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# New Alliance, New Risk of Land Grabs:

Evidence from Malawi, Nigeria, Senegal and Tanzania

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## Abbreviations and acronyms

<b>CAADP</b>	Comprehensive African Agricultural Development Programme
<b>CISANET</b>	Civil Society Agriculture Network (Malawi)
<b>CRAFS</b>	Cadre de réflexion et d'action sur le foncier au Sénégal
<b>DFID</b>	Department for International Development
<b>FAO</b>	United Nations Food and Agriculture Organisation
<b>FMARD</b>	Federal Ministry of Agriculture and Rural Development (Nigeria)
<b>GEMS</b>	Growth and Employment in the States
<b>ha</b>	hectare
<b>NAIP</b>	National Agricultural Investment Plan (Nigeria)
<b>NGO</b>	non-governmental organisation
<b>PDIDAS</b>	Sustainable and Inclusive Agribusiness Development Project (Senegal)
<b>SAGCOT</b>	Southern Agricultural Growth Corridor
<b>SCPZ</b>	staple crop processing zone
<b>SLTR</b>	systematic land titling and registration
<b>TGs</b>	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
<b>USAID</b>	United States Agency for International Development
<b>\$</b>	United States dollars, unless otherwise stated

## Executive summary

Ten African countries have signed up to the New Alliance for Food Security and Nutrition – the G8 countries’ main strategy for supporting agriculture in Africa that was launched in 2012. As the New Alliance has been under way for three years, some of its likely impacts are becoming clearer. This briefing – covering Nigeria, Malawi, Tanzania and Senegal – shows that some large companies involved in the New Alliance are already accused of taking part in land grabs in some countries. It also presents new research to argue that the initiative is further increasing the risk of rural communities losing their access to and control over land to large investors, largely through policy commitments on land titling and land reform.

Implicated in these reforms and risks of land grabs are the G8 donor countries bankrolling the New Alliance (the US, the UK, France, Italy, Canada, Japan, Germany and Russia) and the European Union. These governments must stop all engagement in and support for the New Alliance and replace it with genuine initiatives to support small-scale food producers and advance sustainable agriculture.

G8 states have committed \$4.4 billion to the 10 countries of the New Alliance. The largest funders are the US and the European Union but the UK, France and Italy also play important roles. The G8 support for the New Alliance is part of a drive to secure larger agricultural markets and sources of supply in Africa for multinational corporations. New Alliance partner companies such as Monsanto, Diageo, SABMiller, Unilever and Syngenta have major commercial interests in Africa and close connections with Northern governments.

Our research shows that the four African countries under review are offering vast areas of land to large-scale investors under their New Alliance commitments: collectively, this amounts to 1.8 million hectares of land.

**Nigeria**, whose New Alliance lead partner is the UK, is allocating 350,000 hectares of land to eight New Alliance companies. There are accusations that three of these New Alliance companies – Dominion Farms, PZ Wilmar and Okomu Oil Palm Plc – are involved in land grabs in Nigeria. The government is also promoting staple crop processing zones (SCPZs), supported by the Department for International Development (DFID), where investors are “guaranteed land acquisition”, benefit from “low average wages” and are given tax holidays.<sup>1</sup>

Another New Alliance commitment is the promotion of a systematic land titling and registration (SLTR) process, also funded by DFID, which envisages formally registering land across the whole country. It is unclear who will really benefit from this programme. The project documents publicly available suggest that the major beneficiaries will be small- and medium-size enterprises, and may include larger ones; it is not clear that small-scale food producers are to benefit from the SLTR process, and the project is described as part of a process to “make it easier to do business in Nigeria”.<sup>2</sup> However, DFID has claimed in a recent letter that the project is “specifically aimed at protecting the rights of farmers at risk of involuntary relocation”.<sup>3</sup>

**Malawi** has agreed to ‘release’ 200,000 hectares for large-scale commercial agriculture under the New Alliance, but its National Export Strategy, whose recommendations are incorporated into the New Alliance Cooperation Framework,<sup>4</sup> allocates one million hectares to commercial farming, representing more than 26% of the country’s arable land.<sup>5</sup> This Strategy, supported by DFID, states that “land reform shall be expedited so that land policy can allow for suitable access to land and secure tenure of property by private operators”.<sup>6</sup> Malawi’s policy under the New Alliance to prioritise access to land and water results from an agreement made “between the private sector and the government” at the launch of the initiative in 2013.<sup>7</sup> New Alliance documents make it clear that the policy to improve “access to land and water” is to be achieved by increasing “land registration and processing of deeds”.<sup>8</sup> Indeed, the National Export Strategy states that land titling is a way of allocating more land to investors: one of its “priority actions” for “operationalisation of the Land Bill and commercial farming” is to “ensure appropriate land titling for commercial and industrial land, and for acquisition of land ... for new commercial farming projects”.<sup>9</sup>

Some of the land offered to investors involves the Greenbelt Initiative, which is also part of the New Alliance Cooperation Framework and part-funded by the European Union, which also coordinates the New Alliance in Malawi.<sup>10</sup> Yet recent analysis highlights the risk of land grabs under the Greenbelt Initiative, whose 2009 concept paper makes large tracts of smallholder land available to large-scale investors.<sup>11</sup>

Another of Malawi’s New Alliance policy commitments is to enact a new land law,<sup>12</sup> and Malawi tabled four land laws in 2013 that were developed with the support of the European Union.<sup>13</sup> The thrust of the laws is to promote land registration, including of customary land, but there are few guarantees for small-scale food producers in the face of possible land grabs. Rather, the Land Bill gives full power to the minister or local government to grant leases over public land, and does not require public consultation. None of the Bills places a limit on the amount of land that a person or company can be allocated.

**Tanzania**, whose New Alliance Cooperation Framework is being coordinated by the US, has allocated 350,000 hectares to large companies in the SAGCOT (Southern Agricultural Growth Corridor) project, funded by the US and UK.<sup>14</sup> Evidence increasingly indicates that SAGCOT will mainly benefit big agribusiness, and may encourage land grabbing. ActionAid has recently documented a land grab case in the SAGCOT region, involving plans by Swedish sugar company EcoEnergy to push rural communities off their land.<sup>15</sup> Yet the government is holding up this project as a model for Tanzania.<sup>16</sup> Land in SAGCOT is being offered cheaply to investors, often leasing at less than \$1 per hectare per year.<sup>17</sup>

Other donor initiatives related to the New Alliance in Tanzania are also explicitly promoting large-scale land acquisitions. The first-listed objective of the G8’s Land Transparency Partnership, which involves G8 governments partnering with African governments on land governance issues, is: “Improve transparency and benefits of large-scale land deals.”<sup>18</sup> All of the SAGCOT documents emphasise the importance of investors’ accessing land; thus the land titling policy being promoted under SAGCOT, which envisages demarcating all village land, is likely to be a precursor to increasing privatisation and concentration of land. A revealing USAID report, which was circulated to donors but has not been published, notes: “To state it bluntly, most of the lands that the GOT [Government of Tanzania] wishes to see developed in SAGCOT will need to be taken from villagers by government and leased to investors.” The impacts will include “displacement of villagers” and “loss of grazing rights”.<sup>19</sup>

In **Senegal**, the government is allocating over 100,000 hectares of land to investors in projects related to the New Alliance. Senegal has committed itself to “facilitate access to land” and to “define and implement land reform measures for responsible agriculture”.<sup>20</sup> One key way in which this land reform commitment is

being implemented is through the PDIDAS programme (the Sustainable and Inclusive Agribusiness Development Project, in English), a World Bank-funded project promoting commercial agriculture, principally horticulture, in the Senegal River Valley where small-scale food producers predominate. In a context where pressure over land has increased in recent years, especially in the River Valley area, the danger is that this could lead to land grabs under PDIDAS. Indeed, communities in the area have a real and justifiable fear of future land grabs, as shown in a 2012 study by the Senegalese non-governmental organisation (NGO) network CNCR, which found that people feared becoming “agricultural labourers” for big companies.

In their New Alliance-related policies, governments are undermining the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (TGs), the foremost set of global principles for promoting secure tenure rights and equitable access to land.<sup>21</sup> Governments promised to take account of these Guidelines in their New Alliance Cooperation Frameworks (which set out how donors, host governments and the private sector would work together to implement the New Alliance). The Guidelines assert that there is a presumption against large-scale land deals; the reality is that all four governments – in Nigeria, Malawi, Tanzania and Senegal – are precisely promoting large-scale land acquisitions as a matter of high priority. As a safeguard mechanism, the Guidelines encourage states to introduce “ceilings on permissible land holdings”.<sup>22</sup> Yet in none of the four cases does it appear that the government envisages placing such ceilings on land holdings.

The key broad issue is who will mainly benefit from current processes to promote land titling. Land titling can give small-scale food producers more security over their land, but in the current New Alliance-related processes, it appears to be a way to primarily help governments facilitate large-scale acquisitions of land. Secure land tenure does not necessarily require individual land ownership but can be achieved with clearly defined and sufficiently long-term use rights over land that is ultimately state property.<sup>23</sup> The abolition of customary or communal tenure systems and their replacement with freehold title and the private land market has often led to extinguishing the land rights of the poor, notably women.<sup>24</sup>

## Recommendations

The New Alliance initiative should be scrapped and public funding targeted at national support for sustainable agriculture, especially by investing in poor, smallholder farmers, women, cooperatives and climate resilience. Farmers themselves must be central to strategies aimed at increasing the amount and effectiveness of agricultural investment.

