (good rice-growing area due to its fertile soils and the availability of water throughout the year) and the *diéri* (poorer quality sandy areas traditionally used by herders in the rainy season). Six target villages were selected: Boundoum, Thilène, and Ndiagambal, with supplementary information from Diama, Démézile, and El Ngourane.

Local farmers say that the whole of the Walo is now under productive use (*Tak gui diexna*). As a result, some villages have started cultivating land in the *diéri* in order to meet an urgent need for land. The increasing shortage of land suitable for rice production has led to a widespread local perception that 'the Walo is finished' (*Walo jeexna*).

Repeated cycles of drought over the past few decades and more recent changes in climatic conditions have led producers to progressively abandon their rain-fed crops, and increased the appeal of more predictable irrigated agriculture. At the same time, producers face problems associated with water management and land saturation, and in some cases have had to return to former rainy-season plots in the *diéri*.

The area has experienced significant agribusiness investment in recent years. Land acquisition for agribusiness projects is supported by national policies to encourage private investment. The Diama dam has opened up a considerable amount of land to irrigated agriculture, and a number of large private investors have set up operations in the Delta, including a French company that obtained over 2,000 hectares of land from Diama municipal council. These operations have affected pastoral activities in the area, and have caused an influx of agricultural labourers from other areas.

Large-scale, donor-supported state projects such as the Programme to Promote Rice Partnerships in the Delta (3PRD) and the Senegal Agricultural Markets Development Project (PDMAS) have also underpinned shifts in land access. The main beneficiaries of land developed by the 3PRD and PDMAS projects in the villages of Boundoum and Ndiagambal have been private operators, although some youths and women have been able to access land through a 10 per cent quota on developed plots. Local producers still cultivate small plots in sites developed in the 1980s, and some are renting in other land to increase their holdings.

## Mining, urbanisation and access to water in the Niayes, Senegal

The second case study in Senegal looks at the Niayes – a band of land that runs north along the coast from Dakar to the southern end of the River Senegal delta. Covering some 2,759 km<sup>2</sup>, it is punctuated with interdunal depressions where the water table rises to the surface. In administrative terms, the Niayes includes the western parts of the regions of Saint-Louis, Louga, Thiès, and Dakar. It can be divided into three sub-zones: northern Niayes, which runs from the south of the region of Saint-Louis to the region of Louga; central Niayes, which covers almost all of an area in the region of Thiès known as Diender (from the district of Niakhène to that of Keur Moussa); and finally southern Niayes, which runs from the district of Sangalkam to the suburbs of Dakar.

Producers in the Niayes have used water management systems to grow crops for several decades. Rain-fed agriculture was historically the main source of local incomes, but agricultural activities changed during the droughts of the 1970s and horticulture (market gardens and tree crops) became the main mode of land use in the area. This shift was accompanied by changes in production techniques, especially in the use of water. Lack of financial resources to invest in improved access to water is continuing to have an effect on farmers' production.

At the same time, market gardening is increasingly giving ground to sub-surface activities prompted by the recent discovery of minerals, and to increasing peri-urbanisation due to the area's proximity to Dakar and Thiès. The area largely consists of 'national domain' land and classified forests, with the latter constraining scope to expand cultivation. But although classified forests are not supposed to be cultivated, the government tolerates their temporary use for productive purposes. Demographic growth and farm subdivisions in a context where availability of cultivable land is restricted have fostered land fragmentation. Survey data show that this process of fragmentation has tended to be followed by perceptions amongst the landholders of unsustainable intensification and declining long-term agricultural productivity in the Niayes.

National law restricts transactions on land falling under the national domain. This land belongs to an imprescriptible and inalienable estate held by the state and managed by rural councils, and individuals cannot acquire ownership rights to this land. In reality, however, transactions are common, especially in central and southern Niayes, where urban housing developments are spreading and the mining sector is flourishing. The increasing number of transactions is also driving land speculation in this area.

Another factor driving changes in land use in the Niayes is the presence of large agricultural and mining enterprises, which are further reducing the amount of land available for small-scale farming. This phenomenon has intensified over the last decade, as part of a marked increase in large-scale land acquisitions in Senegal since 2003. Industrial mining operations and major infrastructure projects have encroached upon land previously used for agriculture and/or livestock rearing. Examples include a 44,000-hectare mining concession, a coal-fired power station, and infrastructure projects in the Bambilor area.

The most substantial land losses so far have been caused by the construction of a 20-metre wide laterite road (corridor) from a factory in Diogo to Mékhé, which is also estimated to have displaced over 100 farms. The mine has displaced seven hamlets, which used to lie on the site where the mineral processing factory now stands.

The spread of urban housing developments from central and southern Niayes down to the outskirts of Dakar is another driver of changing land use. This factor is causing fragmentation and saturation of arable land across the Niayes. Local residents feel that urban estate is taking precedence over agricultural production, as the urban front eats away more of their market gardens. Due to the area's proximity to Dakar, there is an increasing number of urban residents looking for Sunday homes or to commute to Dakar from this area, further compounding pressures on agricultural land.

Peri-urban development in southern Niayes started slowly in the 1990s and 2000s as city dwellers bought land for orchards and 'weekend farms'. This phenomenon has its roots in the cycles of drought that forced farmers to sell land as it became increasingly difficult to obtain water. Some plots required sophisticated water extraction systems that made it very expensive to use the land productively, opening the way for high-ranking religious and political dignitaries to acquire it for poultry farms or orchards (with support from the state). Some purchasers built second homes on their new holdings, while farmers put the money they made from selling their land into modern housing, further contributing to the process of urbanisation. Around 125 hectares of land were subdivided and sold off as housing plots for the villages of Kounoune, Bambylor, Niakourab, and Ndiakhirat (Sarr, 2011).

There are close links between the changes observed in poor rural people's access to land, and a growing concentration of land in the hands of wealthy operators. These new arrivals are rarely farmers, but actors who regard agriculture as a profitable sector for investment. In the Niayes, it is clear that producers have been left to deal with a lucrative land market in a context of weak land governance.

## Large-scale land concessions in Gaza, Mozambique

The lower Limpopo Valley, located in the southern province of Gaza, Mozambique, has historically been the target of state-driven agricultural projects, beginning with the establishment of white settlements (*colonatos*) during the 1950s and 1960s and the *Complexo Agro Industrial do Limpopo* in the 1970s and 1980s, after the country obtained independence. More recently, there have been a number of agricultural initiatives that involve private entrepreneurs, NGOs, and local communities.

After the devastating floods of 2000, the government rehabilitated some of the irrigation infrastructure in this area, with the aim of encouraging commercial agriculture. Given the high costs of rebuilding and maintaining irrigation infrastructures, the government placed significant emphasis on attracting private foreign investments. The government followed through with the award of large land concessions to foreign investors, including one to a Chinese cereal company.

Between 2007 and 2012, the company expanded its area of rice production, but due to technical constraints and lack of financial resources, it ended up seeking support from another Chinese company. Between 2012 and 2013, this latter company negotiated a land concession of 20,000 ha in the Lower Limpopo Irrigation Scheme for 'grain cultivation, processing and storage' (Ganho, 2013b).

The government granted the concession, viewing the investment in rice production as an opportunity to boost local cereal supply and take advantage of existing and rehabilitated irrigation facilities. Indeed, the initiative was deemed to be in line with the country's agricultural policy, which emphasises the need for an African 'Green Revolution' as a means to improve local food supply and promote economic growth. The venture was also expected to create employment and transfer much-needed know-how to local farmers (Ganho, 2013a, 2013b; Bräutigam and Ekman, 2012). However, findings from fieldwork carried on in Chicumbane – one of the four localities (or *Posto Administrativo*) of Xai-Xai district in Gaza Province – suggest that this investment is yet to bring about significant benefits to the local population.

The communities of Chicumbane have cultivated the fertile lands of the lower Limpopo valley for a long time since the country's independence. As Chicumbane is partly located in higher grounds, after the floods in 2000, thousands of displaced rural dwellers resettled in the area, thereby increasing population pressure and intensifying the use of agricultural land in the lower valley grounds. However, large numbers of these farmers have lost their land to give way to the 20,000 ha concession.

The provincial government attempted to compensate these farmers by granting them land in other locations, but plots tended to be very small (¼ of hectare) – generally inadequate for meeting family needs and often further from water sources. There appears to be a high risk that people evicted from the most fertile lands would face serious challenges in sustaining their production systems, based on a mix of subsistence and commercial crops.

## Changing land access and use in urban and peri-urban areas in Mozambique

Although the majority of Mozambicans still live in rural areas, the rate of urbanisation in the country is high (8.4 per cent on average over the last three decades) and well above that for sub-Saharan Africa as a whole at 4.0 per cent (Castán Broto *et al.*, 2013). Belo Horizonte and Campoane are two neighbourhoods of Boane municipality. They are both very close to Matola city and less than 25 km from the capital city of Maputo. Both Maputo and Matola have been experiencing population growth and urbanisation at least since the 1950s. After independence from the Portuguese colonial domination in 1975, urban population growth and city expansion have been associated with the devastating war between the FRELIMO, the ruling party, and RENAMO (1976–1992), and with natural disasters such as floods and droughts that ravaged the countryside. In the late 1980s and early 1990s, the introduction of structural adjustment programmes left many in poverty and compelled unemployed people from Maputo and Matola to relocate to Boane, where they took up employment in consumer and agricultural cooperatives, state farms, construction projects such as the dam at Pequenos Libombos, and the Umbeluzi irrigation schemes (Madureira, 2014).

The increasing number of people that were relocating to Boane boosted the demand for land, compelling many rural dwellers to find new settlements that gave birth to new neighbourhoods such as Campoane. Population has continued to expand in Boane over the years. From 2005 to 2015, Boane's population nearly doubled from 82,000 inhabitants to nearly 154,000. This expansion is the result of population growth and rapid urbanisation in Maputo and Matola, which has attracted several new industries. Boane has also witnessed the expansion of entrepreneurial activities, and the Belo Horizonte area is home to new institutions and businesses. As Campoane and Boane became residential areas, there was need for farmland. The residents started to occupy nearby land that belonged to unproductive and underperforming state farms to grow food for their families.

In the early 1990s, a company took over the land concessions that are now part of Belo Horizonte, and tensions arose with these occupants. Land disputes lasted more than ten years. Eventually, a national NGO stepped in to mediate. As a result, an association to represent the peasant farmers was established and an agreement was reached to divide the existing land areas (about 300 ha) equally between this association and the company. The NGO helped the association to register a title deed on behalf of its members, who continued to produce food crops on their fields.

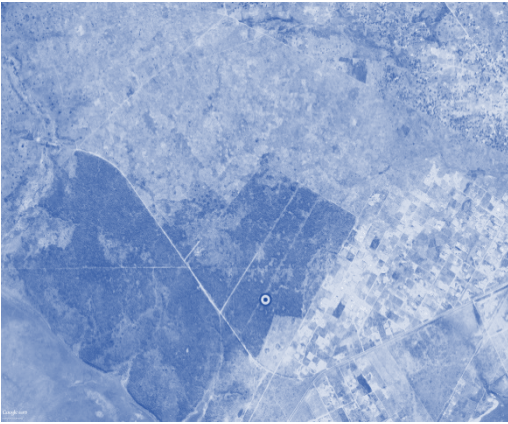
This arrangement was short-lived, however. Within a relatively short period of time, land was transferred from the association members to urban elites in search of land for residential and commercial development. Increasing demand for land for housing led to the rapid development of an informal land market in the area. Local farmers, on their own initiative, began to sell their land plots to middle and upper middle class residents from Maputo and Matola. This process, in turn, led to increasing land fragmentation of farmland holdings into small plots for housing. Soon, the membership of the association came under pressure to accede to this process.

The Boane district administration and the leadership of the association facilitated the land transfers, directly or indirectly. The message from all parties was that the land was needed for urbanisation projects, that people would lose access in any event, and therefore that registration via the association would mean at least a mediated process for receiving compensation.

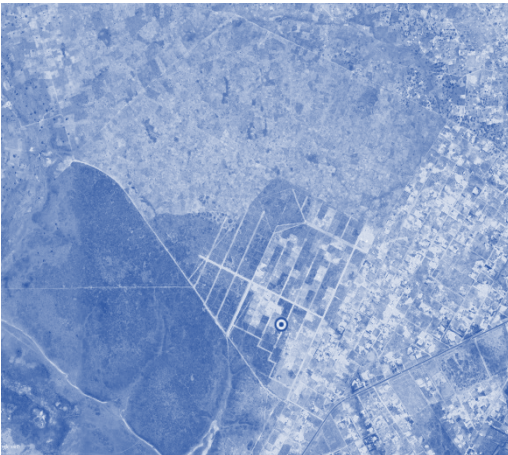
The following maps illustrate how the landscape of Belo Horizonte has changed dramatically over a 13-year period.

As the years progressed, land prices skyrocketed. The new landowners – emerging urban elites – have been investing in high-value real estate developments. There is no evidence of an existing urbanisation plan, partly because the expansion of the neighbourhood until now rested on the informal land market. Farmers – including those who charged high prices when they sold their land – built small improved houses in the adjacent neighbourhood of Campoane. Many have stopped farming in the area, seeking plots elsewhere or abandoning farming altogether.

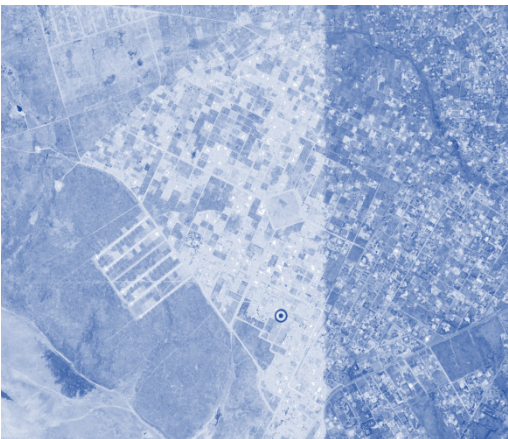
Map 1: The urbanisation of Belo Horizonte 2002 – 2015



Google Earth Imagery  
Date: 05/25/2002



Google Earth Imagery  
Date: 10/20/2006



Google Earth Imagery  
Date: 04/25/2015



## Changing land tenure around commercial opportunities in Kalangala, Uganda

Situated in the southern part of Uganda, Kalangala district consists of 84 islands in Lake Victoria. Fishing and agriculture have long been the pillars of the district economy. But due to the decreasing fishing resources and increasing land degradation, tourism is now regarded as offering the potential of revitalising the local economy. Kalangala district is part of Buganda Kingdom and hence houses many of Buganda's cultural sites.

One important source of economic development in the district is the Vegetable Oil Development Project (VODP), launched in 1998 by the government of Uganda as a public-private partnership (PPP) alongside the International Fund for Agriculture Development (IFAD), the World Bank, and a private company. The project involves palm oil grown in 6,225 ha of nucleus estate, 3,864 ha of smallholder plantations and at least 1,610 ha of smallholder farmers, of whom 35 per cent are women.

The introduction of the VODP is reported to have created important opportunities for the community but is also seen as having triggered a rush for land, including from non-residents. In turn, this is fostering changes in land access arrangements. Increasingly, land rights are transferred through market-based mechanisms under freehold and leasehold tenure systems. The importance of these two tenure systems is growing relative to the two systems traditionally dominant in Kalangala district, namely *mailo* and customary tenure systems.<sup>4</sup> There have also been reverberations for relations between tenants and landowners. Under the palm oil outgrower scheme, farmers are assisted in the process of land registration as a condition to access loans. Land registration is deemed to have helped to improve the position of bona fide tenants vis-à-vis landlords on land with overlapping land tenure rights.