### **Governments should:**

- Stop all engagement in and support for the New Alliance and replace it with genuine initiatives to support small-scale food producers and advance sustainable agriculture.
- Fully implement the Tenure Guidelines on land, fisheries and forests through participatory, inclusive mechanisms that prioritise the rights and needs of legitimate tenure rights, especially those of women.
- Ensure the free, prior and informed consent of all communities affected by land transfers.
- Review public policies and projects that incentivise land grabbing, and instead support policies that prioritise the needs of small-scale food producers – particularly women – and sustainable land use.
- Regulate businesses so they are fully accountable for respecting human rights, tenure rights, and environmental, social and labour standards.

## Introduction

Ten African countries have signed up to the New Alliance for Food Security and Nutrition – the G8 countries’ main strategy for supporting agriculture in Africa which was launched in 2012. This initiative seeks to catalyse private sector investment into Africa, with partner governments committing to investor-friendly reforms in return. The Cooperation Frameworks to which these African governments have agreed collectively involve 213 policy commitments covering a range of agriculture and food security issues such as trade, tax, land, seeds and inputs.<sup>25</sup> The New Alliance claims that: “Through these policy commitments, governments are making headway on some of the most longstanding constraints to agricultural investment and food security.”<sup>26</sup>

Yet NGOs such as ActionAid are concerned that the New Alliance will deepen the role of corporate agribusiness in African agriculture to the detriment of the continent’s small-scale food producers.<sup>27</sup> Indeed, now that the New Alliance has been under way for three years, some of its likely impacts are becoming clearer. This briefing – covering Nigeria, Malawi, Tanzania and Senegal– shows that New Alliance companies are already accused of land grabs<sup>28</sup> in some countries. It also presents new research to argue that the New Alliance is further increasing the risk of rural communities losing their access to and control over land to large investors. It is doing so largely through the policy commitments on land titling, land leases and land reform that governments have signed up to in the New Alliance Cooperation Frameworks.

Implicated in these reforms and risks of land grabs are the G8 donor countries bankrolling the New Alliance (the US, the UK, France, Italy, Canada, Japan, Germany and Russia) and the European Union. These donors, along with the governments they are supporting, must stop all engagement in and support for the New Alliance and replace it with genuine initiatives to support small-scale food producers and advance sustainable agriculture.

### Box one: What is a land grab?

The most widely referenced definition of what constitutes a land grab is that arising from the Tirana Declaration,<sup>29</sup> agreed by governments, international organisations and civil society groups participating in a major conference on land regulations and rights in May 2011. It defines land grabs as land deals “that are one or more of the following:

1. *In violation of human rights, particularly the equal rights of women;*
2. *Not based on free, prior and informed consent of the affected land-users;*
3. *Not based on a thorough assessment, or are in disregard of social, economic and environmental impacts, including the way they are gendered;*
4. *Not based on transparent contracts that specify clear and binding commitments about activities, employment and benefits sharing, and;*
5. *Not based on effective democratic planning, independent oversight and meaningful participation.”*

In this report, we use the term land grabs in accordance with this definition. By contrast, we will refer to “land deals” or “land acquisitions” for any deal that has not met any of the above criteria. As defined by the Land Matrix,<sup>30</sup> land deals:

- Entail a transfer of rights to use, control or ownership of land through sale, lease or concession;
- Cover an area of 200 hectares or more;
- Imply the potential conversion of land from smallholder production, local community use or important ecosystem service provision to commercial use.

It is not suggested that all land deals to date under the New Alliance in the four countries covered by this report amount to land grabs as per the Tirana Declaration, or that all such acquisitions in the future will amount to land grabs. ActionAid makes no allegations in relation to the activities of companies not named in this report.

## 1. The New Alliance and its backers

Launched in 2012, the G8's New Alliance for Food Security and Nutrition involves 180 transnational and African corporations that plan to invest \$8 billion in agriculture in 10 African countries.<sup>31</sup> The New Alliance is part of a new breed of large public-private partnerships being promoted in Africa promising to tackle poverty, improve food security and bring benefits to small-scale food producers. In practice, the Alliance involves the promotion of large-scale investments by corporations in which small-scale food producers are intended to benefit mainly by producing for these firms (ie, as outgrowers or contract farmers). Thus, "private sector companies have committed, through Letters of Intent, to pursue responsible investments in African agriculture and food security through models that maximise benefits to small-scale food producers".<sup>32</sup>

The New Alliance says that its goals are to "achieve sustained inclusive, agriculture-led growth in Africa" and "help lift 50 million people out of poverty in Africa by 2022".<sup>33</sup> It also describes itself as a 'partnership' that brings together the capacities of diverse stakeholders such as African governments, the private sector, civil society, donors and research institutions, "to address key constraints to inclusive, agriculture-led growth in Africa". As part of this approach, donors "have committed to predictable funding levels directly aligned with countries' National Agriculture and Food Security Investment Plans".<sup>34</sup>

G8 states now see the New Alliance as their primary strategy for improving agriculture in Africa, and they have committed \$4.4 billion to it. With other donors, the New Alliance initiative is receiving \$6.2 billion across the 10 countries.

As table 1 shows, the largest funders of the New Alliance are the US and the European Union (EU). Indeed, **USAID** (United States Agency for International Development) is the key architect of the New Alliance, which was put together with key agribusiness by President Obama at the 2012 G8 summit at Camp David. The US coordinates the initiative in four countries (Tanzania, Ethiopia, Ghana and Mozambique) and describes it as a win-win strategy for farmers and companies.<sup>35</sup> The European Union was an 'active partner' in shaping the New Alliance<sup>36</sup> and is the only donor, along with the US, funding all

**Table 1: Donor funding of the New Alliance**

	Funding pledged (\$ millions)
<b>G8 states</b>	
Canada	248
France	694
Germany	361
Italy	148
Japan	453
Russia	90
UK	444*
US	1,957
<b>Other donors</b>	
African Development Bank	16
Belgium	70
European Union	1,503
Ireland	39
Norway	102
Switzerland	35
Netherlands	22
<b>Total</b>	<b>6,183</b>

Source: New Alliance, *Progress Report 2013-14*, August 2014, p.20. Figures have been rounded.

\* As articulated further below, the UK government has said that it is pledging over \$900 million to the New Alliance.

10 governments.<sup>37</sup> The EU also coordinates the New Alliance in Côte d'Ivoire and Malawi. The European Commission has told ActionAid in a letter that “the approach of the new Alliance is fully in line with our development policy” and that it is a “powerful initiative” to mainstream responsible agriculture investment.<sup>38</sup>

The **UK**'s Department for International Development (DFID), which served on the New Alliance's main governing body in 2013, is channelling around \$900 million to the New Alliance during 2012-16, and coordinates the initiative in Nigeria.<sup>39</sup> DFID claims that the New Alliance is focused on small-scale food producers, and will help them access markets and increase incomes.<sup>40</sup> **France**, also one of the top funders of the New Alliance, supports the initiative in eight out of the 10 countries, and coordinates the initiative in Burkina Faso.<sup>41</sup> France's funding of the New Alliance is higher than the figure above suggests, as Proparco – France's development finance institution – is providing loans to several new Alliance companies.<sup>42</sup> **Italy** funds the New Alliance in Senegal (\$67.5 million), Ethiopia (\$52.4 million) and Mozambique (\$13.1 million).

The G8 states' funding of the New Alliance is part of a drive to secure larger agricultural markets and sources of supply in Africa for multinational corporations. Many of the New Alliance partner companies such as Monsanto, Diageo, SABMiller, Unilever and Syngenta have major commercial interests in Africa and close connections with Northern governments.<sup>43</sup> The US has long championed the interests of US multinationals in its economic and foreign policies in Africa, and sees the New Alliance as a partnership with corporate interests.<sup>44</sup> Recent analysis suggests that both the UK and France also see the New Alliance as among the vehicles for promoting the commercial interests of its corporations. The UK's DFID is promoting numerous agricultural initiatives that directly and indirectly support corporations with close links to the UK government, for example Unilever, Diageo and SABMiller.<sup>45</sup> In France, support for the New Alliance appears to be part of the government's new ‘economic diplomacy’, a policy announced in 2012 to promote French commercial interests around the world.<sup>46</sup>

The G8 states have committed around \$2.9 billion to the four countries under review in this briefing, as shown in the table 2. The table also shows, in the final row, that the governments of these countries are offering vast areas of land to large-scale investors under their New Alliance commitments: collectively, this amounts to 1.8 million hectares of land.

**Table 2: Donor funding of the New Alliance**

	Nigeria	Malawi	Tanzania	Senegal
<b>US</b>	\$47 million (2012-14)	\$53.7 million (2013-16)	\$315 million (2011-15)	\$300.25 million (2013-15)
<b>UK</b>	\$184.5 million (2013-18)	\$96.3 million (2013-16)	\$99 million (2013-15)	0
<b>France</b>	\$162 million (2013-15)	0	\$50 million (2012-15)	\$99 million (2014-17)
<b>Italy</b>	0	0	0	\$67.5 million (2013-17)
<b>European Union</b>	\$26.9 million (2012-16)	\$160.8 million (2013-16)	\$130 million (unspecified)	\$462 million (unspecified)
<b>Others</b>	Germany, Japan: \$34.6 million (2013-16)	Belgium/Flanders, Canada, Germany, Ireland, Japan, Norway: \$182.4 million (2013-16)	Germany, Japan, Russia: \$303 million (2012-14)	Canada, Japan, African Development Bank: 113.6 million (2013-17)
<b>Total</b>	<b>\$455 million</b>	<b>\$493 million</b>	<b>\$897 million</b>	<b>\$1.04 billion</b>
<b>Land area targeted for large-scale land acquisitions</b>	Over 350,000 hectares <sup>47</sup>	1 million hectares <sup>48</sup>	350,000 hectares <sup>49</sup>	106,730 hectares <sup>50</sup>

Source: on donors: New Alliance Cooperation Frameworks, <http://new-alliance.org/resources>.