The changes have also been associated with shifts in land use. A large number of farmers are being attracted to the area by the growing commercial opportunities. This is leading to increasing use of improved farming techniques but also to higher pressure on arable land and to a sharp increase in land prices. There are clear opportunities for economic development but also risks for certain groups. For instance, improved farming techniques

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4 The Uganda Constitution prescribes four distinct forms of land tenure: freehold tenure, *mailo* tenure, leasehold tenure and customary tenure. Freehold tenure is an individualised form of land tenure granted in perpetuity. *Mailo* tenure is a form of freehold tenure unique to Buganda, having been introduced through the 1900 Buganda Agreement. Under this tenure arrangement, the Kabaka of Buganda and feudal landlords were granted freehold rights over large tracts of land, often inhabited by poorer subjects, who are tenants or *bibanja* holders. The 1995 Constitution guarantees security of occupancy of tenants (referred to as bona fide occupants) who have occupied, used, or developed land unchallenged by the owner for at least 12 years. Leasehold tenure is granted, providing for access to public or any other land for a fixed term period. Currently, leasehold tenure is the only form of tenure through which non-Ugandans can own land. Finally, customary tenure is a form of tenure based on the customs of the community in which such custom applies. Under the 1995 Constitution, customary tenure is considered to be at par with freehold tenure.

are being adopted by better-off small- and medium-scale farmers, likely contributing to enhance productivity of the sector. But lawful tenants and illegal squatters occupying *mailo* and public land risk losing access to land, due to the difficulties of processing land certificates of occupancy, as required by the Land Act 1998, and the problem of overlapping land tenure rights on the *mailo* land. More generally, higher land prices would tend to favour households that are able to take part in land markets, and may exclude other groups – including the youth, who are increasingly opting to abandon farming to take up low capital off-farm occupations.

## A complex web of factors increases disputes over land in Amuru, Uganda

Comparable patterns of changing land access and use have been observed in the northern district of Amuru. Subsistence agriculture is the backbone of the economy of Amuru district, but recently a number of prospective commercial opportunities, including oil exploration and a large-scale land concession for industrial sugar operations, indicates an upsurge in commercial land use.

Exploration activities around oil discovery in the district have been taking place since 2006. These activities were licensed in 2004 and 2005. In 2007, 40,000 hectares of land in Lakang village were allocated to an agribusiness company to develop a large-scale sugar plantation and factory. Infrastructure development, the establishment of new public offices and increasing business opportunities along the border with Sudan and the Democratic Republic of Congo (DRC) are also encouraging commercially oriented land investments, both by local residents and by non-residents.

As a result, market-based transactions – particularly rental agreements – have been increasing sharply. Population pressures compound the trend, partly linked to immigration fostered by the economic opportunities, and to the resettlement of many internally displaced people (IDP) following the end of over 20 years of insurgency by the Lord's Resistance Army. The government also established a wildlife protected area, which has been at the centre of conflict between local communities and public authorities. Competition over productive land is thus on the rise, as is the number of land disputes in the area.

# 4

## Changes in land access: commercialisation, fragmentation and dispute

This chapter explores the changes in land access in the eight field sites. While the sites reflect diverse contexts, they also present important similarities – in particular a recurring trend towards increasingly commercialised land relations, accompanied by parallel evolutions in land values, land concentration and fragmentation, land governance systems, land disputes and wider socio-cultural relations. Partly reflecting a site selection criterion, in all sites this trend is at least partly underpinned by external drivers, particularly urban expansion, real estate development and agribusiness or extractive industry operations. But evidence suggests that other drivers of change are at play, including factors linked to more localised land relations. This chapter discusses these findings in greater detail.

### Commercialisation of land relations

Across the case studies, the research documents increased commercialisation of land access relations, confirming evidence from the literature discussed in Chapter 2.

The field sites in Ghana provide a clear illustration of this trend. According to survey results, monetarised land transactions enabled land access for 63.5 per cent and

63.8 per cent of respondents in Ahanta West and Sevelugu-Nanton, respectively, up from 22.7 per cent and 24.6 per cent in 2005. The higher incidence of monetarised land transactions in the latter site is in line with the longer history of demographic pressure and agricultural intensification in the southern part of the country. Research elsewhere has documented how emerging land markets may remain embedded in wider socio-political relations (eg Colin and Ayouz, 2006; Chauveau and Colin, 2010). But the increased use of monetarised forms of land access, even over a short period of time (ten years), seems a significant finding.

Interestingly, monetarised land access transactions are used not only by migrants and sharecroppers, as has long been the trend, but also by members of local landowning communities. This is significant because, under customary systems, these people would in principle be able to access land on a non-market basis, by virtue of their position as members of the community. The fact that even indigenes are increasingly accessing land through land markets reflects the growing pressures on land (ie there is less land available that indigenes can access by virtue of their belonging to the landowning community), and a profound redefinition of land access. Evidence from other parts of Ghana that are not experiencing comparable pressures on land suggests that there are places where land is mostly accessed through traditional, non-market channels, including gifts, inheritance, or customary usufruct.

Similarly, in Uganda the field results show that while customary access mechanisms still account for a large proportion of land, households increasingly rent or purchase land in areas dominated by freehold and leasehold tenure (see also Tatwangire and Holden, 2013). While limited data prevented detailed measurements of this change, participants in the focus group discussions in both sites consistently indicated that land access through renting-in and purchases have increased since 2005. On the other hand, non-market land access arrangements such as borrowing and occupation have become less common, or are no longer perceived to convey the tenure security they did in the past. Informal land markets have also emerged in the peri-urban Boane site in Mozambique, driven by urban expansion and lucrative opportunities created by partnerships with commercial operators.

On the other hand, commercialisation processes are underway, but do not seem quite as pronounced, in the two field sites in Senegal. Informal land purchases in these case study areas seem to be on the rise, but only account for 8 per cent of land transactions in the Niayes and for 4 per cent in the Delta. Given that purchases are not allowed by national law, some underreporting by respondents cannot be ruled out. That said, commercial transactions have become the most common means of accessing land in southern Niayes – an area that has experienced strong urbanisation – with 36 per cent of households reporting to have gained access to land in this way.

While it is impossible to generalise from these case studies, the picture emerging is one of very uneven development of commercialised land relations, with monetarised

transactions being on the rise particularly in places where pressures on land are more acute, and with traditional land access arrangements remaining common in other areas. However, it is important to bear in mind that border lines between the commercial and the traditional are often blurred, not least because monetarised transactions may still be embedded in complex socio-political relations framed by tradition (see Chauveau and Colin, 2010).

## Rising land values

Parallel to trends towards more commercialised land relations, land values are on the rise across the case study sites, reflecting growing demand for land from multiple sources. The Ahanta West site in Ghana provides an extreme case. Fuelled by petroleum industry developments, land prices have increased to 75 times the value per hectare that they held in the year 2000. The biggest step change happened around 2008, the time of commercial oil discovery around the Sekondi-Takoradi area. Land values have increased in the Tamale site too, but not as dramatically; the field survey shows an increase of 20 times the value per hectare in rural areas and 8 times in peri-urban areas in the same period. Rural land values are seeing the highest rise in value, leading to a very significant appreciation over the past 15 years.

This trend towards rising land values is corroborated by findings from the other sites. Focus group participants in Kalangala district, Uganda, estimated that the price of 0.4 hectares (1 acre) of land increased from UGX 55,000 (US\$15.24) to UGX 2,500,000 (US\$693) during the previous ten years. Similarly, the focus groups in Amuru indicated that the price per 0.4 hectares of agricultural land increased from UGX 100,000 (US\$27.72) to UGX 3,300,000 (US\$915) over a ten-year period. In Mozambique, land prices in the peri-urban Boane site, near Maputo, have also skyrocketed following increased interest from residential developers. Prices for 50m<sup>2</sup> plots increased from 20,000–30,000 MT in the late 1990s to 100,000–250,000 MT in the first decade of 2000.

The case studies also provide evidence of land speculation. For example, in Uganda's Amuru district, respondents reported that non-residents were coming into the area to acquire land in anticipation of a potential windfall from future land sales. Land speculation was also documented in the southern Niayes site in Senegal, and in areas around Maputo (Glover and Jones, 2015).

## Land governance under pressure

The case studies point to the challenges faced by land governance systems, whether customary or state-based, in managing this rapidly changing environment. This includes

unregulated, and in some cases corrupt or otherwise illegal, land transactions. It also involves uncoordinated shifts away from customary systems to other forms of land governance. As land values increase, government officials and political leaders seek a greater role – to the detriment of customary chiefs.

Access to money, information and influence becomes particularly important in navigating these evolving and contested governance arrangements. Urban-based groups are harnessing their positions of social or economic power to acquire land in emerging land markets. At the local level, customary chiefs, local state authorities, or leaders of farmers' associations are also using their positions of relative power to benefit from the increased outside interest in land.

While several case studies provide examples of this trend, findings from the Boane site in Mozambique are particularly illustrative. Here, an NGO-supported partnership between a local association and a commercial operator created the prospect of monetary benefits for local farmers. Over time, however, most peasant members of the local association sold their land as part of a parcelling process promoted by the local municipality, and much land ended up in the hands of urban-based outsiders. In contrast, the leaders of the association kept their land and in fact some appear to have acquired additional land from the other farmers. More generally, the extensive powers that the land law vests with the government provide officials with significant control and discretionary powers. Where accountability systems are weak, this context creates room for abuse.

Findings from the Niayes site in Senegal, illustrate how village chiefs or municipal councillors can become land intermediaries or land speculators, acting as real estate brokers that provide an entry point into the community for outsiders to acquire land. In Senegal, rural councils play a significant role in land allocation, and councillors enjoy significant discretion over how they exercise their powers. Local authorities also appear to play a role in validating and legalising informal transactions *a posteriori*, allocating land to people who acquired land on the informal market.

In Ghana, the case studies documented trends towards both the formalisation of customary systems, and towards their erosion. Customary Land Secretariats (CLSs) have been set up in several locations, including with support from development programming. Besides formalising local land management arrangements, these bodies have the potential to dilute the concentration of powers in the hands of chiefs through increased transparency. This development has direct links with the emergence of land markets, because fees from processing land transactions are the primary source of revenue for the CLSs. Therefore, the CLSs are likely to prove self-sustaining only in those rural and peri-urban areas where the local markets are indeed active.

On the other hand, the Ghana cases also provide evidence of families contesting customary authorities and seeking more direct control over land, by making a statutory

declaration of land ownership. This formal procedure allows an individual or an entity that has an interest in the land to request that the state administration proclaim him/her as the absolute owner of that land, effectively subtracting the land from the control of customary authorities. The process requires publication of notices for a period of 21 days, and the application is accepted if no objections are raised within that time. Through this process, seven families in the Ahanta West site have succeeded in claiming part of the land which was previously managed by the customary chief, and are now legally the absolute owners of this land.

Comparable processes of erosion of customary governance systems appear underway in the field sites in Mozambique and Uganda. In the Ugandan sites, economic changes and breakdown of traditional family structures are growing demand for land from individuals, rather than from families, and individual land transactions are increasingly common. As a result, the proportion of land held under customary or communal tenure has decreased in both Amuru and Kalangala sites, while land held under freehold has increased. In the Mozambican sites of Limpopo valley and Boane, it seems to be the ruling party's modernisation agenda, and the growing role played by government or party officials in land management, that has eroded the position of traditional leaders, the *regulos*.

The strain on established land governance systems is also apparent in the context of large-scale agribusiness operations. In the lower Limpopo valley site in Mozambique, several respondents raised questions about the quality of the consultations held locally to discuss a proposed commercial land concession. Community consultations are an important part of the arrangements to protect community land rights under Mozambique's land law. But from the point of view of some of the farmers evicted, these consultations in fact served to build legitimacy for the land acquisition.

## Land concentration and fragmentation

Given the discussion above, it should come as no surprise that the case studies also found evidence of increasing land concentration, particularly in the hands of actors better positioned to manoeuvre land governance systems. In the case study areas, this specifically means companies and urban buyers. The latter may include real estate developers and their urban clients looking for residential property, as in the peri-urban Boane site in Mozambique, or urban elites pursuing speculative strategies, discussed above.

Growing land concentration also seems associated with the rise of medium- and large-scale farming, driven by large-scale concessions to agribusiness investments (eg in the Limpopo River valley, Senegal River delta, Amuru and Kalangana sites) and/or by urban elites acquiring rural land to develop commercial agriculture. State-led development projects facilitate these trends. In the Senegal River delta site, state-led projects such

as the 3PRD and the PDMAS work under private partnership models, whereby private promoters will be responsible for developing the projects and receive state support in mobilising finance. The programmes were originally aimed at agribusinesses alone, but after lengthy negotiations 1,400 hectares, divided in 2-hectare plots, were earmarked for small-scale producers (in contrast to 500-hectare plots for national and foreign agribusinesses). Although both projects eventually included small-scale producers, they appear to have done little to help them actually gain access to land. For example, producers in Ndiagambal reported that the land allocations under PDMAS were very slow, with highly unfavourable conditions of access. Developed plots are too expensive for small-scale farmers, and this tends to favour more commercial operators. Only 1 per cent of producers in Boundoum – fewer than 30 people – have gained access to land developed by this project. On the other hand, larger players have been able to seize the opportunities provided by the PDMAS.

Just as landholdings are becoming more concentrated, land fragmentation is increasing too. This may be due to small-scale producers being squeezed by commercial developments into more constrained land areas, and/or to population growth and land inheritance fostering farm subdivisions, with field data not allowing clear conclusions on the relative importance of these factors in the different sites. In the Ghana sites, farm sizes are often within the range of 2–3 hectares and in both case study areas there is overwhelming local consensus that average plot sizes are becoming smaller. Most respondents thought that, under normal circumstances, it would be more unlikely for an aspiring farmer to be able to acquire a larger farm plot size now, compared to ten years earlier. Money and connections are required to buck this trend. Greater population pressure means that plot sizes are reducing faster in the southern than the northern site.

This process presents important gender dimensions, as female headed households are likely to have smaller farms than their male counterparts. And in this context of reducing plot size, women farmers are having to farm multiple and scattered small plots, and to travel long distances to their fields. This situation creates practical challenges, including additional costs of transportation whilst losing several productive hours commuting.

A pattern of fragmentation driven by the wider squeeze on land also emerges from some of the other sites. In the Limpopo site in Mozambique, large concessions on irrigated land are forcing small-scale farmers to increase their dependence on farms located in the nearby uplands, far from water sources and where population pressure is higher, leading to an increasing fragmentation of arable land in those areas. The case studies from Senegal provide evidence of land fragmentation too, and suggest that farm subdivisions are occurring not just because of population increases, but also due to economic factors – for example, where farmers sell or rent out sections of their farms in order to pay bills or increase their income.



That said, this trend towards fragmentation is highly uneven, and not occurring in all sites in the same way. In the Ugandan sites, for example, land fragmentation does not seem to be as pressing an issue, with most respondents in the two sites having maintained or even increased the size of their plots, and with the distance of their fields not having experienced significant differences over the last 15 years.