Sources of land area allocated to large-scale investors: see references and country sections for further details)

## 2. The increasing risk of land grabs

The New Alliance is having significant impacts on land law and policy, with Cooperation Frameworks introducing investor-friendly reforms. The initiative supports large agricultural ‘corridors’ or ‘staple-crop processing zones’ – large areas of land that are earmarked for agribusiness. In these zones, companies are incentivised by host governments and supporting donors to establish their operations by a series of tax, regulatory and land incentives, as well as by new infrastructure (roads, railways, ports, irrigation, storage, processing facilities, etc). The projects focus mainly on agriculture, but also include forestry and mining. To ensure big business acquires these large tracts of land, governments are promoting reforms to change land tenure legislation.

For example, Ghana has committed to creating a database of suitable land for investors, simplifying procedures for them to acquire lands, and establishing pilot model 5,000-hectare (ha) lease agreements. Meanwhile, the Ethiopian government announced changes in the country’s legislation to facilitate large-scale selling and leasing of land following its Cooperation Framework agreement with the New Alliance.<sup>51</sup> In order to “improve and accelerate reforms to encourage the private sector to invest in the agricultural sector”, the government of Senegal has agreed to “taking steps to facilitate access to land and its productive use by all”.<sup>52</sup> For its part, the government of Tanzania will map the fertile and densely populated lands of Kilombero District to make it easier for outside investors to find and acquire the lands they want.<sup>53</sup>

In exchange for pledges of US\$284.9 million in donor assistance, Côte d’Ivoire has promised to reform land laws and make other policy changes to facilitate private investment in agriculture. This includes the completion of a new Rural Land Act, implementation of programmes to demarcate village land, issue land certificates, and make land available for eight foreign companies and their local partners who intend to invest nearly \$800 million in the development of massive rice farms.<sup>54</sup>

Investors and local elites involved in land deals often describe the areas being targeted as ‘empty’, ‘idle’ or ‘under-utilised’. Yet this is a misleading portrayal of reality. Investors generally target areas that are easily accessible, have a high-yield potential and often have considerable population densities. Even so-called ‘empty land’ usually has legitimate tenure rights holders who might use that land for a variety of purposes. Very little land in Africa is truly idle, given pastoralist activities, traditional land management techniques in semi-arid regions, use of land for ritual/religion, and natural forests providing a source of many essential products. Given this, large-scale land deals mean that competition for land between investors and traditional users is inevitable.

In many New Alliance partner countries, small-scale food producers and indigenous people lack legal recognition over their land rights, even if they have resided in or used that area for generations. There is often a mix of informal and traditional tenure systems (tribal land, customary inheritance practices, loaned land, family sharing arrangements, etc) overlaid onto various classifications of publicly held land, as well as private property ownership titles and formal lease agreements. This makes communities vulnerable to inadequate land deals and expropriation without consent or fair levels of compensation. Rather than

accommodating communities’ traditional methods of land rights recognition, most land tenure reform programmes privatise the ownership of land, with negative impacts on local livelihoods.

The following country analysis shows how the New Alliance Cooperation Frameworks are considerably increasing the risk of rural communities losing their access to and control over land to large investors. It also describes how some New Alliance companies are already involved in land grabs and that the risk of such is increasing as a result of the New Alliance, mainly due to the latter’s commitments to promoting access to land through land registration and titling.

**Table 3: New Alliance land commitments**

<b>Nigeria</b>	<ul style="list-style-type: none"> <li>• adopt a systematic land titling and registration (SLTR) process that respects FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security</li> <li>• fast track SLTR in staple crop processing zones</li> <li>• facilitate the extension of SLTR to all states, including information campaign<sup>55</sup></li> </ul>
<b>Malawi</b>	<ul style="list-style-type: none"> <li>• “release 200,000 hectares for large scale commercial agriculture by 2015” (although the National Eport Strategy, also a New Alliance priority, states one million hectares)</li> <li>• “enact the new land bill”<sup>56</sup></li> </ul>
<b>Tanzania</b>	<ul style="list-style-type: none"> <li>• develop the Southern Agricultural Growth Corridor (SAGCOT)<sup>57</sup></li> </ul>
<b>Senegal</b>	<ul style="list-style-type: none"> <li>• “define and implement land reform measures for responsible agriculture”<sup>58</sup></li> </ul>

► **2.1 Nigeria: alleged land grabs, the land registration scheme and crop processing zones**

The Nigerian government is providing more and more land to agribusiness companies. The state government of Edo, for example, has signed agreements with around 16 agribusiness investors and has identified 500,000 hectares of new farmland to allocate to them. The media reports that 90% of this land is outside of state government reserve lands and is managed by communities.<sup>59</sup>

Companies that have signed New Alliance commitments with the government to invest in the country are also attempting to secure access to large land areas. Over 350,000 hectares has been allocated to eight New Alliance companies:

- Crest Agro Products (part of Cardinal Stone Partners) is establishing a 15,000ha cassava plantation.
- Dominion Farms plans to produce rice on 30,000 hectares.
- International Development Group is developing 200,000 hectares of land to produce sugarcane and oil palm.
- Sunti Farms is investing in a 10,000ha plantation to produce sugar.
- Wilmar is developing oil palm plantations on 50,000 hectares of land.
- Doreo Partners is seeking to acquire 20,000 hectares of land.
- Okomu Oil Palm Plc has been allocated 30,000 hectares for oil palm expansion in Edo State.
- Premium Syrups is developing a 10,000ha cassava plantation.<sup>60</sup>

One major company seeking new land is Dangote, a conglomerate owned by Africa’s richest man, Alhaji Aliko Dangote, whose company Dansa Holdings is an investor under the New Alliance. Dangote has said it requires around 250,000 hectares of land for sugar cane production<sup>61</sup> and has acquired farmland in Edo, Jigawa, Kebbi, Kwara, and Niger states totalling 150,000 hectares to be used for rice production.<sup>62</sup>

Most concerning are reports of New Alliance investments alleging adverse impacts on local small-scale food producers. **Dominion Farms**, for example, a US company accused of land grabbing in Kenya,<sup>63</sup> has invested \$40 million to establish a 30,000ha rice farm and outgrower programme in Taraba state; this will become the largest rice farm in Africa and replace 15% of imported rice into Nigeria, according to the government.<sup>64</sup> However, according to one recent analysis, the project could result in the loss of livelihoods for up to 40,000 people who will have to vacate their lands. The study documents that the land being given to Dominion is part of a public irrigation scheme that thousands of families depend on for their food and livelihoods. It states that local people were not consulted about the deal and, although Dominion has already started to occupy the land, they are in the dark about any plans for compensation or resettlement. Local farmers are alleged to have been forced to stop grazing their animals on the occupied land and some have been put under undue pressure to leave.<sup>65</sup> Dominion denies taking land and displacing people and appears to be on the verge of pulling out of the investment, which it argues is beset with problems with the local authorities.<sup>66</sup> In the light of the concerns that have been raised, ActionAid believes that there is a concern that the investment in Taraba may involve a land grab if it proceeds.

**PZ Wilmar** is a joint venture between PZ Cussons PLC, a FTSE-listed company based in the UK, and Wilmar International, Asia's leading agribusiness group. Based in Singapore, Wilmar is developing a 50,000ha oil palm plantation and processing mills in Cross River State; the investment, worth \$550 million, was initiated in 2011.<sup>67</sup> Yet Wilmar, which has been accused of land grabs elsewhere,<sup>68</sup> is accused of contributing to human rights violations, environmental destruction, and the violation of municipal laws and legislation in its use of former government land.<sup>69</sup> An investigation by the Roundtable on Sustainable Palm Oil claimed that Wilmar had obtained the necessary environmental authorisation and had compensated farmers.<sup>70</sup> However, these and other assertions are disputed by the Nigerian NGO Rainforest Resource and Development Centre, which has brought the complaint.<sup>71</sup>

Another New Alliance company, **Okomu Oil Palm Plc**, has been allocated 30,000 hectares for oil palm expansion in Edo State. According to Environmental Rights Action (Friends of the Earth Nigeria), of the hundreds of thousands of hectares being given to agribusiness companies, only 30,000 will be left for the over 170,000 local farmers.<sup>72</sup> The New Alliance describes Okomu as "Nigeria's leading agribusiness company" and says the company plans to purchase an additional 12,000 hectares of land. It states: "The new plantation will develop the surrounding communities in that they will benefit from the economic boom brought to the area by the company, along with the benefits of the company's ongoing and highly successful corporate social responsibility programmes."<sup>73</sup> However, some reports suggest that the Makilolo Community in Edo state is locked in a dispute with Okomu over previous forced evictions and access to lost farming land.<sup>74</sup>

If true, these allegations would indicate that PZ Wilmar's and Okomu's land acquisition of land meet the definition of a land grab. By contrast, ActionAid is currently not aware of suggestions that Dansa Holdings/Dangote Group, Crest Agro Products, International Development Group, Sunti Farms, Doreo Partners or Premium Syrups are involved in land grabs in Nigeria.

### Staple crop processing zones

One of Nigeria's main New Alliance commitments is to establish staple crop processing zones (SCPZs), an initiative launched by the government in January 2014, soon after it joined the New Alliance. Around 15 SCPZs will be set up across Nigeria for rice, sorghum and other crops.<sup>75</sup> The government argues that the SCPZs could add between N660 billion (\$3.3 billion) and N1.4 trillion (\$7 billion) to the Nigerian Economy

and create up to 250,000 jobs.<sup>76</sup> Donors such as the World Bank and African Development Bank are providing support to the zones worth over \$350 million,<sup>77</sup> while DFID is also promoting the SCPZs through its Growth and Employment in the States (GEMS) programme by working with “interested private sector investors” “to test a viable model for Staple Crop Processing Zones”.<sup>78</sup>

The government says that investors in the SCPZs are “guaranteed land acquisition” and will benefit from “low average wages”.<sup>79</sup> The government is also giving substantial tax incentives to investors in cassava and other crops and products in the SCPZs. Companies will pay no tax for the first five years, after which they will pay a reduced corporate tax rate of 20%. Companies will pay no duties on imports of agricultural machinery, will have unrestricted capital allowances and can offset 120% of their research expenditure against tax.<sup>80</sup>

### **Nigeria and the New Alliance**

**Nigeria joined the New Alliance in 2013, with the UK as its lead development partner.<sup>81</sup> The Cooperation Framework document commits Nigeria to generating greater private investment in agriculture to promote the food security and income of small-scale food producers.<sup>82</sup> Some 21 Nigerian and 14 international companies have signed Letters of Intent to invest in Nigeria under the New Alliance.<sup>83</sup> According to the New Alliance's Progress Report of 2014, these companies have made commitments to invest \$3.8 billion, with \$611 million invested so far.<sup>84</sup>**

### **The land titling scheme**

Another of Nigeria's policy commitments in the New Alliance Cooperation Framework is to pursue a systematic land titling and registration (SLTR) process and extend such land titling across the whole country. A key danger, however, is that this will mainly help large investors access land, in a context where this is clearly an important government policy.

The SLTR process aims “to provide low cost, more secure land tenure, improved and more transparent land management, and as a stimulant for land market transactions and further land system reform”.<sup>85</sup> The programme is being funded by DFID and the World Bank under the GEMS programme, which “works with private and public stakeholders at national, state and local government levels to make it easier to do business in Nigeria”.<sup>86</sup> DFID's GEMS programme is being implemented by Adam Smith International, a pro-privatisation British consultancy whose material suggests that it inspired and even devised the SLTR programme.<sup>87</sup>

The GEMS website states that the project is building the capacity of Nigerian states to deliver “some form of registration to 50,000 households each year”.<sup>88</sup> It also states that the project addresses the “key constraints that keep small *and large* entrepreneurs away from investing in potentially valuable land”.<sup>89</sup> This website and DFID's project literature suggest that the main beneficiaries of the land registration programme are not intended to be small-scale food producers. The GEMS website states that the priority targets of

the GEMS project are small- and medium-size enterprises<sup>90</sup> and “entrepreneurs”, who will be assisted by state governments “to climb up the ‘property rights ladder’”<sup>91</sup>. GEMS does claim to focus on promoting economic opportunities for the “poor, especially women”<sup>92</sup>, but DFID’s project literature does not mention small-scale food producers as beneficiaries of this land registration process.<sup>93</sup> This stands in contrast to a DFID letter in response to questions concerning Dominion Farms’ project in Nigeria to the effect that the project is ‘specifically aimed at protecting the rights of farmers at risk of involuntary relocation’.<sup>94</sup> New Alliance material may well be misleading, therefore: A section in the New Alliance’s 2013/14 Progress Report on the SLTR includes a picture of laughing women farmers above a text stating that 25,000 plots of land have been identified for registration since October 2013, and that the first certificates of occupancy will soon be distributed.<sup>95</sup>

There is certainly a need for land reform in Nigeria to benefit the country’s small-scale food producers since some 97% of Nigeria’s landmass remains undocumented and the key is for small-scale food producers to have land tenure security. Most land is currently managed according to customary land tenure regimes.<sup>96</sup> But land disputes are common and sometimes break out into conflict. The broader need is for land redistribution to benefit small-scale food producers, especially women. While the government is allocating hundreds of thousands of hectares of land to large-scale agribusiness, around half of all farms in Nigeria are less than one hectare,<sup>97</sup> some 55% of female-headed households are landless and a further 29% own less than one hectare.<sup>98</sup> Increasing women’s access to land is especially important – although women comprise most of Nigeria’s rural labourers, men are five times more likely to own land.<sup>99</sup> Despite this, significant land redistribution to small-scale food producers is not on the agenda of the SLTR or the government’s other policies.

The key issue is who will mainly benefit from the titling of land. Land titling can give small-scale food producers more security over their land, but it can also help governments expropriate land for large-scale land acquisitions. Agriculture Minister Akinwumi Adesina has said that “one of the policy reforms required [under the New Alliance] is land reform as a condition because it is the only way you can guarantee access of the poor to land”.<sup>100</sup> Yet at other times, the government sees land reform as way of opening up the land market and mainly benefitting investors. The Federal Ministry of Agriculture and Rural Development (FMARD) states on its website, for example, that one of its key agricultural policies is to “revise the Land Use Act to enable easier access to land for investors”.<sup>101</sup> The media has also reported Adesina as saying that the private sector is experiencing a tough time in accessing land for large-scale farming.<sup>102</sup> A further concern is that the SLTR programme places no limit on the amount of land that individuals or companies can own.

Our research for this briefing established that there are no Nigerian official documents in the public domain available on the SLTR programme.<sup>103</sup> This suggests that the design of the programme has been top-down, with little ability for small-scale food producers or others to influence the process.

Nigeria’s Cooperation Framework claims that its policy commitments will be consistent with the country’s overarching agriculture strategy, the Agricultural Transformation Agenda (ATA), which was launched by then President Goodluck Jonathan in 2011.<sup>104</sup> However, the key document driving Nigeria’s agriculture strategy is meant to be the National Agricultural Investment Plan (NAIP) drawn up in September 2010 under the auspices of CAADP (Comprehensive African Agricultural Development Programme).<sup>105</sup> Yet the NAIP does not mention allocating land to large-scale investors or SCPZs and has just one vague reference to facilitating title holdings. All these policies appear to have been developed outside the NAIP process and to be heavily influenced by foreign donors.

**Box two: Is land titling the right policy for promoting land rights?**

Secure land tenure does not necessarily require individual land ownership. Security can be achieved with clearly defined and sufficiently long-term use rights over land that is ultimately state property.<sup>106</sup> The abolition of communal tenure systems and their replacement by freehold title and the private land market has often led to extinguishing the land rights of the poor, notably women.<sup>107</sup> Privatisation of collective and communal forms of land tenure has in many places benefitted larger farmers, made the poorest, including women, more vulnerable, and pushed many farmers to sell their land to foreign investors. Community, rather than individual, titling must be further explored as an option.<sup>108</sup> The World Bank, which has long promoted land privatisation programmes, recognises that:

“Earlier interventions to improve tenure security focused almost exclusively on individual titling, but this can weaken or leave out communal, secondary or women’s rights. Moreover, the process of titling can be used for land grabbing by local elites and bureaucrats.”<sup>109</sup>

The Bank also states the importance of “recognising customary tenure” and “communal lands and property resources”.<sup>110</sup> In addition, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security – which are the foremost set of global principles for promoting secure tenure rights and equitable access to land, fisheries and forests – also call for states to recognise and protect the land tenure rights of people with customary tenure systems<sup>111</sup> Similarly, the UN’s Food and Agriculture Organisation notes that “recognising customary land rights ... is essential to ensure that women’s rights are protected”.<sup>112</sup>

The International Land Coalition has argued that “titling programmes should only be considered where competitive pressures, disputes and conflicts mean that community land tenure arrangements are ineffective”. It argues that customary tenure systems have been effective in many parts of the world and that, in some situations (though not all), titling is not always a prerequisite for smallholders to invest in land and agricultural improvements.<sup>113</sup>

Neither statutory nor customary laws guarantee that women’s rights are protected. Even where statutory recognition is offered, women may be excluded through informal processes from becoming involved in land governance institutions, and men may dominate dispute resolution mechanisms.<sup>114</sup>

Furthermore, a programme of individual land titling without community oversight of transfers, and/or without state investment in supporting critical infrastructure, will tend to work to the advantage of those with the most money. It may allow wealthy investors to accumulate land from those small farmers who lack a supportive environment of state investment in their communities and experience frequent periods of economic distress. Speculators can move in and buy land in a context where communities no longer have the critical resource base to survive, leading to control of land by plantations.

**► 2.2 Malawi’s new land laws**

In joining the New Alliance in December 2013 under the coordination of the European Union, the Malawian government agreed to a raft of 32 policy commitments. A number of these risk increasing the likelihood of land grabs. For example, one commitment is to “release 200,000 hectares for large scale commercial agriculture by 2015” (which, according to the 2014 Progress Report for Malawi, is now 2018<sup>115</sup>). Another commitment is to enact a new land law.<sup>116</sup>

## Malawi and the New Alliance

Malawi has committed itself under the new Alliance to increase agricultural investment, create a “competitive environment with reduced risk in doing business for private sector investments” and “improve access to land” to support food security.<sup>117</sup> The Cooperation Framework lists 15 Malawian and eight international companies that intend to invest in Malawi, including the multinationals Illovo, Monsanto, Alliance One and Bunge.