## Increasing land disputes

Land-related disputes are increasing across the case study areas. Across both of the sites in Ghana, about half (44.5 per cent) of the respondents stated that they had experienced land disputes, with boundary disagreements being the most recurring type. Land disputes between families, between communities, between customary authorities, or between chiefs and land users are an increasingly common occurrence in both case study areas in Ghana. In addition to actual patterns of disputes, local perceptions about the likelihood of future disputes are also changing, with almost all respondents in both sites (91 per cent in the Ahanta West site, and 96 per cent in the Tamale site) stating that they deemed their land likely to be the object of dispute at some point.

In the Tamale site, the research also recorded a growing incidence of increasingly violent conflicts between farmers and pastoralists. This process goes hand in hand with the growing commercialisation of access to grazing, with non-resident pastoralists having to make cash and in-kind payments to customary chiefs in order to obtain permission to graze their herds.

In Uganda, increased land disputes, particularly between individual landholders, were reported in both case study sites (Amuru and Kalangala). While in the Ghanaian sites the effectiveness of customary dispute settlement mechanisms appears to have been impaired, in the Ugandan sites community-based dispute settlement arrangements seem to hold. Communities typically engage elders to clarify boundaries or mediate land disputes, with administrative authorities intervening if disputes cannot be managed at the local level.

Widespread lack of formal tenure documentation across the field sites is one issue affecting land disputes. In all case study sites, the overwhelming majority of respondents did not hold land titles or certificates, with figures of this prevailing informality being particularly high in Ghana and Uganda, and lower in Senegal. High costs and cumbersome processes were commonly cited as relevant factors. In addition to raising practical challenges about burden of proof in a dispute settlement context, this lack of documentation may also be one factor undermining tenure security and underpinning land disputes.

## Changing socio-cultural practices

Fieldwork data concerning socio-cultural practices are limited. But the case studies do provide some interesting pointers. In the context of rapid social change, some traditional standards are no longer universally recognised. In the Senegal sites, rural youths are seeking greater voice, and greater autonomy from elders and family heads, and would like more money to meet their own needs and lay the foundations for their own household. They see the world differently from their elders, have different patterns of consumption, and are more entrepreneurial than them.

These different worldviews are reflected in land use patterns and livelihood strategies. For example, youths have been renting land to develop farming operations more autonomously from their elders. Those without the means to rent land tend to seek work at the end of the agricultural value chain, for example processing irrigated rice (in the Delta site), or transporting agricultural produce to large markets (in the Niayes site).

In the Ghana sites, the trust that youths traditionally placed in the elders has also been eroded by contested land allocations by customary authorities. In the Tamale site in particular, rising tensions between herders and farmers are eroding pre-existing relations of peaceful cooperation between Fulani pastoralists and agricultural communities. While in the past peaceful sharing of natural resources was cemented by intermarriage and absorption of pastoralists into the local community, inter-communal relations now tend to involve monetary transactions, or conflict.

# 5

## Changes in rural livelihoods: winners and losers

In all eight case study sites, changes in land access and use are affecting rural livelihoods. The changes may create new livelihood opportunities, or improve existing ones, particularly for more commercially oriented players. But they may also undermine access to land for poorer and more vulnerable groups. This chapter explores these dimensions in greater detail, discussing the overall trend and examining specific implications for groups commonly identified as more vulnerable in terms of land access, namely women, youths, and pastoralists.

### Changing livelihood opportunities

The eight case studies illustrate the multiple ways in which changes in land access and use are affecting livelihood systems. Some are linked to the spread of large-scale commercial investments. In several sites (eg Kalangala and Amuru in Uganda, Limpopo in Mozambique, or the site near Takoradi in Ghana), large-scale agribusiness operators have acquired considerable landholdings, increasing pressures on land. In the Limpopo site in Mozambique, the fertile lands of the lower Limpopo valley represented the main source of livelihood of local farmers, who produced a variety of food crops such as maize, corn, and vegetables. Emphasis on irrigation and commercial agriculture is leading to land concentration in the hands of large foreign investors and marginalisation of small-scale

agriculture, particularly around Chicumbane. Some farmers have devised new coping strategies, for instance by borrowing land from relatives and friends, or by relying on a practice locally called *xitoco* or *rimela*, whereby the landless farm on someone else's land in exchange for a fixed payment. In this case, the asset losses do not appear to have been offset by hoped-for livelihood improvements from job opportunities or technology transfer.

Nonetheless, agribusiness ventures can create livelihood opportunities, not only in terms of job creation (though a thorough review of labour issues was outside the scope of this research), but also possibly through the integration of small-scale producers into commercial value chains. Significant employment creation connected to agribusiness developments were documented in the Senegal River delta site, where one company alone employs 1,500 farm workers in the growing season (again, more thorough analysis would be required than was possible through this research to fully assess the livelihood implications of these jobs).

'Inclusive' business models centred on integration of small-scale producers in the value chain also present both opportunities and risks; access to commercial supply chains can provide higher incomes but also create dependency and divert labour and land from food crops (Smalley, 2012; Vermeulen and Cotula, 2010). Knock-on effects on local land relations are also possible, as land values increase as a result of the new commercial opportunities. Conversely, we should note that, in some contexts in West Africa, models aiming to 'include' smallholders into markets have struggled against more informal trader-based modes of procurement, and that smallholders are active instead in quite dynamic systems of food provisioning in emerging small urban centres (Allen and Heinrigs, 2016).

In Uganda, outgrowers currently supply a public-private-partnership (PPP) venture in Kalangala. The scheme was found to have helped many small-scale farmers increase their household assets, formalise their tenure rights, expand landholdings, and stabilise their incomes (Thorpe and Maestre, 2015). The scheme was also found to have resulted in improvements to transport infrastructure and in new job opportunities, particularly in the processing plant and in the construction and services sectors stimulated by the investment (*ibid.*).

At the same time, the success of the scheme was found to have attracted many immigrants who, beyond competing in the labour market, also increased pressure on land (Thorpe and Maestre, 2015). As discussed, however, development-oriented capacity support interventions accompanying the palm oil operations have improved the position of bona fide tenants vis-à-vis their landlords – through better information, more formalised tenure arrangements and more established communication channels. In some cases, tenants have bought out the rights of the landlords (Nsamba-Gayiyi and Kamusiime, 2015).

Besides agribusiness investments, other sources of external pressures have also affected livelihood opportunities in the case study areas. In Belo Horizonte (Boane site, Mozambique), many households that had relied almost exclusively on farming sold their land to real estate investors. Although some received large sums of money for their land, these were not enough to buy other land in the area, where land prices rapidly increased. Food that was previously produced by the household is becoming more expensive to buy due to growing demand from the expanding urban population. Some farmers from Belo Horizonte went on to buy land in other locations. As discussed, commuting over relatively long distances increases costs and some farmers have decided to build huts in their new fields, where they stay for two or three days. But elderly farmers are less mobile, and they are the most negatively affected by these changes.

Livelihood changes are also linked to more localised processes. Increased demand for food and increased competition over land can induce small-scale farmers to intensify production and to innovate. Farmers may achieve higher productivity, although long-term sustainability will depend greatly on the technology and the inputs they use; where intensification occurs through extending cultivation periods, or even through practicing continuous cultivation, it can compromise long-term yields and exacerbate land degradation (Gray and Kevane, 2001; Abdul-Jalil, 2006). Access to income thus becomes a key determinant of whether households are able to keep pace with the intensification process and increase long-term agricultural productivity, and differentiated access to income can foster social differentiation in land access.

In the Niayes site, for example, access to water is an essential element of farming practices that has profoundly affected the historical development of horticulture – the principal mode of production in this area. Water access equipment varies from hand-dug wells or pumps where the water table is shallow enough, to deeper traditional wells, through to boreholes and modern drip-fed or spray irrigation. Farmers relying on hand-dug wells must irrigate manually with watering cans or buckets, which is very labour intensive, so this system is usually used on very small plots. Some producers have improved the system, for instance by using low- or medium-flow motor pumps and hoses to feed the storage basins. On the other hand, boreholes and drip-fed or spray irrigation are expensive and usually found on larger holdings. They are fairly rare in Niayes, where most producers have small- or medium-sized operations. But some producers have recently set up mini-boreholes.

Farm size and irrigation system types are closely related. Holdings of up to 0.5 hectares usually use hand-dug wells, traditional wells and watering cans to irrigate their crops. Medium-sized farms of up to 10 hectares usually have improved wells with motor pumps or mini-boreholes, and often use irrigation guns; while large operations with at least 20 to 30 hectares of land use boreholes and drip-fed or spray irrigation (Touré and Seck, 2005; Sakho, 2013 (unpublished)).

This finding appears to lend some support to the notion that operations above a minimum scale may be better able to deploy equipment and technology for more productive land use. But it is also clear that changes in land access and use are highly dependent on the producer's ability to mobilise enough money to acquire an effective irrigation system. Agricultural labourers are generally available and sharecropping arrangements common, so the key issue for many producers is access to short- and medium-term finance. Differentiated access to income or credit is contributing to growing land concentration of land in the hands of the better-off.

The Ghana study also highlights the increasing financial pressures on farmers, noting in particular changes in crop choices made by farmers on the basis of the level of financial investment required and reduced soil fertility. In the Tamale site, a shift from maize to millet was recorded. The reason for this shift was twofold. First, millet thrives even in poorer soil conditions as compared to maize. With reducing soil fertility, farmers who cultivate maize have to resort to fertilizer application to sustain yields. This has been a considerable source of financial stress, so millet is becoming increasingly popular. However, maize commands a higher market price than millet, so the shift could considerably reduce farmers' earnings.

In the Ahanta West site, the Ghana study documented the spread of rubber cultivation. This development is driven by several factors, including the higher price of latex compared to oil palm and food crops, and the existence of large-scale rubber operations capable of absorbing rubber production from small-scale producers in the area. The spread of this commercial crop has been associated with significant livelihood opportunities, and some banks consider this regular income stream as adequate security to guarantee a loan. At the same time, respondents considered aggregate shifts away from food crops to represent a potential risk – raising the questions related to whether excessive dependence on cash crops could render local farming communities more vulnerable in terms of their access to food.

## Winners and losers

What also emerges clearly from the eight case studies is that these risks and opportunities are not evenly distributed. Distributive issues associated with changes in both land access and rural livelihoods were evident in all sites. It is clear that the changes documented by this research create both winners and losers. Even setting aside the wide range of diverse external players in agribusiness, extractives or urban groups, the identity and distribution of winners and losers are complex and context-specific.

Overall, however, as money becomes increasingly important as a means to access land, landholdings are becoming increasingly concentrated in the hands of those who have the financial means and the political connections, not only to purchase and acquire land,

but also to develop it, for agricultural or other purposes (see also Cotula and Toulmin, 2007). In addition, a constellation of local players stands to benefit through entering into arrangements with those having the power and resources to acquire land. These local players may vary considerably, but people involved in state-based or customary land administration are well placed to use their powers to facilitate land access for wealthier groups, and personally benefit in the process. In Ghana, customary chiefs and groups connected to them appear to be at the centre of these processes (see also eg German *et al.*, 2011; Marfo *et al.*, 2012; Campion and Acheampong, 2014); while in Senegal, where rural councils play an important land management role, there is a close relationship between municipal administrations and people acting as brokers and intermediaries (see also Cotula and Jokubauskaite, 2016).

There is also variation in the groups losing out, but a recurring theme is the constrained access to finance, connections, and information as a barrier to seizing opportunities linked to land markets and the cash economy. This barrier would tend to adversely affect lower-income groups, but also groups that – irrespective of income – occupy positions that are traditionally marginalised. For example, customary tenure arrangements make holders of ‘secondary’ land rights more vulnerable. This would include women who access land through their husbands or male relatives, or pastoralists who access land through negotiated arrangements with local farmers. Also, youths traditionally have limited voice in land management, with many customary tenure systems placing considerable powers in the hands of the elders.

For example, the case studies highlight the gender-differentiated dimensions of changing land access. In the Ghana sites, women are likely to have smaller plots compared to men, with plot sizes shrinking while women’s responsibility to provide food for their families has remained unchanged. And while some women are complementing their traditional food crops (eg cassava, maize) with market-oriented crops like tomatoes, okra, and leafy vegetables, they often do not earn very much from the cultivation of these new crops.

Large-scale commercial ventures have also produced gender-differentiated impacts. In the Savelugu Nanton site in Ghana, the rise of agribusiness has constrained access to shea nuts and dawadawa – trees that women traditionally use as common property resources. In the Belo Horizonte site in Mozambique, the loss of nearby land forces women to tend to faraway plots, with increased transport costs and logistical difficulties.

At the same time, the rise of market-based land transactions and the erosion of customary systems can also provide new opportunities for women to overcome their often disadvantaged customary tenure position. As ‘ability to pay’ becomes the main determinant of land access, women with greater access to finance may be able to acquire a tenure status that traditionally would have been impossible. However, differentiated access to income between women and men restricts the number of women that are in fact able to seize these new opportunities. Non-monetary factors may be at play too. In

the Senegal River delta site, state-led development programmes have introduced quotas for women (and youths) for access to developed plots. This initiative has facilitated greater land access for women in the area.

Age is another important factor. In the Ugandan sites, youths are amongst the most affected by the increase in land prices as they cannot afford to access land. The Ghana case studies also pointed to the constrained land access that youths had in the context of increased pressures on land, and found that some youths were not able to claim customary usufruct or inheritance rights due to lack of sufficient land. This situation is encouraging youths to shift to off-farm occupations, either by migrating to cities or to other rural areas, or by engaging in small-scale mining. In Senegal, 97.5 per cent of young people in the Delta site and 89.1 per cent in the Niayes site have neither land nor livestock. Following customary practice, young people depend on the elders for access to land, and usually can only gain access to productive resources through inheritance or rental agreements. Many young people in the Delta site also complained about their lack of representation in rural producers' unions.

The Savelugu Nanton site in Ghana illustrates the implications of intervening land access and livelihood changes for pastoralists. Growing pressures on land are resulting in farming encroaching onto livestock corridors and pastoralists finding their access routes blocked. This situation results in crop damage from herd passage, but also in growing conflict between herders and farmers. The activities of Fulani pastoralists are increasingly described as a 'menace' (GhanaWeb, 9 October 2012), or a threat to national security.

Similarly, in the Senegal River delta site, traditional livestock corridors to strategic dry-season water and grazing resources are obstructed by hydro-agricultural developments, and conflicts between herders and farmers are on the rise. Local-level land use plans were introduced to manage these disputes, but data shows that only 52 of the 385 rural communities in Senegal (13.5 per cent) had a land use plan by 2013 (Koffi and Galpin, 2011; Touré *et al.*, 2013).



# 6

## Conclusions and recommendations

### Land access changes – growing pressures, commercialisation, concentration and fragmentation

Profound transformations in access to land in Africa are occurring that have far-reaching implications. Whilst it is impossible to generalise from the case studies here, our analysis of their similarities and differences, and of the wider literature, allows some wider inferences and context-specific conclusions to be drawn. The picture emerging is one of diverse driving forces increasing competition over land, pushing up land values, and displacing more disadvantaged groups into marginal areas.

In any given field site, there are multiple and often mutually reinforcing sources of pressure on land. In the Ahanta West site, Ghana, for example, oil discovery has resulted in land acquisition for petroleum infrastructure, but it has also fuelled urban expansion and real estate development, compounding increases in land values and fostering conversion of agricultural land. Small-scale mining is also affecting the availability of agricultural land in this site. Similarly, in the Niayes site, Senegal, pressures on land are growing as a result of urban expansion and real estate development, mining activities, and large infrastructure projects, all occurring in a context where land availability is constrained.