The New Alliance’s overall Progress Report for 2014 mentions that Malawi has now signed 26 Letters of Intent with companies referencing \$177 million in commitments, with \$31 million investments made.<sup>118</sup> However, the Malawi country Progress Report for 2014 gives different figures, stating that 23 companies have committed to invest \$702 million in the next five years.<sup>119</sup>

In fact, other government strategies suggest the land area to be allocated to investors is even greater than 200,000 hectares. Malawi’s National Export Strategy, adopted in 2012 and whose main recommendations are incorporated into the New Alliance Cooperation Framework,<sup>120</sup> states that “one million hectares of non-smallholder or unused arable land is to be allocated to commercial farming”. This represents more than 26% of the total arable land in the country. This land will be used for the priority export clusters of oil seed products, sugar cane and manufactured goods.<sup>121</sup> The National Export Strategy states:

“Land reform shall be expedited so that land policy can allow for suitable access to land and secure tenure of property by private operators, who plan to ensure an economic return from the land, including farmers and businesses.”<sup>122</sup>

The development of the oil seed cluster in the National Export Strategy is being funded by DFID in its Private Sector Development Programme project, worth £16 million (\$24.2 million) during 2012-17.<sup>123</sup>

Malawi’s Greenbelt Initiative, introduced in 2009 and now part of the New Alliance framework, is part-funded by the European Union.<sup>124</sup> The Initiative is offering one million hectares of land to local and international investors along Lake Malawi and the banks of the Shire River; this area of land is likely to be the same as that allocated under the National Export Strategy. The risk of land grabs under the Greenbelt Initiative was identified in a recent analysis by political economy experts Blessings Chinsinga and Michael Chasukwa; they note that the Initiative’s 2009 concept paper makes large tracts of smallholder land available to large-scale investors. Government documents mention that “large growers need vast acres of land for large-scale production” under the Greenbelt Initiative and that this will involve policies to “relocate villages for intensified farming”. Chinsinga and Chasukwa conclude that the Greenbelt Initiative “views customary land as an unlimited reservoir that can be targeted for conversion for privatisation”.<sup>125</sup> Several foreign companies have reportedly so far acquired land under the Greenbelt Initiative<sup>126</sup> but it is not clear who they are.

That large-scale land acquisitions are envisaged by the New Alliance is indicated by the plans of tobacco company Alliance One to acquire another 120,000 hectares of land and of sugar company Illovo to develop two sugar estates.<sup>127</sup> Illovo’s \$40 million investment to expand production at Dwangwa in Nkhotakota and Nchalo in Chikhwawa, is the largest of the New Alliance investments. A recent report for the Fairtrade

Foundation asserts that the outgrower scheme at Dwangwa, which predates the New Alliance, was established without the free, prior and informed consent of small-scale food producers, who were not adequately consulted on the potential risks and benefits of switching to a block system, meaning that hundreds lost access to customary land.<sup>128</sup> A BBC reporter recently investigating Illovo's operations in Dwangwa also encountered "hundreds of small-scale food producers... telling stories of forced evictions allegedly at the hands of local police". Dozens of families said they had been driven off their land to make way for larger, industrial farm projects, notably Illovo's outgrower scheme launched in the area in 2006. Illovo has said that it "does not engage in 'land grabs' and never has". It told the BBC: "Land is an extremely contentious issue in Malawi, particularly in the Dwangwa area, and we have certainly not been involved in depriving any farmers of their land."<sup>129</sup>

Malawi's policy under the New Alliance to prioritise access to land and water results from an agreement made between the private sector and the government at the launch of the New Alliance in December 2013. The government also says it is "developing a land acquisition process, as part of a broader investment pilot scheme".<sup>130</sup> Malawi's plans are likely to involve displacements of farmers since documents state that "compensation levels and payment modalities" will be in line with government-approved standards. They also assert, however, that the investments will respect the land rights of Malawi's rural population and will avoid land grabbing.<sup>131</sup>

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*"In the absence of a pro-poor and gender sensitive Land Law in Malawi, the rural poor who survive by cultivating on customary land may have very little to benefit. Indeed, the large-scale land investment initiatives will be facilitating both local and foreign land grabs of smallholder farmers who own land designated for the initiatives. The smallholder's land is lost when either the land is part of a big chunk of land that is converted from customary land to public land for onward leasing to a big commercial farmer or commonly by 'out-grower schemes'."*

Tamani Nkhono-Mvula, Director of CISANET (Civil Society Agriculture Network), a policy advocacy organisation working on agriculture and food security in Malawi

.....

As in Nigeria, there is a risk that Malawi's recent land legislation will also increase the likelihood of land grabs. New Alliance documents make clear that the government's policies to improve "access to land and water" are also to be achieved by increasing "land registration and processing of deeds".<sup>132</sup> Indeed, the National Export Strategy – which, as noted, is part of the New Alliance framework – states that land titling is a way of allocating more land to investors. The strategy lists the priority actions for "operationalisation of the Land Bill and commercial farming", and states that it seeks to:

"ensure appropriate land titling for commercial and industrial land, and for acquisition of land (including long-enough leases to allow profitability) for new commercial farming projects. Allocate 1 million hectares of non-smallholder arable land or unused arable land to commercial farming, linked in to the priority NES clusters."<sup>133</sup>

Another priority action of the National Export Strategy is to "develop and implement a large scale Land Development Support Programme" which will survey all arable land to determine its ownership and register all customary land through land titling. Since it will also "ensure appropriate land titling for commercial and industrial", this does not suggest that Malawi's small-scale food producers will be at the centre of the government's land policies.

Similarly, Malawi's proposed new land legislation, another New Alliance commitment, does not adequately promote the rights of small-scale food producers in the face of the government's allocation of land to investors. Malawi tabled four land laws in 2013 – the Land Bill, the Customary Land Bill, the Lands Acquisition Bill and the Registered Land Bill – which were developed with the support of the European Union.<sup>134</sup> The thrust of which is to promote land registration, including of customary land. The Land Bill prohibits granting private land to non-citizens of Malawi unless it is in a joint venture with a Malawian; however, this may do little to prevent land grabs because companies are still able to gain long-term land leases. There are four other key problems. First, the Land Bill gives full power to the Minister or local government authority to grant leases over public land, and does not require public consultation or consent. Second, none of the Bills places a limit on the amount of land that a person or company can be allocated. In practice, this means that those who have land are likely to receive more, reinforcing landlessness, and that the danger of land grabs is increased.

Third, the Land Bill does not provide for redistributing land or empowering Land Committees to give priority to the landless, despite the acute shortage of land, especially in the Southern Region, identified in the National Land Policy. Fourth, the Land Bill, although recognising that women are marginalised in relation to land rights, includes no provision to give women special secure access to land. The Bill could, for example, have outlawed any customary land laws which favour men at the expense of women. The issue is especially important given that 25% of households are headed by women.<sup>135</sup>

### ► 2.3 Tanzania's Southern Agricultural Growth Corridor

Tanzania was one of the first three countries (along with Ethiopia and Ghana) to work with USAID to produce a Cooperation Framework Agreement under the New Alliance. This states that the country is a “showcase for public-private partnership in agricultural growth, exemplified by the development of its Southern Agricultural Growth Corridor (SAGCOT)”<sup>136</sup> – an area that covers nearly one-third of the country and includes around 10 million people. The SAGCOT project, launched at the World Economic Forum Africa in 2010, pledges to bring 350,000 hectares of land under commercial agricultural production and to generate \$2.1 billion of private sector investment in agriculture over 20 years.<sup>137</sup> SAGCOT's implementation has since become a New Alliance priority. Its funders include the US and the UK's DFID; SAGCOT partners include a number of multinational corporations including Yara, Bayer, Monsanto, Nestle, SAB miller and Unilever.<sup>138</sup>



### Tanzania and the New Alliance

Tanzania has committed itself under the New Alliance to generate greater agricultural investment from the private sector and increased transparency in land tenure policy.<sup>139</sup> The Cooperation Framework lists some 20 Tanzanian and multinational corporations, such as Yara, Monsanto, SAB Miller, and Unilever (all supporters of SAGCOT).<sup>140</sup>

The New Alliance’s overall Progress Report for 2014 mentions that Tanzania has now signed 21 Letters of Intent with companies referencing \$34 million in commitments, with \$10 million investments made.<sup>141</sup>

#### List of partners supporting the SAGCOT project<sup>142</sup>

Development Partners	Agricultural Suppliers & Financiers
Technical & Operational Supporters	Agricultural Producers & Buyers

Small-scale food producers producing maize, rice and cassava currently farm 95% of the land under production in the SAGCOT region. Project documents state that 75,000 small-scale food producers (defined as those with less than five hectares) will become commercial farmers, that 22,000 “emergent farmers” (with more than five hectares) will achieve full commercial yields, and that “at least” 420,000 agricultural jobs will be created. Overall, SAGCOT claims that 2.3 million people will be “permanently lifted out of poverty”,<sup>143</sup> though it is unclear how they reached this figure.

However, evidence increasingly indicates that SAGCOT will mainly benefit big agribusiness. Land is being offered cheaply: a government presentation to rice and sugar investors on the SAGCOT website notes that lease costs are less than \$1 per hectare per year.<sup>144</sup> SAGCOT’s Environmental and Social Management

Framework of August 2013 notes that the project is “likely to have significant environmental and social impacts associated with the numerous development challenges in the region and the Corridor’s important biodiversity and ecosystem services”.<sup>145</sup> Yara’s country manager for Tanzania told a researcher at the Norwegian University of Life Sciences that doubted whether SAGCOT would create significant positive change for small farmers in the long term.<sup>146</sup> One traditional danger with private agricultural investments is that larger farmers will capture most of the (limited) benefits. It is noteworthy that SAGCOT’s Investment Blueprint defines small-scale food producers as those with a turnover of less than \$5,000 per year – nine times more than minimum agricultural wages in Tanzania.<sup>147</sup>

New Alliance documents state that Tanzania is developing 350,000 hectares for “commercial farmland” (meaning large-scale farms) and 330,000 hectares for “enhanced smallholder farmlands (outgrowers)”.<sup>148</sup> This is partly under SAGCOT and partly under the government’s Big Results Now initiative, part-funded by DFID, which plans to establish 25 commercial farms in the country. Another SAGCOT document states that by 2030, 15% of agricultural land in the SAGCOT area will comprise commercial farms and outgrowers, with 85% used by small-scale food producers and farmers associations.<sup>149</sup> This represents a big change, given that currently only 2% of land in the SAGCOT area is classified as general land. The government has already issued land titles for investment by companies totalling 83,000 hectares, which are being earmarked for rice and sugar.<sup>150</sup> Crucially, the New Alliance Framework Agreement commits the government to “demarcating” “all village land in SAGCOT region”, completing “land use plans”, and issuing Certificates of Occupancy, in 40% of villages by June 2016.<sup>151</sup> By November 2012, 391 Village Land Use Plans had been completed, involving 900,000 hectares of “potential land for investment”.<sup>152</sup>

Other donor initiatives related to the New Alliance are explicitly promoting large-scale land acquisitions. For example, the first-listed objective of the G8’s Land Transparency Partnership, which involves G8 governments partnering with African governments on land governance issues, is: “Improve transparency and benefits of large-scale land deals”.<sup>153</sup> Similarly, DFID is providing £4.95 million during 2014-17 in a Land Tenure Support Programme in Tanzania whose key activity is described as “enhancing transparency and benefits of large-scale land deals”.<sup>154</sup> Small-scale food producers are meant to benefit from this project but in a context where large-scale land acquisitions proceed and are only to be made more transparent.