A recurring trend towards increasingly commercialised land relations is evident in many different contexts, albeit at different intensities, accompanied by parallel evolutions in

land concentration and fragmentation, land governance systems, land disputes, and wider socio-cultural relations. In some situations this trend is underpinned by external drivers, particularly urban expansion, real estate development, and agribusiness or extractive industry operations. But more localised processes are at play too, particularly where population pressures are growing. Border lines between the commercial and the traditional are blurred, because monetarised transactions may still be embedded in complex socio-political relations framed by tradition.

There is significant diversity in the players involved in facilitating these processes of commercialisation. Customary authorities are at the centre of the commercial action in some cases, selling or leasing land long term in exchange for money – for example in peri-urban communities such as Apowa and Savelugu in Ghana. Elsewhere, various land intermediation roles are played by local government officials (as in the Senegal sites), or by officials in the deconcentrated administration of the central government (as in the Mozambique sites).

As part of this shift towards more commercialised forms of land access, traditional modes of access appear in decline, albeit to very different extents. Customary governance systems appear to be losing ground in some contexts – in the case studies in Mozambique and Uganda for example, but also in one site in Ghana where families and individuals are subdividing clan land.

In this wider context, African landholdings appear to be experiencing both fragmentation and concentration. Demographic factors are driving land fragmentation in high population density areas, while forces such as the rise of medium- and large-scale farming are fostering greater land concentration.

Where small-scale farmers are responding to such pressures and moving onto smaller, more marginal, and fragmented plots of land, there is some evidence that these plots have lower fertility and greater constraints in developing productivity. While some farmers are seeking livelihood alternatives in other locations, such as nearby towns and cities, the research also suggests that many are seeking to continue an agricultural way of life, by adapting their livelihoods to the land that they currently access.

## How these changes affect rural livelihoods

Both opportunities and threats to local livelihoods emerge with these changing patterns of land access. Such opportunities and threats are unevenly distributed, however, typically with some people gaining and others losing out.

A recurring theme is the degree of access to finance, connections and information as the gateway or barrier to seizing opportunities linked to land markets and the cash economy. This is a vehicle for acquiring or securing land rights, and for investing in productive

activities. But it is also typically a barrier for lower-income groups, who risk being further marginalised in development processes.

Access to monetary income intersects with other important parameters of differentiation, for example land tenure status. Irrespective of income, some groups are often marginalised in customary land tenure. This includes women who access land through their husbands or male relatives, or pastoralists who access land through negotiated arrangements with local farmers. Also, youths traditionally have limited voice in land management, with many customary tenure systems placing considerable powers in the hands of the elders.

The research pointed to gender-differentiated dimensions of changing land access. In the Ghana sites, women are likely to have smaller plots compared to men, with plot sizes shrinking while women's responsibility to provide food for their families has remained unchanged. Large-scale commercial ventures have also produced gender-differentiated impacts. In the Savelugu Nanton site in Ghana, the rise of agribusiness has constrained access to shea nuts and dawadawa – trees that women traditionally use as common property resources. In the Boane site in Mozambique, the loss of nearby land forces women to tend to faraway plots, with increased transport costs and logistical difficulties.

At the same time, the rise of market-based land transactions and the erosion of customary systems can also provide new opportunities for women to overcome their often disadvantaged customary tenure position. As 'ability to pay' becomes the main determinant of land access, women with greater access to finance may be able to acquire a tenure status that would have traditionally been impossible. However, differentiated access to income between women and men restricts the number of women that are in fact able to seize these new opportunities. In the Senegal River delta site, state-led development programmes have introduced quotas for women (and youths) in access to developed plots and this has facilitated greater land access for women in the area.

Gaps between law and practice or poorly designed laws are compounding inequality around changes in land access. Some of the case studies, and most particularly the Niayes study in Senegal, demonstrate how extra-legal practices can become entrenched to the point that they become standard practice, calling for revisiting existing policy approaches. The case studies also show that more informed actors tend to be better able to take advantage of legal provisions, or of gaps between the normative and the experienced, so as to gain control of land. In many cases this entrenches power structures and further marginalises those with less access to information and relations to advance their land claims. This is occurring both in relations between local groups and outside investors, and within groups, for example where some members are able to prosper at the expense of others.

# Implications of these changes for development policy and practice

## 1. Policy, law and practice need reform to ensure fair land governance

As pressures on land grow, systems for land governance need to rise to the challenge and respond. Much of this is about implementation of existing law and policy, and ensuring that existing governance systems work. But there is also an agenda for reform. Of course this is often complex, and is always political, but the needs are inescapable. The international consensus on responsible land governance, reflected in the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT), provides important pointers on how to take forward that agenda.

Broad governance agendas need to recognise that, contrary to narratives of the countryside being abandoned in favour of urbanisation, pressures on land are growing in many places, with linked trends for both concentration and fragmentation. Some chaotic markets in land need better regulation and some conflicting systems – customary and state-based – need to be reconciled more effectively, bridging gaps between statute books and local practice. Laws in an increasing number of countries now purport to recognise customary land rights – which is important – but it is also clear that customary systems themselves have been changing, in some cases quite rapidly. So, land governance systems need in-built flexibility, placing the emphasis on developing robust institutions – rather than one-off regulation – to deal with evolving contexts and challenges. Accountability mechanisms are key to prevent elites taking land unjustly. And with land conflict rising, dispute settlement work, including through development and official recognition of alternative dispute resolution approaches, needs to be part of land governance interventions.

Young men and women in substantial numbers retain an interest in agriculture in the case study areas. They also appear to have considerable vision and ideas for this type of work. Currently, however, much of this potential is limited by constrained and insecure access to land.

The co-existence of multiple sources of pressures creates real challenges for legal frameworks and governance systems that are often structured in sectoral terms. Different laws and institutions may address issues linked to mining, real estate development, or large-scale agricultural ventures. Yet in any given locality, rural people may experience these developments as being part of the same process that is restructuring land relations. A degree of sectoral specialisation is inevitable, but there is a strong case for aligning and coordinating more closely the different sectoral processes. This may involve, for example,

framework legislation, multi-sectoral spatial planning, and inter-agency coordination at local and national levels. Coordinating periodic reviews of sectoral policies and laws (eg on land, agriculture, mining, investment) could also help to better align public interventions in different sectors.

Land tenure insecurity remains a serious issue, most especially for smallholder farmers and those who access land through customary arrangements. The case studies illustrate how private investors can secure documentation for land they acquire, whereas smallholder farmers often lack any legal proof of their land ownership, or the means to cover the cost of securing such proof. This situation calls for sustained investment in securing the land rights of rural people, through legislative and operational interventions that – in line with the VGGT – recognise all socially 'legitimate tenure rights' and build on local practice, establish accessible, low-cost arrangements for recording rights, including collective rights, and provide effective mechanisms for maintaining records up-to-date.

Our case studies point to continued problems associated with commercial, large-scale investments in rural areas. These include inadequate engagement with local communities, and so far disappointing outcomes for local livelihoods. This calls for carefully thinking through options for agricultural investment and development, but also tightening up governance frameworks to promote quality in investment processes. Depending on the context, this may involve strengthening community consultation and impact assessment requirements, ensuring payment of timely as well as adequate compensation, and establishing requirements for investors to use land acquired within a certain period. Importantly, any consultation and decision-making process about proposed investments should holistically consider the multiple sources of pressure on land in the locality, informing choices on investment approval and design.

## 2. Smallholder farming and off-farm employment – both need concerted support

Increasing investment in smallholder farming is sorely needed, but here multiple options are not necessarily easy to reconcile. With significant social and economic differentiation in rural areas, this study has found that investments that aim to integrate farmers into commercial value chains bring significant benefits to some farmers. But they can exacerbate the struggle for poorer farmers who are less able to produce for commercial value chains due to challenges in producing the required quantity and quality. Poorer farmers may, for example, aim to avoid cash flow problems by selling in informal markets because they can sell a small amount and secure a small amount of cash frequently rather than bulking up and waiting for a bigger sale.

Indeed, while 'inclusive' business models for agribusiness development through careful shaping of the structures and benefits of outgrower schemes, anchor farms, contract

farming, and the associated models of large-scale business operations 'including' smallholders into markets are certainly important, more needs to be understood about the apparent redirection of agricultural output towards regional food markets in recent years, notably in West Africa, and the role of emerging small urban centres as service and aggregation hubs, out of sight of such business models and mainly out of sight of policy. Work is needed on the policy and business interventions that can drive up quality, add value, and provide robust rural and urban development in these contexts.

Where development programming does increase its emphasis on more public-private partnerships and commercially oriented agriculture, it is key that it takes more active steps to avoid leaving disadvantaged groups behind. Small-scale rural producers, including pastoralists for example, are working to cope, adapt, and innovate – but currently receive very little public support, and they are feeling the squeeze from competing forms of land use. There is a need for more interventions focused, for example, on agricultural credit, training, and rural infrastructure that support the strategies of poorer producers.

Small-scale farmers in all our case studies appear to be adapting their livelihoods to changes in their farm plots. They are adapting through different methods, including different crop choices, moving to areas with improved irrigation, acquiring multiple small plots of land in different locations to make up farm sizes, and hiring themselves out as labourers to make up income. Yet, most of these actions appear to represent coping strategies, rather than productivity or livelihood innovations.

Government agencies, commercial actors, and development cooperation partners need to develop approaches which better help small-scale rural producers to overcome these challenges. In addition to well-documented issues such as access to finance, reinvigorating more flexible advisory services, and land use planning, this may involve encouraging and resourcing support systems to plan more effectively for a flexible small- and medium-scale farming sector. Bolstering smallholder farmers' attempts at adaptation and innovation will need approaches to value chain and market development for produce that requires less land, or for which fragmented plots are less of a disadvantage.

Given the trend towards farming on fragmented holdings, small parcels, and marginal lands, there is a need for measures to support improved soil quality and productivity, and for a focus on resilience. If, for example, small plot size reduces farmers' ability to diversify (eg growing different types or varieties of ground or tree crops), they may be more vulnerable to the risks of crop failure – in the context of climate change in particular.

Large-scale commercial agricultural production initiatives, in the case studies and evidence reviewed in this study, have yet to offer substantial livelihood improvement opportunities for the majority of smallholder farmers. Commercial agriculture models in the Senegal case studies have indeed brought benefits to some smallholders. But up to now they have not offered opportunities for those who do not have the funds, influence,

or land to be eligible, in practice, to participate. Experience in the Kalangala site, in Uganda, highlights the benefits these developments can deliver, but also the complexities they can engender, including in local land relations.

Apart from strengthening land governance arrangements to more effectively tackle these complexities, more needs to be done to develop meaningful livelihood opportunities for small-scale farmers as agriculture becomes more commercialised. This would require carefully considering the full range of options for agricultural development pathways, and the most promising entry points for commercial investment – from production through to aggregation and processing. Promoting full adherence to the VGGT, including the guidance they provide on agricultural investment, should be an integral part of this process, as should be supporting rural producer organisations to strengthen their negotiating power in relations with both companies and government agencies.

Lastly, it is important to recognise that off-farm income is increasingly essential to viable rural livelihoods. In contexts where increasing pressure on smaller plots is rendering farming on them unsustainable, promotion of off-farm employment is vital. Institutions that have traditionally focused on agriculture alone may need to add capabilities and strengthen their partnerships with those that can support non-land based livelihoods. Productive energy for rural areas, including for processing of agricultural produce, is one potentially promising sector and such links between on-farm and off-farm income may be key. Employment in agricultural product processing, for example, can provide not just income but a stimulant to on-farm production – if farmers are able to secure a decent price for their produce, this can have a 'pull' effect on its quality.

### 3. Local institutional capacity needs investment for smallholder farming to thrive

Improving land governance and supporting small-scale rural producers would typically involve major responsibilities for central government authorities. But they also require strengthening institutions at municipal and local levels. The case studies show that, depending on the context, local governments, customary authorities and deconcentrated administrations are important actors in land governance, and in mediating multiple pressures on land. Given rapid and widespread societal and land use change, it is important that local institutions are able to respond, regulate, and manage these changes. There is a need for a concerted focus on building effective professionalism within local governance administrations, and supporting institutional capacity in grassroots groups working to promote public accountability in local governance.

Better safeguards in rural transformation also need to be in place so as to reduce adverse consequences and enable people to choose the best future for themselves – either through adapted agricultural methods or moving from the land to urban areas when that

is the optimal choice. Local institutions – both adapting existing institutions and, in some cases, emerging new forms – will be critical in providing such safeguards.

#### 4. Monitoring of changes in land access needs concerted attention

This research has documented the profound transformations affecting land access in sub-Saharan Africa. These transformations are closely linked to wider socio-economic changes, which are expected to continue unfolding in the coming years. There is a need to monitor these changes in order to inform public action. This requires not one-off studies, but ongoing tracking and oversight.

Much attention has focused on monitoring trends in large-scale land acquisitions for agricultural investments. Extensive research has assessed the livelihood outcomes of individual investments. But it is clear that pressures on land are growing as a result of multiple forces, local to global, creating the need for ongoing monitoring of the wider set of changes in territorial terms, rather than looking at individual ventures in isolation. New roles here are needed in land use institutions and their development agency supporters.

Context-specific understanding of the dynamics of changing land access is needed, for example, where net food buyers in rural areas far outnumber net food sellers, as they commonly now do, and where there is huge growth of small towns as centres of services processing and trade. There is also a need to further understand the dynamics that lead to urban migration, as it is a strong trend in some contexts but not others. On these and related issues, development agencies will be vital implementers and supporters of monitoring work to ensure that understanding is spread on how rural livelihoods can thrive under changing land access.



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Knowledge  
Products

# Research Report

January 2017

**Land acquisitions and rights,  
food and agriculture**

*Keywords:*

Livelihoods, land policy frameworks and guidelines, good governance, food and agricultural policies, land rights

Access to land is at the heart of rural livelihoods. In sub-Saharan Africa, the pace and scale at which land is changing hands are increasing fast. Understanding these changes in land access is crucial if the systems of land governance, the practices of companies and organisations, and the initiatives seeking to influence rural development, are to adapt and have a positive impact.

This report summarises findings from a research project – including case studies in Ghana, Senegal, Mozambique, and Uganda – to improve understanding of these changes by addressing three main questions: How is land access changing in rural Africa, and what are the major drivers of change? How are these changes affecting rural livelihoods? What are the implications of these changes for development policy and practice?

Recommendations focus on the need and means to: reform policy and practice to keep pace with fast moving change; support smallholder farming and off-farm employment; invest in local institutions for smallholder farming to thrive; and monitor changes in land access.

IIED is a policy and action research organisation. We promote sustainable development to improve livelihoods and protect the environments on which these livelihoods are built. We specialise in linking local priorities to global challenges. IIED is based in London and works in Africa, Asia, Latin America, the Middle East and the Pacific, with some of the world's most vulnerable people. We work with them to strengthen their voice in the decision-making arenas that affect them – from village councils to international conventions.

International Institute for Environment and Development  
80-86 Gray's Inn Road, London WC1X 8NH, UK

Tel: +44 (0)20 3463 7399  
Fax: +44 (0)20 3514 9055  
email: [info@iied.org](mailto:info@iied.org)  
[www.iied.org](http://www.iied.org)