SAGCOT documents all emphasise the importance of investors accessing land; thus the land titling policy is likely to be a precursor to increasing privatisation and concentration of land. SAGCOT’s Environmental and Social Management Framework states clearly that “various land agencies plan to shift large tracts of land from Village lands into long term leased General lands for expanding agriculture”.<sup>155</sup> The government has the power to transfer any area of village land to general land if it can argue that it is doing so for the purpose of promoting the public interest.

A revealing report written by USAID a month before President Obama announced the New Alliance Cooperation Framework with Tanzania states: “To state it bluntly, most of the lands that the GOT [Government of Tanzania] wishes to see developed in SAGCOT will need to be taken from villagers by government and leased to investors.”<sup>156</sup> The report adds that the government’s policy of transferring land into the general land category “will lead to displacement of villagers, loss of grazing rights, migratory corridors and water sources for pastoralists, and risks igniting land-based conflict... Today, the GOT does not have adequate policies and procedures in place to ensure that harm to local communities is prevented. The government has not adopted and implemented much-needed safeguard provisions.”<sup>157</sup>

The report is all the more remarkable given that, as noted, USAID is coordinating the New Alliance initiative in Tanzania. The report was circulated to donor governments but not published.<sup>158</sup>

ActionAid has documented land grab cases in Tanzania in recent years,<sup>159</sup> including one involving a prominent New Alliance project (see box 3 below). Documents make clear that some people will be displaced by SAGCOT projects and that a Resettlement Policy Framework will be developed.<sup>160</sup> Yet despite over 25 project documents on the SAGCOT website,<sup>161</sup> none say how many people this will be; this undermines transparency in the process and raises suspicions that the number of displacements could be large.<sup>162</sup>

### Box three: EcoEnergy's land grab in Bagamoyo District<sup>163</sup>



**Anza Ramadhani**, a 51-year-old farmer living in Bagamoyo, explained EcoEnergy's consultation process in August 2014  
PHOTO: ADAM WOODHAMS/ACTIONAID

ActionAid's research in Tanzania has found that some rural communities in Bagamoyo District are being pushed off their land by a much-lauded sugar cane plantation project planned by EcoEnergy, a Swedish company, which will lease approximately 22,000 hectares of land for 99 years. Although the company has conducted consultations with affected villagers, ActionAid's research finds that many of them have not been offered the choice of whether to be resettled or not, and have not been given crucial information about the irreversible effects the project may have on their livelihoods and their rights to food and land. By failing to obtain their free, prior and informed consent to develop the project, EcoEnergy is grabbing the land of these communities, or risks doing so.

.....

*"We never had a chance to influence the decisions concerning our land and future. There has been no transparency whatsoever. We don't know if we will be resettled, where it will be or if we will be compensated. We don't know how much the compensation will be or if it will be at all."*

.....

EcoEnergy's plan to develop a sugar cane plantation is a flagship New Alliance project. EcoEnergy claims that the project will bring many benefits for the local community. But in the first phases alone approximately 1,300 people – mainly farmers – will lose some or all of their land and/or their homes. There will be further displacements in subsequent phases, in which ActionAid estimates that hundreds of people could be affected.

EcoEnergy proposes to establish an outgrower programme in which 1,500 small-scale food producers would use village land to form 25-35 'block farms', where on average 50 farmers will plant 100 acres of cane and supply sugar to the company at an agreed price. Yet interviews with both EcoEnergy and farmers confirmed that many farmers in the area are unaware of the details of this model, which presents potential risks to local small-scale food producers and involves a major shift in livelihoods and food security in the area. Each group of 50 small farmers is expected to create their own outgrower company, which will have to take out very large loans – of at least US\$800,000, equivalent to approximately US\$16,000 per person – a sum that is 30 times the minimum annual agricultural salary in Tanzania. Just as problematic, EcoEnergy's most optimistic estimates state that it will take seven years for the outgrower companies to pay back their loan before they can make a profit. Until this break-even point, the farmers' only earnings would be from their farm labour, which is likely to be low since agricultural minimum wages in Tanzania are only US\$44 a month.

EcoEnergy says these risks are normal and can be mitigated. However, ActionAid's information is that many of the people to be displaced have not been informed of the details of the outgrower programme, let alone the high risks that may be involved in comparison with the benefits they would receive (eg low salaries over a long period of time). This constitutes a failure to obtain the free, prior and informed consent of affected communities.

The government is holding up the EcoEnergy project as a model for Tanzania. The New Alliance's 2014 Progress Report for Tanzania states: "Hailed... as an innovative collaborative solution to transforming land from disused to productive, 'land for equity' and the compassionate compensation scheme are held up by the Ministry of Land as best practice for handling such land and resettlement issues in future."<sup>164</sup>

## ► 2.4 Senegal's PDIDAS project

In the New Alliance Cooperation Framework, the Senegalese government committed itself to "improve and accelerate reforms to encourage the private sector to invest in the agricultural sector, especially by taking steps to facilitate access to land and its productive use by all".<sup>165</sup> A "key commitment" is to "define and implement land reform measures for responsible agriculture".<sup>166</sup> The New Alliance's Progress Report 2013/14 for Senegal makes it clear that land reform policies are geared to securing greater access to land for private investors.<sup>167</sup> The Progress Report also states that the government is committed to setting up a Land Reform Commission "under incentives of the private sector investment [sic]".<sup>168</sup> The 36 companies involved in the New Alliance in Senegal have collectively acquired 51,730 hectares of land, according to New Alliance documents; the largest land deals are Compagnie Agricole de Saint Louis with 4,500 hectares, Valnovel with 22,500 hectares and Suneor with 20,000 hectares.<sup>169</sup>

## Senegal and the New Alliance

Senegal launched its New Alliance Cooperation Framework in November 2013, with Canada as the G8 coordinating partner. The basic aim of the cooperation framework was described as ‘to attract and mobilize national and international private investment to stimulate and support sustainable development of the agriculture sector’.<sup>170</sup> According to the New Alliance’s first progress report for Senegal, by 2014, 36 Senegalese and foreign companies had signed Letters of Intent describing future investment projects in the country, which were worth a total of \$470 million.<sup>171</sup>

One key way in which Senegal’s land reform commitments are being implemented in Senegal<sup>172</sup> is through the PDIDAS programme (the Sustainable and Inclusive Agribusiness Development Project, in English). PDIDAS is promoting commercial agriculture, principally horticulture, in fertile areas of northwest Senegal around the Senegal River Valley where small-scale food producers predominate. The project envisages investments in 15,000 hectares of land in the Ngalam Valley and 40,000 hectares around Lac de Guiers – thus in a total of 55,000 hectares of land. The World Bank states these areas “are suitable for commercial expansion”, and it is providing \$86 million to the project. The Bank expects to “leverage more than \$100 million of private investment from large operators”. It also says that PDIDAS will directly benefit over 10,000 people and 100 off-farm enterprises, representing a mix of smallholder and medium-scale farmers, wage workers, and small and medium enterprises that stand to benefit from investment in irrigation infrastructure. It states that “over 65 per cent” of the project’s beneficiaries will be women, who also represent the majority of wage earners.<sup>173</sup>

The government says that both private investors and rural communities will benefit from the project<sup>174</sup> and the World Bank states that the project will contribute to secure tenure arrangements for both investors and small-scale food producers.<sup>175</sup> The Bank states that the PDIDAS project “will have significant implications for land rights in the geographic areas supported by the project”.<sup>176</sup> Land legislation in Senegal, in particular the 1964 National Land Law, does not allow the direct sale or lease of land by rural communities to investors, so the government has had to find the best way possible for investors to get control of the land.<sup>177</sup> The land use changes under PDIDAS are described by the World Bank in the following way:

“Because current legal provisions preclude direct allocation of land from rural communities to investors, the project will test a ‘Lease-Sub-lease Option’ land allocation model where the Government will convert land identified and selected by the rural community from the national domain (in French, *Domaine national*) to the private domain of the state (*Domaine privé de l’État*). It will then lease this land (*bail emphytéotique*) to the rural community, which in turn will sub-lease the land to the investor.”<sup>178</sup>

Indeed, PDIDAS will support a review of the legal and institutional frameworks governing the use and allocation of rural land as it relates to agribusiness investment, identify reforms that may be needed and develop instruments such as model leases for displaying information concerning investments. The project will also map agricultural land and prepare a cadastral plan showing the allocation of land rights to investors and community members.<sup>179</sup>

Yet the context is that pressure over land has massively increased in Senegal in recent years – one estimate is that between 2000 and 2010, over 657,000 hectares of land, around 17% of Senegal's arable land, was allocated to 17 private Senegalese and foreign firms.<sup>180</sup> The site of the PDIDAS project – the Senegal River Valley – has witnessed a particular influx of private investors seeking to acquire fertile land. Most notoriously, Senegalese and Italian investors by the name of Senhulle/Senethanol acquired 20,000 hectares in 2011 to promote agricultural production. The project has been highly controversial and the subject of massive local opposition. A recent ActionAid report documents how the project has disregarded the concerns of local communities, ignored legal obligations to conduct an in-depth Environmental and Social Impact Study before starting activity, violated rights to water, food and the environment, and disregarded the requirement for free, prior and informed consent, and is a clear case of being a land grab.<sup>181</sup>



**Peul woman** washing at the nearest fresh water source to her village – a distance of 5km - in Djalbajani, in the northern Senegalese region of Ndiaël. Women leave early morning and return late afternoon when the sun is at its coolest. Livestock is the main source of wealth for Peul people in Ndiaël, where Senhulle-Sénéthanol, a company owned by Senegalese and Italian investors, is grabbing 20,000 hectares of land from the 9,000 people who live there. Over the past three years, the majority of the communities living in the area have been standing in opposition to the project, which deprives them of access to most of their land and threatens their basic means of subsistence. The company has, however, continued to implement the project, benefiting from the lack of protection of local communities' customary land tenure rights. It has failed to carry out adequate consultations, ignored its legal obligation under Senegalese law to conduct an in-depth Environmental and Social Impact Study before starting any activity in Ndiaël, and disregarded the requirement to obtain the free, prior and informed consent of local communities.

PHOTO: GIADA CONNASTARI/ACTIONAID

The danger is that such projects will be replicated under PDIDAS; thus communities in the area have a real and justifiable fear of future land grabs. A 2012 study by the Senegalese farmer organisation CNCR consulted villagers in the area and found that all people feared land grabs and becoming “agricultural labourers” for big companies. Local farmers were worried that they would endure reduced food security, partly since agricultural production under PDIDAS is being geared for exports not local consumption. Villagers said they would refuse to give up control of their land to private investors. Furthermore, they said that issues

concerning land tenure security had not been adequately discussed by PDIDAS project staff. The report found that in 90% of villages surveyed, the land issue was not adequately discussed and was rather a “taboo subject”. Villagers were simply told that they would discuss land issues directly with investors, as part of a “win-win partnership”, and that “the state will safeguard their interests”.<sup>182</sup> The key issues were thus seen as participation of villagers in decision-making and transparency of public policies, both of which are currently inadequate.

Community consultations organised in 2013 were denounced by farmer organisation CNCR as they failed to provide a balanced analysis of the potential positive and negative impacts of the initiative. Communities were thus prevented from being fully informed about the potential consequences of the initiative, including the loss of farmers’ and pastoralists’ control over their land.<sup>183</sup> The national civil society platform on land governance (CRAFS – *Cadre de réflexion et d’action sur le foncier au Sénégal*) later stressed that communities’ concerns voiced during those consultations were not taken into account in the PDIDAS project documents, which mainly focus on addressing the needs of private investors.<sup>184</sup>

.....

*“I was never invited to participate in a PDIDAS community meeting, even though I am an elected rural councillor to the rural community NB: The rural communities of Senegal are local administrative subdivisions) and thus responsible for solving land disputes. Only a small proportion of affected communities were informed about PDIDAS, which does not constitute community consent.”<sup>185</sup>*

Badara Seck, rural councillor in the rural community of Gandon, one of the nine rural communities where PDIDAS is implemented.

.....

The World Bank’s main document on the project states that rural communities will themselves “decide whether or not to make land available for investments” and that the project is “based on a transparent and participatory land and water allocation process”.<sup>186</sup> This commitment is clearly vital in light of villagers’ fears, but the key is clearly in implementing it. Government documents themselves outline some of the project’s risks, notably that: “we may see a rise in tensions between farmers on land issues, or between pastoralists and farmers; unauthorised (non consensual) occupation of land belonging to indigenous people; population growth, which will result in pressures for land requirements”.<sup>187</sup> This view is shared by CRAFS, which considers that PDIDAS “will create competition between private investors and small-scale food producers on access to land, leaving the latter stranded as they do not currently possess the necessary human, material and financial resources to fulfil the conditions to access land under the scheme”.<sup>188</sup>

### 3. Undermining the Land Tenure Guidelines

As noted above in the previous sections, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security – also known as the Tenure Guidelines (TGs)<sup>189</sup> – were endorsed by the UN Committee on World Food Security in 2012 and are the foremost set of global principles for promoting secure tenure rights and equitable access to land, fisheries and forests.<sup>190</sup> The TGs establish internationally accepted principles and standards for the responsible governance of land, fisheries and forests. The overall goal of the Guidelines is to help countries improve their governance of land tenure so as to ensure better food security for their population, with special attention given to small-scale food producers, indigenous communities and women’s rights. Governments should fully implement the TGs as a first important step to prevent land grabs.<sup>191</sup>

#### Box four: African Union Land Policy Framework

Complementary to the TGs is the African Union’s (AU’s) land guidance codified in the Framework and Guidelines on Land Policy in Africa (F&Gs), which sit alongside the AU’s recent Guiding Principles on Large Scale Land Based Investments in Africa.<sup>192</sup> Developed through multi-stakeholder consultation under the Land Policy Initiative (AU-LPI),<sup>193</sup> the non-binding F&Gs were endorsed by AU Heads of State in 2009 and highlight five priority areas for African governments when assessing large-scale land investments:<sup>194</sup>

- **Small-scale first:** Investment decisions should be guided by national strategy for sustainable agricultural development, recognizing the key role of small-scale producers and of gender equality in achieving food security, poverty reduction and economic growth.
- **Holistic assessment:** Land governance and decision-making should be based on a holistic assessment of economic, financial, social, cultural and environmental costs and benefits from the proposed investment, for different stakeholders and throughout its lifetime.
- **Rights-based frameworks:** Policy and legal frameworks should ensure that investments are made within a framework that supports respect for human rights and recognizes all legitimate rights to land – including informal, indigenous and customary tenure rights – and natural resources of all land users, including women, landless, youth and other vulnerable groups, with strengthening security of tenure for women a fundamental aspiration.
- **Transparency:** To prevent corruption, decisions should be based on transparency, inclusiveness, informed participation and social acceptance of informed communities
- **Accountability:** Governments should decentralize land services and uphold high standards of cooperation, collaboration and mutual accountability to address imbalances of power and promote investments beneficial to African societies.

According to the New Alliance, all parties have committed in the Cooperation Frameworks to operate in a manner consistent with the Tenure Guidelines.<sup>195</sup> However, the Nigeria,<sup>196</sup> Malawi<sup>197</sup> and Tanzania<sup>198</sup> Cooperation Frameworks state only that the government and investors will “take account” of the Guidelines. In Senegal, the government and private investors have jointly committed to “align with” the Tenure Guidelines.<sup>199</sup>

ActionAid’s analysis is that land policies being promoted under the New Alliance are violating the Tenure Guidelines in a number of ways. For example:

- *The Guidelines assert that “states should consider promoting a range of production and investment models that do not result in the large-scale transfer of tenure rights to investors”.<sup>200</sup> Thus there is a presumption against large-scale land deals.* Yet all four governments are precisely promoting large-scale land acquisitions as a matter of high policy.
- *As a safeguard mechanism, the Guidelines encourage states to introduce “ceilings on permissible land holdings”.<sup>201</sup>* Yet in none of the four cases does it appear that the government envisages placing ceilings on land holdings.
- *The Guidelines states that “redistributive reforms may be considered for social, economic and environmental reasons, among others, where a high degree of ownership concentration is combined with a significant level of rural poverty”.<sup>202</sup>* Yet the land titling and reform processes in the four countries do not envisage any substantial redistribution of land to small-scale food producers or the landless.
- *States are required under the Tenure Guidelines to “support responsible investments” that “do no harm” and that “support broader social, economic and environmental objectives”.<sup>203</sup>* Yet, as noted above, a number of reports suggest that some large-scale land acquisitions, including those involving New Alliance investors, are having or are likely to have adverse impacts on local small-scale food producers.

## 4. Benefitting women farmers?

Women often bear the brunt of land grabs, can benefit little from outgrower schemes and already face massive discrimination in land ownership. Yet it is noticeable that women farmers, who comprise the majority of farmers in Africa, feature little in New Alliance documents. In Tanzania, for example, women comprise 65% of farmers in the SAGCOT region and contribute 60-80% of all agricultural labour.<sup>204</sup> Yet SAGCOT's Investment Blueprint mentions women once in its 67-page analysis – to point out that 98% of rural women depend on agriculture.<sup>205</sup> The analysis does not go on to say why this fact might be important for any agricultural strategy in the region. SAGCOT'S *Strategic Regional Environmental and Social Assessment* does contain a much stronger analysis of the role of women, correctly stating that:

“The SAGCOT programme is unlikely to benefit men and women smallholder farmers equally without an effective plan to ensure gender analysis of local projects and situations, especially concerning access to and control over assets and resources and how changes in these would affect men and women differently. Gender equality must also be ensured in all consultation mechanisms and processes.”<sup>206</sup>

However, the key is putting this recognition in practice and presently it is unclear whether such a plan has been developed.

In Nigeria, it is unclear from the project documents publicly available whether the SLTR process has a strong focus on benefitting small-scale women farmers and their land rights. The GEMS project funded by DFID has indicators for capturing the benefits for women, although it is not clear if this includes targets for the number of land titles to be held by women.<sup>207</sup> Similarly, in Malawi, as noted above, the government's proposed land legislation does not give adequate protection to women's land rights.

This failure to adequately address women's rights further flies in the face of the Tenure Guidelines, which assert that states “should consider the particular obstacles faced by women and girls with regard to tenure” and “take measures to ensure that legal and policy frameworks provide adequate protection for women”.<sup>208</sup>



**Leya Mesa**, is a 40-year-old farmer from Nambiri village in Phalombe district, Malawi. She belongs to a women's savings group where women save and borrow money as start-up capital for small businesses.

“I joined the group in 2013 because of the problem of land I was facing. I did not have a chance of accessing a piece of land because of money problems. The land that my husband bought a long time ago belongs to him. I was not a signatory at the time he purchased it. With my savings, I first sold fried fish dipped in wheat flour. My business was doing fine, so that I bought a piece of land where I am planning to build a house of my own. Before this project, I had problems with my family because we lacked basic necessities such as good shelter, food and clothing. The money that my husband earned was not enough to support our family. Now my children are living happily. I am able to pay their school fees, feed them and buy them nice clothes.”

PHOTO: ACTIONAID

## 5. Lack of sufficient participation

The New Alliance's 2013/14 Progress Report states that active participation from civil society and farmers' organisations is vital to strengthen accountability and advocate for effective public policy to advance New Alliance principles and goals.<sup>209</sup> Yet, across the countries involved in the New Alliance, the participation of civil society organisations and producer organisations has been ad hoc. The New Alliance has not developed guidance outlining the roles and responsibilities of stakeholders and there are no benchmarks for the participation of civil society organisations or producer organisations in New Alliance activities. Few details are available on the specific commitments made by companies in the New Alliance framework, and Letters of Intent signed between companies and government have not been made publicly available.<sup>210</sup> The evidence refutes DFID's contention that "New Alliance Cooperation Frameworks are developed in consultation with farmer organisations to ensure policy reforms and investments respond to the specific needs and opportunities of small-scale farmers".<sup>211</sup>

Malawi's Cooperation Framework places few obligations on the government to consult with stakeholders. It mentions only that the government "reaffirms its intention" to have a "dialogue" with farmers and other stakeholders. While the document commits the government to "consulting with the private sector on key policy decisions that may affect the private sector", it makes no similar commitments when it comes to small-scale food producers.<sup>212</sup> By the time Malawi's membership of the New Alliance was launched in December 2013, some of the reforms it had committed to were already under way.<sup>213</sup>

Representatives from Malawi's main smallholder farmer networks did not participate in the drafting of the Cooperation Framework agreement until a very late stage and had little say or influence on it.<sup>214</sup> The European Union led the formulation of Malawi's Cooperation Framework in 2012 which included roundtable discussions in 2013 attended by some civil society but not others, notably the Civil Society Agriculture Network (CISANET). Research by Oxfam notes that this oversight was put down to time constraints and pressure to pull together policy agreements prior to a G8 summit.<sup>215</sup> More positively, CISANET is now part of the Alliance core team in Malawi, a member of the Joint Sector Review team and also a member of the Technical Working Groups in the Agriculture Sector-Wide strategy, the main agriculture policy in Malawi.<sup>216</sup>

Tanzania's SAGCOT programme has been driven from the top from the onset and offers few opportunities for small-scale food producers to influence the agenda. In early 2014, the government signed a Memorandum of Understanding with a group of organisations to "strengthen farmers participation in the design and implementation" of SAGCOT and to "jointly facilitate the engagement of civil society and farmers in SAGCOT initiatives".<sup>217</sup> Yet that group consists of the Agriculture Council of Tanzania (ACT), the Tanzania Horticulture Association (TAHA), the SAGCOT Centre and the Agricultural Non-State Actors Forum (ANSAF). Both ACT and TAHA are representatives of the private sector and the SAGCOT Centre manages the SAGCOT initiative. ANSAF is supposed to represent international and local civil society organisations but does not provide a strong balance to government policy and MVIWATA, the largest network organisation

for Tanzanian small-scale farmers, has distanced itself from ANSAF's stance on SAGCOT.<sup>218</sup> Indeed, MVIWATA, a member of the transnational Via Campesina network – whose agricultural development philosophy is not aligned with that of SAGCOT – has been excluded outright.<sup>219</sup> Thus small-scale farmers are completely under-represented in the partnership. It appears that the participation of organisations hinges on whether or not they support the basic SAGCOT vision.<sup>220</sup>

The New Alliance's 2014 Progress Report for Tanzania upholds as an example of the government's cooperative approach a stakeholder meeting chaired by the Prime Minister's Office in June 2014. Yet its list of attendees includes 25 people mainly from government, donors, SAGCOT and companies – with no prominent civil society or farmers organisations mentioned.<sup>221</sup> The government states that it consulted with NGOs such as Care-Tanzania, Concern-Tanzania and the Agricultural Non-State Forum in producing the New Alliance Progress Report for 2014, but no others are mentioned.<sup>222</sup>

In Senegal, the national civil society platform on land governance (CRAFS) has denounced the consultation process for the implementation of the PDIDAS as failing to respect the principles of the Tenure Guidelines, claiming it was only given an observer status to ratify decisions made in its absence, and that local authorities had complained about insufficient consultations. Likewise, it stressed that the process of allocating land to private investors under PDIDAS does not require consultation with local communities and their organisations, thus not ensuring that communities give their free, prior and informed consent to land investments.<sup>223</sup>

Similarly, Nigeria's Cooperation Framework commits the government to “consulting with private sector investors” but not with small-scale food producers or civil society organisations.<sup>224</sup> The Chair of the House Committee on Agriculture, Mohammed Munguno, has said that his Committee was not consulted by the Minister of Agriculture before Nigeria joined the New Alliance.<sup>225</sup> The Ministry of Agriculture (FMARD) and civil society organisations have convened several meetings on the subject of the New Alliance – for example, a two-day consultation meeting organised by the FMARD with civil society organisations in August 2013, soon after Nigeria had joined the New Alliance. However, civil society organisations complain that FMARD provides them with limited documentation relevant to the New Alliance and that they are not adequately represented in various negotiation processes in agriculture policy making.

The New Alliance Cooperation Frameworks challenge the notion of adequate participation in another way. Very few policy commitments found in the Cooperation Frameworks appear in national agricultural plans drawn up by countries under the CAADP process (Comprehensive African Agricultural Development Programme) and often developed through many more national consultations. While these national plans are extensive documents covering a wide range of issues, the frameworks focus on measures almost exclusively aimed at increasing corporate investment in agriculture.<sup>226</sup>

#### **Box five: Reaching small-scale food producers?**

If agricultural investments are to be successful, they must support the people doing most of Africa's farming and producing most of the food – that is, small-scale food producers. Yet the New Alliance is not explicit at all about how its policies and projects are meant to benefit small-scale food producers.

According to the New Alliance Progress Report, 156,000 small-scale food producers in Malawi have been “reached” by New Alliance projects and 2,750 jobs created.<sup>227</sup> It is, however, not clear what ‘reached’ means. Similarly, Tanzania’s Progress Report claims that 453,000 small-scale food producers were “reached” in 2013,<sup>228</sup> while Nigeria’s Progress Report says that only 7,292 small-scale food producers have so far been “reached” through New Alliance projects, again without defining what this means.<sup>229</sup> Given that so few small-scale food producers have been reached in Nigeria with \$611 million in investment, it seems that small-scale food producers are benefitting little from these investments.

But the other figures on small-scale food producers reached seem to be simply an accumulation of the number of small-scale food producers involved in all New Alliance projects. Yet this does not mean they are benefitting, as our concerns over land grabs show. The New Alliance figures are mainly for public relations; they are not a serious attempt to genuinely monitor how many and in what way small-scale food producers are benefitting from these projects. This is a further clear failure of the New Alliance.

## 4. Conclusion and recommendations

Policies enacted through the New Alliance do not suggest that small-scale food producers or women are at the centre of government land policies. Rather, New Alliance and related policy reforms are largely providing an enabling environment for big business to access natural resources. The New Alliance is increasing the risk of land grabs while undermining land rights and land tenure, endangering the right to food for many and further marginalising small-scale producers and women.

Key goals of the New Alliance are to tackle poverty and hunger. Yet the countries with the best record of doing this have stimulated smallholder investment through cooperatives (Ghana, Thailand), pro-poor land tenure reform (Vietnam, China and Thailand) and state-led investment in, for example, rural roads and electrification (Vietnam, Indonesia, Ghana, Bangladesh, Brazil, Thailand and China), which in turn stimulates smallholder production.<sup>230</sup> These initiatives are largely missing from the New Alliance framework, which mainly promotes private investments by large companies.

The New Alliance initiative should be scrapped and public funding targeted at national support to sustainable agriculture, especially by investing in poor, small-holder farmers, women, cooperatives and climate resilience. Farmers themselves must be central to strategies aimed at increasing the amount and effectiveness of agricultural investment.

### **Governments should:**

- **Stop all engagement in and support for the New Alliance and replace it** with genuine initiatives to support small-scale food producers and advance sustainable agriculture. This means initiatives such as the CAADP, which represent Africa's own solution and commitment to supporting small-scale food producers, revitalising rural communities, tackling poverty whilst doing agriculture in a sustainable way.
- **Fully implement the Tenure Guidelines on land, fisheries and forests**, the African Union's Framework and Guidelines on Land Policy in Africa, and the African Union's Guiding Principles on Large Scale Land Based Investments in Africa through participatory, inclusive mechanisms that prioritise the rights and needs of legitimate tenure users, especially women.
- **Ensure the free, prior and informed consent of all communities affected by land transfers**, including the fair and equitable participation of all groups within local communities, especially excluded and marginalised groups, such as women, children, minorities, the elderly and disabled people.
- **Review public policies and projects that incentivise land grabbing**, and instead support policies that **prioritise the needs of small-scale food producers** – particularly women – and sustainable land use.
- **Regulate businesses so they are fully accountable for respecting human rights**, tenure rights, and environmental, social and labour standards. This includes ensuring that investors carry out comprehensive human rights due diligence, are transparent and are fully accountable for respecting human rights, legitimate tenure rights, and environmental, social and labour standards throughout all their operations at home and abroad.

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**ActionAid** is a global movement of people working together to achieve greater human rights for all and defeat poverty. We believe people in poverty have the power within them to create change for themselves, their families and communities. ActionAid is a catalyst for that change.

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